



- 1. Membership of Academic Distress Commission**
 - a. Each ADC shall consist of five members. The Superintendent of Public Instruction shall appoint three members, the School Board President shall appoint one member and the Mayor of the city where the school District is located shall appoint one member.
- 2. Appointment of Members of Academic Distress Commissions.**
 - a. When making appointments to an Academic Distress Commission, an appointing authority shall do all of the following:
 - i. (A) Appoint only individuals who are residents of the county the appointing authority serves, citizens of the United States, and interested and knowledgeable in the field of education and other allied fields;
 - ii. (B) If the appointing authority is the Superintendent of Public Instruction, appoint at least one individual who is an immediate family member of someone currently receiving services provided by the School District and at least one individual with an Ohio Department of Education's State Superintendent's license;
 - iii. (C) If the appointing authority is a School Board President, appoint an individual who is a current faculty member or Administrator of the School District in Academic Distress;
 - iv. (D) If the appointing authority is the Mayor, appoint an individual who has either a licensed attorney in good standing with the state of Ohio or a Certified Public Accountant with the State of Ohio.
 - v. (E) Appoint, to the maximum extent possible, individuals who have professional training and experience in business management, finance, law, education, personnel administration, or government service;
 - vi. (F) Provide for the Academic Distress Commissions membership to reflect, as nearly as possible, the composition of the School District that the School District serves.
- 3. Persons who may not serve on an Academic Distress Commission**

None of the following individuals may serve as a member of an Academic Distress Commission:

 - i. (A) An elected public official, or individual excluded from the definition of public official or employee in division (B) of section 102.01 of the Revised Code;
 - ii. (D) An immediate family member of an employee of the School District in Academic Distress;
- 4. Declaration of Eligibility prior to appointment to board**
 - a. (A) No individual may be appointed or reappointed to an Academic Distress Commission unless the individual, before the appointment or reappointment, provides to the appointing authority a written declaration specifying both of the following:
 - i. (1) That they are not an elected official and that they are not a family member of an employee of the School District in Academic Distress.
 - ii. (2) Whether the individual or an immediate family member of the individual has an ownership interest in or is under contract with an agency contracting with the School District in Academic Distress, and, if such an ownership interest or contract exists, the identity of the agency and the nature of the relationship to that agency.

dollars per year for service on the Academic Distress Commission. Such compensation shall be paid from the School District's General fund upon vouchers signed by the president of the Academic Distress Commission.

- b. Each member of an Academic Distress Commission may be paid such compensation as the respective board provides by resolution for attendance at an approved training program, provided that such compensation shall not exceed Three Hundred dollars a day for attendance at a training program three hours or fewer in length and Five Hundred dollars a day for attendance at a training program longer than three hours in length.

9. Organization of Academic Distress Commission

- a. (A) Each Academic Distress Commission shall hold an annual organizational meeting no later than the thirty-first day of January of each year and shall elect its officers, which shall include a Chairman, Vice-Chair. After its annual organizational meeting, the board shall meet in such manner and at such times as prescribed by rules adopted by the board, but the board shall meet at least ten times per year in regularly scheduled sessions in accordance with section 121.22 of the Revised Code, not including in-service training sessions:
- b. (B) A majority of the board constitutes a quorum. The board shall adopt rules for the conduct of its business and a record shall be kept of board proceedings, which shall be open for public inspection.

10. Members of Academic Distress Commission to attend annual in-service training.

- a. Each year, each member of an Academic Distress Commission shall attend at least four hours of in-service training provided or approved by the department of education. This training shall not be considered regularly scheduled meetings of the Academic Distress Commission.

11. Participation by member in matter involving conflict of interest.

- a. In no circumstance shall a member of an Academic Distress Commission participate in or vote on any matter before the Academic Distress Commission concerning a contract agency of which the member or an immediate family member of the member is also a board member or an employee.

12. Grounds for removal of member of board.

- a. An appointing authority shall remove a member of an Academic Distress Commission for any of the following reasons:
 - b. (1) Neglect of duty;
 - c. (2) Misconduct;
 - d. (3) Malfeasance;
 - e. (4) Ineligibility to serve on the Academic Distress Commission;
 - f. (5) Failure to attend at least four hours of in-service training session each year;
 - g. (6) Failure to attend within one year three regularly scheduled board meetings;
 - h. (7) Failure to attend within one year two regularly scheduled board meetings if the member gave no prior notice of the member's absence;
 - i. (8) Consistently poor performance on the Academic Distress Commission, as demonstrated by documentation that the Chairman of the Academic Distress Commission provides to the appointing authority and the appointing authority determines is convincing evidence.

- j. The removal provisions of divisions (6) and (7) of this section do not apply to absences from special meetings or work sessions.

13. Waiver of removal requirement for nonattendance.

- a. An appointing authority shall not remove a member of a county board of developmental disabilities from the county board by reason of division (5), (6), or (7) of the prior section of the Revised Code if the Superintendent of Instruction waives the requirement that the member be removed. The Superintendent may issue the waiver only if the appointing authority requests that the Superintendent issue the waiver and provides the Superintendent evidence that is satisfactory to the Superintendent that the member's absences from the in-service training sessions or regularly scheduled board meetings are due to a serious health problem of the member or a member of the member's immediate family. The Superintendent's decision on whether to issue the waiver is final and not subject to appeal.
- b. The Academic Distress Commission on which the member serves may pass a resolution urging the appointing authority to request that the Superintendent issue the waiver. The member whose absences from the sessions or meetings are at issue may not vote on the resolution. The appointing authority may request the waiver regardless of whether the Academic Distress Commission adopts the resolution.

14. Academic Distress Commission Monitors

- a. The Academic Distress Commission shall employ up to two monitors.
 - i. These monitors are to operate at the direction of the Academic Distress Commission for the purposes of reviewing the progress of the District for a maximum of 60 hours per month unless the Academic Distress Commission determines that additional time is required.
 - ii. The CEO shall accommodate any request of the monitors in fulfilling their responsibilities to the Academic Distress Commission.

15. CEO

- a. Each Academic Distress Commission shall employ a CEO. The selection of the CEO shall be conducted in conjunction with the Local School Board. Every effort should be made to involve the public in the selection of the CEO. The Academic Distress Commission shall provide for a CEO who is qualified. The CEO shall have no voting privileges on the board.
- b. The Academic Distress Commission shall prescribe the duties of its CEO and shall annually review the CEO's performance. Said review shall be made available to the public for review and comment. The CEO may be removed, suspended, or demoted for cause. The Academic Distress Commission shall fix the CEO's compensation and reimburse the CEO for actual and necessary expenses.
- c. Each Academic Distress Commission that employs a CEO shall employ the CEO under a contract. To enter into a contract, the Academic Distress Commission shall adopt a resolution agreeing to the contract. Each contract for employment or re-employment of a CEO shall be for a term of not less than one and not more than five years. At the expiration of a CEO's current term of employment, the CEO may be re-employed. If the board intends not to re-employ the CEO, the board shall give the CEO written notification of its intention. The notice shall be given not less than ninety days prior to the expiration of the CEO's contract.

- d. If a vacancy occurs in the position of CEO, an Academic Distress Commission may appoint a person who holds a valid superintendent's certificate issued under the rules of the department to work under a contract for an interim period not to exceed one hundred eighty days until a permanent CEO can be employed or arranged for under division (A) of this section. The Superintendent of Public Instruction may approve additional periods of time for these types of interim appointments when so requested by a resolution adopted by an Academic Distress Commission, if the Superintendent of Public Instruction determines that the additional periods are warranted and the services of a permanent CEO are not available.

16. CEO of Academic Distress Commission – Powers and Duties.

- a. The CEO of the Academic Distress commission shall do all of the following:
 - i. (1) Administer the work of the Academic Distress Commission, subject to the Commission's rules;
 - ii. (2) Recommend to the Academic Distress Commission the changes necessary to increase the effectiveness of the programs and services offered by the School District;
 - iii. (3) Employ persons for all positions authorized by the Commission, approve contracts of employment for management employees that are for a term of one year or less, and approve personnel actions that involve employees in the classified civil service as may be necessary for the work of the Commission;
 - iv. (4) Approve compensation for employees within the limits set by the salary schedule and budget set by the board of Education, and ensure that all employees and consultants are properly reimbursed for actual and necessary expenses incurred in the performance of official duties;
 - v. (5) Provide consultation to public agencies as defined in division (C) of section 102.01 of the Revised Code, and to individuals, agencies, or organizations providing services supported by the board.
- b. The CEO shall have the following powers, but the CEO may delegate and all powers are subject to approval of the Academic Distress Commission:
 - 1. (a) Replacing school administrators and central office staff;
 - 2. (b) Assigning employees to schools and approving transfers;
 - 3. (c) Hiring new employees;
 - 4. (d) Defining employee responsibilities and job descriptions;
 - 5. (e) Allocating teacher class loads;
 - 6. (f) Conducting employee evaluations;
 - 7. (h) Contracting for services for the district;
 - 8. (j) Selecting instructional materials and assessments;
 - 9. (k) Providing for staff professional development.
- ii. The CEO shall have the following powers, but the CEO may delegate and all powers are subject to approval of the School board:
 - 1. (a) Establishing employee compensation;
 - 2. (b) Setting the school calendar;
 - 3. (c) Creating a budget for the district;
- c. (d) Modifying policies and procedures established by the district board;

1. (e) Establishing grade configurations of schools;
 2. (f) Setting class sizes;
 3. (g) Determining the school curriculum;
 4. (h) Making reductions in staff under section 3319.17, 3319.171, or 3319.172 of the Revised Code;
- ii. The CEO shall attend every Academic Distress Commission meeting, make a report of progress, and answer any questions of the board.
 - iii. The CEO shall attend every School Board meeting, make a report of progress, and answer any questions of the board.
 - iv. The CEO shall provide quarterly updates on the progress made to the public.
 - v. The CEO shall be subject to a vote for public removal if an unanimous school board approves a resolution of no-confidence.

17. Ohio Board of Educational Responsibilities to districts in Academic Distress

- a. The Superintendent of public instruction shall ensure that the following occurs for any district in Academic Distress:
 - i. Unless waived by resolution of the Academic Distress Commission, attend, one Academic Distress Commission meeting for any district that is covered under this law per year.
 - ii. Convene an Academic Distress Resource Commission.
 1. The purpose of the resource commission is to provide additional support and resources to the Academic Distress Commission. Additionally, this Commission shall provide input on developing a transition plan out of academic distress.
 2. The composition of this group shall include the following:
 - a. An individual with an Ohio Superintendent's license, and a minimum of 10 years of experience as a superintendent.
 - b. An individual with an Ohio's Principal license, and a minimum of 10 years of experience as a principal.
 - c. An individual licensed by the state of Ohio to serve as a Treasurer and a minimum of 10 years' experience as a Treasurer.
 - d. An individual with a minimum of 10 years of school board or other non-profit board experience.
 - e. At least one designee from the State Department of Education who shall serve as a liaison between the State and Resource Commission.
 - iii. Conduct a minimum of one annual Ohio Department of Education assessment of the plan put in place by the Academic Distress Commission.
 - iv. State testing results for District's in Academic distress are to be given priority over all other districts and their results shall be returned by June 1st following the test results.
 - v. Provide an annual update to the General Assembly on the progress of a District in Academic Distress.

18. School Boards under Academic Distress

- a. Each year, each board member of a school District with an Academic Distress Commission shall attend at least Fifteen hours of in-service training provided or approved by the department of education. This training shall not be considered regularly scheduled meetings of the school Board.
- b. For each school district under academic Distress, the School Board, CEO and Academic Distress Commission shall be required meet publicly a minimum of four times per year.