

# bylaw

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**BOARD OF EDUCATION  
PLAIN LOCAL SCHOOL DISTRICT**

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## MEETINGS

### 0161 **Parliamentary Authority**

The parliamentary authority governing the Board of Education shall be Robert's Rules of Order, Newly Revised in all cases in which it is not inconsistent with statute, administrative code, or these bylaws.

### 0162 **Quorum**

Three (3) (majority of the full Board) members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum. (R.C. 3313.18)

### 0163 **Presiding Officer**

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice-President shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

### 0164 **Notice of Meetings**

A schedule of the time and place of each regular meetings shall be published annually in the official newspapers and posted at the District office.

The notice shall also contain the following statement: "Upon request to the Superintendent, the District shall make reasonable accommodation for a disabled person to be able to participate in this activity."

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Notice of the time, place, and purpose of each special meeting shall be given to the news media twenty-four (24) hours in advance of the meeting, except that when an emergency requires the immediate official action of the Board, the member(s) calling the meeting shall immediately notify the media requesting such notice of the time, place, and purpose of the meeting. (R.C. 121.22)

Notice of the meetings at which a specific type of public business is to be discussed shall be sent to all persons requesting such notice, provided that such persons supply the Board with stamped, addressed envelopes for the purpose.

The Treasurer shall notify all Board members of each board meeting no later than two (2) days in advance of the meeting. Such notice shall include the time, place, and purpose of the meeting.

R.C. 3313.26

0165.1 **Regular Meetings**

Regular meetings of the Board shall be public and held at least once a month. (R.C. 121.22, 3313.15)

It shall be the responsibility of the Superintendent in cooperation with the Treasurer and the Board President to prepare an agenda of the items of business to come before the Board at each regular meeting.

The agenda as presented shall be followed, unless altered by the presiding officer or a majority of those present and voting.

**Consent Agenda**

The Board shall use a consent agenda to keep routine matters within a reasonable time frame.

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The following routine business items may be included in a single resolution for consideration by the Board:

- A. minutes of prior meetings
- B. bills for payment
- C. hiring of personnel
- D. resolutions that require annual adoption, such as bank signatories, Ohio High School Athletic Association membership, curriculum adoptions
- E. resignations and leaves
- F. any other items identified by the Board President

A member of the Board may request any item be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

**0165.2 Special Meetings**

Special meetings of the Board shall be public. (R.C. 121.22)

Special meetings shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time, place, and purpose of such meeting upon each Board member at least two (2) days in advance of the meeting. (R.C. 3313.26)

The agenda as presented shall be followed unless altered by the presiding officer.

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**0166 Executive Session**

The Board reserves the right to meet privately in executive session solely to discuss one (1) or more of the following issues exempted from public sessions:

- A. consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee, official, or student
- B. investigation of charges or complaints against a public employee, official, or student unless such employee, official, or student requests a public meeting; except that consideration of the discipline of a Board member for conduct related to the performance of his/her duties or his/her removal from office shall not be held in executive session
- C. consideration of the purchase of property or sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest
- D. discussion, with the Board's legal counsel, of disputes involving the Board that are the subject of pending or imminent court action
- E. preparation for conduct or review of negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of employment
- F. matters required to be confidential by Federal law or rules or State Statutes

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- G. specialized details of security arrangements where disclosure might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of law

No official action may be taken in executive session. (R.C. 121.22)

Collective bargaining meetings between employers and employee organizations are private and not subject to R.C. 121.22. (R.C. 4117.21)

An executive session will be held only at a regular or special meeting. After the meeting is convened, any member may make a motion for an executive session, stating therewith the purpose of the session by citing one or more of the reasons set forth above. If the session is to discuss a personnel matter listed in paragraph A above, the particular subject for which the session has been called must be identified in the motion. The motion does not need to name the person. Upon receiving a second to the motion and a majority roll-call vote of those present and voting, the chairperson shall declare the Board in executive session. In keeping with the confidential nature of executive sessions, no member of the Board shall disclose the content of discussions that take place during such sessions.

0167 **Voting**

All motions shall require for adoption a majority vote of those present and voting, except as provided by the statute, these bylaws, or parliamentary authority. Upon the demand of any member of the board, the vote shall be recorded by roll call. (R.C. 3313.18)

An abstention shall be recorded and deemed to consent to the outcome of the voting. In situations in which a tie vote occurs and abstentions have been the case, the motion shall fail for lack of a majority.

All actions requiring vote can be conducted by voice, show of hands, or roll call. A Board member must be physically present at the meeting to vote. Each vote and abstention shall be recorded. Proxy voting is prohibited.

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<u>Item</u>	<u>Number Needed</u>	<u>R.C. Reference</u>
Declaring it necessary to issue bonds	Majority, Full Board	133.18 133.01(U)
Declaration by remaining members, that reasons for a member's absence for ninety (90) days are insufficient to continue membership	Majority, Full Board	3313.11
Filling a vacant Board seat (majority or remaining members)	Majority, Full Board	3313.11
Purchase or sell real estate	Majority, Full Board	3313.18
Appointment of any employee	Majority, Full Board	3313.18
Elect or appoint an officer	Majority, Full Board	3313.18
Pay any debt or claim	Majority, Full Board	3313.18
Adopt textbook	Majority, Full Board	3313.18

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<u>Item</u>	<u>Number Needed</u>	<u>R.C. Reference</u>
Dispense with resolution authorizing purchase or sale of personal property, appointment of employees, etc., if annual appropriation resolution has been adopted by a majority of full membership	Majority, Full Board	3313.18
Removal of the Treasurer or Pro Tempore at any time for cause	2/3, Full Board*	3313.22
Appointment of Treasurer Pro Tempore	Majority, Full Board	3313.23
Determination that Treasurer's incapacity is removed	Majority, Full Board	3313.23
Affirm, reverse, vacate or modify an order of student expulsion; reinstate a student	Majority Full Board	3313.66(E)
Appointment of Superintendent Pro Tempore	Majority, Full Board	3319.011

\*2/3 = 4 MEMBERS OF A 5-PERSON BOARD

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<u>Item</u>	<u>Number Needed</u>	<u>R.C. Reference</u>
Removal of Superintendent Pro Tempore at any time for cause	2/3, Full Board*	3319.011
Reemployment of a teacher after considering two nominations by the County Superintendent	Majority, Full Board	3319.07
Rejection of the Superintendent's recommendation that a teacher eligible for continuing contract be reemployed	3/4, Full Board*	3319.11
Selection of textbooks	Majority, Full Board	3329.08
Change, revision, or substitution of textbooks during four-year period after adoption	2/3, Full Board*	3329.08
Transfers of funds in certain cases	2/3, Full Board*	5705.14



Resolution declaring the necessity for certain transfers of funds	Majority, Full Board	5705.16
*2/3 and 3/4 = 4 MEMBERS OF A 5-PERSON BOARD		

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<u>Item</u>	<u>Number Needed</u>	<u>R.C. Reference</u>
Levying a tax outside 10-mill limitation (not emergency)	2/3, Full Board*	5705.21
Rejection of findings and recommendations of fact-finding panel by board or employee organization under statutory impasse resolution procedure	Majority, Full Board	4117.14(c)(6)

\*2/3 = 4 MEMBERS OF A 5-PERSON BOARD

The Board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

0168 **Minutes**

The Treasurer shall keep reasonably comprehensive minutes of all its meetings showing the time and place, the members present, the subjects considered, a summary of the deliberations sufficient enough for the public to understand the basis for the Board's actions, the actions taken, the vote of each member on roll-call votes, and any other information required to be shown in the minutes by law, which shall be available to the public. (R.C. 121.11, 149.43, 3313.26)

Minutes of executive sessions shall reflect the general subject matter of discussions. (R.C. 121.22)

The Treasurer shall provide each Board member with a copy of the minutes of the last meeting at the next regular meeting.

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Tape recordings shall be made of each meeting of the Board as an administrative aid and shall be destroyed when said purpose has been served and in accordance with public records requirements.

The minutes of Board meetings shall be considered at the next succeeding meeting where they shall be read (unless waived by law), corrected, and approved. The approved minutes shall be signed by the Treasurer and the President.

The approved minutes shall be filed in the Treasurer's office in a prescribed minute book as a permanent record of official Board proceedings.

R.C. 149.43, 3313.26, 3315.07

**0169.1 Public Participation at Board Meetings**

The Board of Education recognizes the value to school governance of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than one (1) day prior to the meeting and include name and address of the participant; group affiliation, if and when appropriate; and topic to be addressed. Such requests shall be subject to the approval of the Superintendent and the Board President.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public participation at those public meetings of the

Board during which action may be taken and publish rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

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The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted at the discretion of the presiding officer.
- B. Anyone having a legitimate interest in the action of the Board may participate during the public portion of a meeting.

Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.

Participants must be recognized by the presiding officer and must preface their comments by an announcement of their name, address, and group affiliation if and when appropriate.

Each statement made by a participant shall be limited to five (5) minutes duration.

Tape or video recordings are permitted, providing the person operating the recorder has received approval from the Superintendent prior to the Board meeting and agrees to the placement of the equipment and to abide by the following conditions:

- A. No obstructions are created between the Board and the audience.
- B. No interviews are conducted in the meeting room while the Board is in session.

- C. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.

The presiding officer may:

- A. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;

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- B. Request any individual to leave the meeting when that person does not observe reasonable decorum;
- C. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- D. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.

R.C. 3313.20, 3315.07 (C)(2)

Revised April 1994  
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