

Book	Policy Manual
Section	Vol. 43, No. 1 - October 2024 OH
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Status	

## **BYLAWS AND POLICIES**

### **Bylaw 0100 - Definitions (Revised)**

This bylaw has been revised to update the definition of personal communication devices (based on R.C. 3313.753) and President, and to ensure the definitions of President and Vice-President accurately cross-reference Board Bylaw 0152 - Officers. Also, as the treasurer is statutorily required to take meeting minutes, there is no secretary role.

### **Bylaw 0142.1 - Oath (Revised)**

This bylaw has been revised to consolidate provisions addressing the oath of office (optional provision moved from Bylaw 0152 - Officers) and to include cross-references to other relevant bylaws. The intent of these changes is to improve the ease of use of these bylaws and promote consistency in how they are implemented. Also, we have added "and impartially perform" to the commitment supported by the oath of office.

### **Bylaw 0151 - Organizational Meeting (Revised)**

This bylaw has been revised to consolidate and align provisions addressing actions taken at the organizational meeting, including cross-references to other relevant bylaws. The intent of these changes is to improve the ease of use of these bylaws and promote consistency in how they are implemented.

### **Bylaw 0152 - Officers (Revised)**

This bylaw has been revised to consolidate and align provisions addressing the election of officers (materials moved from Bylaw 0173 - Board Officers), and to include cross-references to other relevant bylaws. Materials addressing the annual organizational meeting have been incorporated at Bylaw 0151. Item C, addressing the secretary role has been deleted. As the treasurer is statutorily required to take minutes, there is no secretary role. Finally, we have deleted the language about what happens if there is not a majority vote on the first nomination. Roberts Rules of Order simply dictate that you continue nominating individuals until someone wins the majority vote. The overall intent of these changes is to improve the ease of use of these bylaws and promote consistency in how they are implemented.

### **Bylaw 0155 - Presiding Officer (Technical Correction)**

Technical correction to cross reference to Bylaw 0167.2 - Executive Session.

### **Bylaw 0163 - Presiding Officer (Technical Correction)**

Technical correction to cross reference to Bylaw 0152 - Officers.

### **Bylaw 0164 - Notice of Meetings (Revised)**

The bylaw has been updated to reflect current practice. We recommend you review and follow this bylaw closely.

### **Bylaw 0165 - Board Meetings (New)**

This new Bylaw consolidates content regarding board meetings formerly found at Bylaw 0165.1 - Regular Meetings and Bylaw 0165.2 - Special Meetings. Also, the optional provision addressing Emergency Meetings has been organized into an optional paragraph. Please note, content addressing agendas and consent agendas have been moved to Bylaw 0166 - Agendas. Finally, content regarding Emergency Meetings, which was previously optional, has been included in the policy permanently, so the district is prepared under such circumstances.

### **Bylaw 0165.1 - Regular Meetings (Rescind)**

This bylaw has been rescinded, and its material consolidated at Policy 0165 - Board Meetings.

### **Bylaw 0165.2 - Special Meetings (Rescind)**

This bylaw has been rescinded, and its material consolidated at Policy 0165 - Board Meetings.

### **Bylaw 0166 - Agendas (New)**

Content addressing Executive Session has been renumbered/moved unchanged to Bylaw 0167.2. It has been replaced with this content addressing agendas taken from Bylaw 0165.1 - Regular Meetings (now Bylaw 0165 - Board Meetings). Again, these changes have been made to improve the ease of use of this manual and promote consistent Board operating procedures.

### **Bylaw 0167.2 - Executive Session (Renumbered)**

The content of this bylaw was renumbered/moved unchanged (with the exception of miscellaneous grammatical corrections) from Bylaw 0166 - Executive Session. The content it replaced, Use of Personal Communication Devices, was renumbered to Bylaw 0167.7.

### **Bylaw 0173 - Board Officers (Rescind)**

This bylaw is rescinded, and all content related to Board Officers is now found at Board Bylaw 0152 - Officers.

### **Policy 4120.08 - Employment of Personnel for Co-Curricular/Extra-Curricular Activities (Revised)**

This policy has been revised to ensure personnel know to enroll in the state's Rapback System.

### **Policy 4121 - Criminal History Record Check (Revised)**

This policy has been revised to make it clear that enrollment is not optional since employees must themselves enroll with the State Board and may need to get a new background check.

### **Policy 5131 - Student Transfers (Revised)**

This policy has been revised to reflect provisions in HB 147 that allow students who are victims of abuse to transfer athletic eligibility if they transfer schools.

### **Policy 5136 - Personal Communication Devices (Revised)**

This policy has been revised in response to HB 250. HB 250 provides that districts must adopt and implement a policy that governs student use of cell phones by July 1, 2025. The policy must document disciplinary measures taken for violations and be published on the district's website. Because cell phones are one form of personal communication device (PCD), as defined under Board Bylaw 0100 - Definitions, the requirements of HB 250 have been incorporated into this policy. This policy limits student use of PCDs with legal exceptions for the purposes documented in a student's IEP or Section 504 plan and to manage the student's health care. Districts may identify other, if any, exceptions for PCD use by students.

### **Policy 5136.01 - Electronic Equipment (Revised)**

This policy has been revised to address accessing and monitoring of certain features on school-issued devices. Neola previously provided guidance on this topic in Special Release - October 2024, including the provision of sample notices that can be used to comply with the bill's notice requirements. Please see 5136.01 F1, 5136.01 F2, and 05 - Legal Alert, Senate Bill 29 Limits School Monitoring of Student Devices and Accounts, Places Requirements on Third Party Vendor Contracts for additional information.

### **Policy 5200 - Attendance (Revised)**

This policy has been revised to comply with HB 214. Schools are required to allow three religious expression days. Schools are also required to adopt a policy that prohibits a district from compelling political or ideological beliefs, using statements of commitment to political/ideological beliefs to evaluate employees for hiring, using statements to commit to political/ideological beliefs as part of academic evaluation of students.

### **Policy 5500 - Student Conduct (Revised)**

This policy has been revised to include provisions addressing academic honesty and optional provisions addressing use of artificial intelligence (AI).

### **Policy 5780 - Student/Parent Rights (Revised)**

Schools are required by SB 29 to provide parents and students with an opportunity to inspect a complete copy of each technology provider contract. Because these contracts are typically public records, it is reasonable to treat requests to inspect contracts in the same way you handle other public records requests. The statute provides that parents and students have a right to inspect contracts, not necessarily to receive copies. That said, it is often easier to send electronic copies if a request is made. Districts should be consistent in how they respond to these requests. Any redactions required by law should still be made. Districts may also elect to post the contracts in a central location or provide links to the contracts in their electronic notice.

### **Policy 6220 - Budget Preparation (Revised)**

Neola now offers Districts two options for addressing cash balance reserves - one simple and one detailed. Previously, Neola offered this detailed provision as an optional sample policy. Districts that adopted this optional sample as a stand-alone policy may have codified it at 6200, 6211, 6215, 6218, 6220, or 6235.

### **Policy 6320 - Purchasing and Bidding (Revised)**

This policy has been revised to reflect the new competitive bidding threshold established with SB 168. The bidding threshold for 2024 is \$75,000. It will increase by 3% every year as determined and published by the Director of Commerce.

### **Policy 6460 - Vendor Relations (Revised)**

This policy has been updated to incorporate new requirements adopted through Senate Bill 29 (135th General Assembly), effective October 24th, 2024. The bill establishes a number of restrictions and requirements for technology providers that contract with a school district to provide school-issued devices for student use and create, receive, or maintain educational records pursuant to its contract with the District. The bill also requires that the District will provide parents and students with direct and timely notice by mail, electronic mail, or another method of direct communication of any contracts the District has with a provider of curriculum, testing or assessment technology that affects a student's educational records. This notice is a new requirement adopted through Senate Bill 29 (135th General Assembly), which took effect October 24th, 2024. Since the bill's effective date did not occur until after August 1, 2024, it is reasonable to conclude that Districts are not required to send the notice for the 2024-2025 school year. However, all Districts should be prepared and ready to send the notice by August 1, 2025. Please review **Part 3** of the **Legal Alert - Senate Bill 29 Limits School Monitoring of Student Devices and Accounts, Places Requirements on Third Party Vendor Contracts** for additional information.

### **Policy 7540.03 - Student Technology Acceptable Use and Safety (Revised)**

This policy has been revised to reflect the updated definitions provided in Bylaw 0100 - Definitions, to update and align content addressing AI, and to reference notice requirements instituted by SB 29.

### **Policy 7540.04 - Student Technology Acceptable Use and Safety (Revised)**

This policy has been revised to reflect the updated definitions provided in Bylaw 0100 - Definitions, to update and align content addressing AI, and to reference notice requirements instituted by SB 29.

### **Policy 7540.09 - Artificial Intelligence ("AI"). (New)**

This policy has been added to address the use of artificial intelligence (AI) by district staff and students. We anticipate that this policy will evolve as this tool evolves.

### **Policy 8310 - Public Records (Revised)**

This policy has been revised to note that educational support services data are not included as public records as defined by 3319.32. Staff who assist the district in responding to public records requests should be made aware of this new public records exemption. If an individual who is not requesting records on behalf of OOD submits a public records request for these records, the request should be denied and the new provision of the law should be cited as the basis for the denial. The specific citation is R.C. §149.43(A)(1)(tt). For additional information, please see **05 Legal Alert - Senate Bill 29 Limits School Monitoring of Student Devices and Accounts, Places Requirements on Third Party Vendor Contracts (PL), Part 1.**

### **Policy 9160 - Public Attendance at School Events (Revised)**

This policy has been revised to reflect changes adopted by the legislature in HB 147 impacting the cost of admission for school-affiliated events, including discounts for students enrolled at the schools participating in the event.

## **ADMINISTRATIVE GUIDELINES**

### **AG 5136 - Personal Communication Devices (Rescind)**

With the changes and requirements for student cell phone use and possession established by HB 250, the content of this administrative guideline is now addressed in Board Policy 5136 - Personal Communication Devices. If the district is utilizing additional systems (ex. designated PCD storage locations, stoplight management, or electronic pouches) to implement a prohibition on personal communication devices, those procedures can be documented at this code.

## **COMMENTS**

As a reminder, Ohio Revised Code 3313.6015 previously required all public school districts, community schools, and chartered nonprofit school boards of education to adopt a resolution outlining how the district will address college and career readiness and financial literacy in its curriculum for grade seven or eight. SB 168, adopted by the Ohio General Assembly and signed by the Governor on July 24, 2024, repeals Ohio Revised Code 3313.6015. The repeal of the law will be effective on Oct. 24, 2024. After this date, public school districts, community schools, and chartered nonprofit school boards of education will not be required to adopt formal resolutions for college and career readiness and financial literacy instruction in grade seven and/or eight. Additional information can be found on the DEW website at <https://education.ohio.gov/Topics/Learning-in-Ohio/Financial-Literacy/Financial-Literacy-in-High-School>

## **Reviewing Board Minutes**

A feature of your subscription to the Update Service is the review of your District's Board minutes to identify action that results in new policy or revision to existing policy. If such action has been taken and copies of the related materials have not been submitted to the Coshocton Office, the District will be contacted and additional information regarding the action will be requested. Please take advantage of this valuable service by sending copies of your Board minutes to the Coshocton Office for review.

**Last Modified by Beth Harman on November 1, 2024**