

SCHOOL BOARD LEGAL STATUS

The Ohio General Assembly has delegated responsibility for the conduct of public schools in each school district to a local board of education. Boards of education are political subdivisions of the state and members of a board are officials elected by the citizens of a district to represent them in the management of the public schools.

Legally, a board of education is a body politic and corporate, capable of suing and being sued; contracting and being contracted with; acquiring, holding, possessing and disposing of real and personal property; and taking and holding in trust for use of the district any grant or gift of land, money or other personal property.

The Board of the Norton City School District is composed of 5 members elected by the citizens of the District. A regular term is four years.

[Adoption date:]

LEGAL REFS.: ORC 3311.01; 3311.02; 3311.03; 3311.04; 3311.05; **3311.056**; 3311.19
3313.01; 3313.02; 3313.09; 3313.17

CROSS REFS.: AA, School District Legal Status
BBA, School Board Powers and Duties
BBB, School Board Elections

NOTE: A statement under this code is usually statutory and informational in nature, not a “policy” in the strict sense of the word. Included under this code are the number of board members and the length of a regular term.

A local district should cite Ohio Revised Code Section (RC) 3311.03 and 3313.01; a city district should cite RC 3311.02 and 3313.02; an exempted village school district should cite RC 3311.04. Joint vocational school districts (JVSD) should refer to RC 3311.19, and educational service centers (ESC) should refer to RC 3311.05 and 3313.01.

Senate Bill 3 (2016) revised several of the requirements made by House Bill (HB) 59 (2013), impacting the governance structure of JVSD boards. Members are to be appointed to a JVSD board for a three-year term and no longer are limited to two consecutive terms. SB 3 also removed specific qualifications board members must meet. A member must be appointed by the appointing district in accordance with the JVSD plan and the member may be:

- *a current elected board member of a JVSD member school board or*
- *an individual who has experience or knowledge regarding the labor needs of the state and region with an understanding of the skills, training and education needed for current and future employment opportunities in the state.*

Preference may be given to qualified individuals who have served on a JVSD business advisory committee. SB 3 also allows any JVSD board to submit an application to the State Superintendent of Public Instruction for approval to revise its membership plan to stagger the members’ terms of office.

Under RC 3311.056, an ESC governing board may adopt a plan to add appointed board members. The plan may provide for adding up to one less than the total number of elected members on the board, provided the total number of elected and appointed members combined is an odd number. The plan must define the term of the appointed members and members must be appointed by a majority vote of the full number of elected ESC board members, the plan also must address how vacancies will be filled. The plan must specify the qualifications of the appointed board members including the experience, knowledge, and skills that advance the mission and vision of the service center and the appointed members may be representative of the client school districts of the service center that are not otherwise represented on the board. The plan and any revisions to or rescission of the plan must be submitted to the State Board of Education for approval. ESCs with an approved plan may customize this policy to reflect the inclusion of appointed members.