

# **BOARD OF EDUCATION**

**CINCINNATI, OHIO**

**PROCEEDINGS**

**SPECIAL PUBLIC MEETING**

**September 2, 2009**

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**SPECIAL PUBLIC MEETING**

The Board of Education of the City School District of the City of Cincinnati, Ohio, met in emergency special public session pursuant to notice by the Treasurer in Conference Room 1A at the Cincinnati Public Schools Education Center, 2651 Burnet Avenue, Wednesday, September 2, 2009 at 4:00 p.m., Vice President Bates in the chair. The pledge to the flag was led by Vice President Bates.

**ROLL CALL**

Present: Members Bates, Bolton, Cranley, Flannery, Ingram, Nelms (6)

Absent: President Reed (1)

Superintendent Ronan was absent.

**PRESENTATION**

Allied Construction Industries (ACI) Update – Pamela Mullins, Manager, Supplier Diversity; and Joe Hummel, Executive Director, ACI.

**RESOLUTION AMENDING  
LEGISLATIVE FUNCTION POLICY 0131**

**WHEREAS**, the Cincinnati Board of Education adopted Board Policy 0131 Legislative Function on January 8, 2007;  
and

**WHEREAS**, the Board has worked diligently with the Administration to adopt policies that support best practices in the District;

**NOW, THEREFORE BE IT RESOLVED**, that Legislative Function Policy 0131 be amended as follows:

Legislative

The Board of Education shall make such rules and regulations as are necessary for its governance and the governance of its employees and students of its grounds or premises by adopting bylaws and policies for the organization and operation of this Board and this School District. R.C. 3313.20

**LEGISLATIVE ACTION**

Those bylaws and policies which are not dictated by the statutes or rules of the State Board of Education or ordered by the Superintendent of Public Instruction, or a court of competent authority may be adopted, amended, repealed, and/or suspended by a majority vote at any meeting of the Board. ~~provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected.~~

**RESOLUTION AMENDING  
LEGISLATIVE FUNCTION POLICY 0131  
(cont.)**

**LEGISLATIVE ACTION IN EMERGENCY SITUATIONS**

*Bylaws and policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this rule as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the District.*

Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution in final form. *Bylaws shall be adopted, amended, repealed, or suspended UNDER EMERGENCY CONDITIONS by an affirmative vote of AT LEAST  $\frac{3}{4}$  OF THE MEMBERS PRESENT ~~five (5) members~~. Policies shall be adopted, amended, or repealed UNDER EMERGENCY CONDITIONS by an affirmative vote of AT LEAST  $\frac{3}{4}$  OF THE MEMBERS PRESENT ~~five (5) members~~.*

Catherine D. Ingram

Ms. Ingram moved and Mrs. Cranley seconded the motion that the Resolution Amending Legislative Function Policy 0131 be approved.

Ayes: Members Bates, Bolton, Cranley, Ingram, Nelms (5)  
Noes: Member Flannery (1)

Vice President Bates declared the motion carried.

**RESOLUTION RESCINDING POLICIES**

**WHEREAS**, the Cincinnati Board of Education adopted the following Policies on August 24, 2009:

Whistleblower- Classified Staff- 3211 & Professional Staff- 4211  
Family Medical Leave Act (FMLA)- 4430.01  
Property- 7000

**WHEREAS**, the following policies are in conflict with the newly adopted policies:

Community Use of School Facilities- 1330;  
Restricted Uses of School Buildings- 1331(a)(b);  
Recreation Commission- 1415;  
Use of School Building for Library Purposes- 1416;  
Employee Committees or Councils- 4116.23;  
FMLA- 4152.6(a-f);  
Complaints From or Against Employees- 4216.12; and

**RESOLUTION RESCINDING POLICIES**

(cont.)

**WHEREAS**, the Administration has worked diligently to assist the Board in identifying policies that support best practices in the District.

**NOW, THEREFORE BE IT RESOLVED**, That the above policies in conflict with the newly adopted policies be rescinded; and

**BE IT FINALLY RESOLVED**, That if any conflict occurs with policies that remain in the current policy manual, the new policies will take precedence over the existing policies.

Catherine D. Ingram

Ms. Ingram moved and Ms. Bolton seconded the motion that the Resolution Rescinding Policies be approved.

Ayes: Members Bates, Bolton, Cranley, Flannery, Ingram, Nelms, (6)

Noes: None

Vice President Bates declared the motion carried.

**RECESS INTO EXECUTIVE SESSION**

Ms. Bolton moved and Mr. Nelms seconded the motion that the Board recess into executive session at 5:25 p.m. to conference with Board Legal Counsel regarding pending legal matters.

Ayes: Members Bates, Bolton, Cranley, Flannery, Ingram, Nelms (6)

Noes: None

Vice President Bates declared the motion carried.

Board returned to Public Session at 6:16 p.m.

**ADJOURNMENT**

The Board adjourned at 6:17 p.m.

Jonathan L. Boyd  
Treasurer/CFO