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By-Laws

Governing the North Central Ohio Educational Service Center Local Professional Development Committee

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Adopted by the
North Central Ohio Educational Service Center Board of Governors

Revised 11/15/2011

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By-Laws Governing the North Central Ohio Educational Local Professional Development Committee

WHEREAS, Revised Code 167.04 requires that the North Central Ohio Educational Service Center Local Professional Development Committee (NCOESC LPDC) shall adopt By-Laws designating the officers of the NCOESC LPDC and the method of selection thereof as designated by Senate Bill 230 and O.R.C. 3301-24-08.

WHEREAS, the NCOESC certificated personnel, by duly adopted resolution, authorized its representatives to approve these By-Laws, and the representatives have met for the purpose of adopting these By-Laws in accordance with Ohio Revised Code 167.04.

SECTION 1. Definitions

As used in the By-Laws, the following words shall have the following meanings:

“By-Laws” means regulations adopted by this body pursuant to Revised Code 167, hereof, as those regulations may be amended, modified, or supplemented in accordance with the provision thereof.

The North Central Ohio Educational Service Center Local Professional Development Committee includes the following agencies: NCOESC, North Central Academy, Marie English Early Childhood Center, North Central Ohio Rehabilitation Center, Richland Academy of Excellence and the Seneca County Opportunity Center and shall be referred to as NCOESC LPDC hereafter in this document. **“The North Central Ohio Educational Service Center Local Professional Development Committee or NCOESC LPDC”** means the North Central Ohio Educational Service Center Local Professional Development Committee established pursuant to Senate Bill 230 and O.R.C. 3301-24-08 and having those powers and duties enumerated in the By-Laws.

“NCOESC LPDC fund” means the fund that shall be established and maintained by the treasurer of the fiscal agent as a separate fund in accordance with Section 3 of the By-Laws, into which the treasurer shall deposit all monies received for NCOESC LPDC costs and programs.

“Fiscal Agent” means the board of governors designed by the NCOESC LPDC pursuant to the By-Laws.

“Executive Officers” means the Chair elected by the NCOESC LPDC from among the members of the NCOESC LPDC.

“LPDC Coordinator” means the NCOESC employee appointed by the superintendent to assist the NCOESC LPDC with implementation of procedures and coordination of LPDC activities.

SECTION 2. North Central Ohio Educational Service Center Local Professional Development Committee Membership

The NCOESC LPDC shall be made up of individuals who are interested in educator training and professional development as it pertains to license renewal for professional educators, and who represent a wide range of positions in the NCOESC. The NCOESC may provide for reimbursement of its members from the NCOESC LPDC funds for reasonable expenses incurred in connection with the NCOESC LPDC.

SECTION 3. Composition of the North Central Ohio Educational Service Center Local Professional Development Committee

The NCOESC LPDC shall be composed of at least 7 voting members, as designed by Senate Bill 230 and O.R.C. 3301-24-08 as follows:

- A majority of committee membership shall be comprised of teachers.
- Teachers shall be selected by a vote of NCOESC teacher employees, including one (1) member representing Seneca County Opportunity Center.
- Administrators shall be selected by a vote of NCOESC administrative employees. One (1) administrator shall be appointed by the superintendent and shall act as the ESC LPDC Coordinator.
- One (1) non-voting member, appointed by the NCOESC superintendent, shall serve as the LPDC Secretary.
- Have a Chair and Co-Chair elect for a two (2) year term.

SECTION 4. Duties of the NCOESC LPDC

The NCOESC LPDC serves as an information and resource body, and is the legislative arm of the members. The NCOESC LPDC will conduct on-going plans and activities.

(A) Officers

The election of officers shall be conducted each year at the May meeting. Nominations shall be taken from the floor. Candidates receiving the highest number of votes shall be declared to a term of office beginning July 1st of the year elected. The Chair and Chair-Elect will be elected by a vote of the NCOESC LPDC. These elected officers shall serve two-year terms and together shall serve as the Executive Officers of the NCOESC LPDC. The NCOESC superintendent appointed Coordinator may not be elected to hold an office. The duties of the officers shall be:

1) Chair

- a) Shall preside at all meetings of the NCOESC LPDC.
- b) Shall call meetings which are deemed necessary for the carrying out of the policies and business of the NCOESC LPDC.
- c) Shall appoint the special committees necessary to carry on the business of the NCOESC LPDC.
- d) Shall work closely with the LPDC Coordinator employed by the NCOESC.
- e) Shall represent the NCOESC LPDC, along with the LPDC Coordinator, as the liaison to the Ohio Department of Education, and may attend required meetings on behalf of the NCOESC LPDC.

2) Superintendent Appointed LPDC Coordinator

- a) Shall assist the Chair with all communications.
- b) Shall represent the NCOESC LPDC, along with the Chair, as the liaison to the Ohio Department of Education, and may attend required meetings on behalf of the NCOESC LPDC.
- c) Shall act as the liaison between the NCOESC LPDC and the NCOESC Superintendent.

3) LPDC Secretary

- a) The Superintendent appointed LPDC Secretary shall function as the recording secretary for all official proceedings of the NCOESC LPDC.
- b) The Secretary shall work with the Superintendent appointed LPDC Coordinator to assure the policies of the NCOESC LPDC are followed.

(B) Resolutions

- 1) Each member, including the Chair, Co-Chair and Superintendent appointed LPDC Coordinator shall have one vote. The LPDC Secretary is a non-voting member of the NCOESC LPDC. All legislative action of the NCOESC LPDC shall be entered as resolution on its records. The majority affirmative vote of members present shall be required for the enactment of every resolution. All resolutions shall be effective immediately upon enactment, subject to any authorizations or certifications required by the Revised Code to be made by the Fiscal Agent.
- 2) Voting on all issues pertaining to initiation of new programs will be ballot vote with a majority of all LPDC members present required for passage.
- 3) If deemed necessary by the Executive Officers, balloting may be conducted by mail, fax, email, or phone.

(C) Meetings

- 1) The annual organizational meeting will be held in August. At that time the budget will be shared. Regular meetings of the NCOESC LPDC will be held throughout the year. An annual calendar of the NCOESC LPDC meeting dates, times, and locations shall be distributed to the NCOESC LPDC members by August of each year, or on an ad hoc basis as new events are scheduled. Any of these changes will be made public through NCOESC website email. As such, any professional educator covered under this agreement may attend this, or any other, general business meeting of the NCOESC LPDC.
- 2) Business. Individual Professional Development Plans will be reviewed at each meeting.
- 3) Professional Development. Professional Development for the purpose of providing LPDC training shall be provided, on an as-needed basis, as determined by the NCOESC LPDC.
- 4) Special. Special or additional meetings of the NCOESC LPDC may be called by the Chair and/or Superintendent appointed LPDC Coordinator as deemed necessary.

(D) Powers and Duties of the NCOESC LPDC

- 1) The NCOESC LPDC shall consist of representatives of the NCOESC pursuant to Senate Bill 230 and ORC 3301-21-8.
- 2) The NCOESC LPDC shall have the power to perform such functions and duties as are performed or capable of performance by the members, and which are necessary or desirable for dealing with problems of mutual concern.
- 3) The NCOESC LPDC may acquire by purchase, lease, or lease-purchase such supplies, materials, equipment, and facilities as it may deem necessary and appropriate for the work of the NCOESC LPDC, and may secure such insurance coverage as may be deemed necessary for the protection of its members, officers, personnel, and property.
- 4) The NCOESC LPDC may authorize non-NCOESC entities to participate in programs and services of the NCOESC LPDC on a contract basis.
- 5) The NCOESC LPDC may accept any gift, donation, or bequest from public or private donors, including gifts, donations, or bequests made under lawful conditions upon their use, and may accept goods, services and the use of personnel contributed by non-NCOESC entities.

- 6) The NCOESC LPDC shall have all the power vested in a Regional Council of Governments pursuant to Chapter 167 of the Ohio Revised Code.

(E) NCOESC LPDC

- 1) Length of Term. The NCOESC LPDC shall be elected for terms of three (3) years. Terms shall follow the NCOESC LPDC calendar year (July 1-June 30). The term of the LPDC Superintendent Appointed Coordinator shall be at the discretion of the NCOESC Superintendent.
- 2) Duties
 - a) The NCOESC shall have primary responsibility for the day-to-day operation of the committee.
 - b) The NCOESC LPDC shall provide leadership, and shall conduct the NCOESC LPDC's necessary business.
 - c) The NCOESC LPDC shall prepare and submit to the NCOESC members for review at the annual meeting held in August, a budget for the ensuing year.
 - d) The NCOESC LPDC shall authorize any expenditures within approved budget, and shall forward approval of such expenditures to the Fiscal Agent for payment.
 - e) The NCOESC shall direct the employment of any staff, and the procurement of contracted services, in accordance with Section 4 of these By-Laws.
 - f) The NCOESC LPDC shall appoint standing committees as deemed necessary.
- 3) Vacancies. All vacancies on the NCOESC LPDC shall be filled as described by Senate Bill 230 and O.R.C. 3301-24-08. The newly appointed member shall serve until the expiration of the original member's term.
- 4) Meetings. The NCOESC LPDC Officers shall meet as needed at the discretion of the Chair and/or LPDC Coordinator.
- 5) Quorum and Voting. A quorum is a majority of all LPDC members. A quorum must be present to vote and take any action which is within the authority of the NCOESC LPDC.

SECTION 5. Fiscal Agent

(A) NCOESC LPDC Fund

The Treasurer of the Fiscal Agent shall maintain the NCOESC LPDC Fund separate and apart from all other funds of the Fiscal Agent. The NCOESC LPDC Fund shall be subject to the applicable laws of this state concerning the investment and management of public funds of the NCOESC, particularly Revised Code Chapter 135, and shall be responsibility of the Fiscal agent. The Fiscal Agent shall deposit in the NCOESC LPDC Fund any contributions received for payment of the NCOESC costs, and shall keep a record of contributions to the NCOESC fund. Interest earned on monies in the NCOESC LPDC Fund shall be credited to the NCOESC LPDC fund. Disbursements may be made from the NCOESC LPDC Fund by the Fiscal Agent at the direction of the NCOESC LPDC Coordinator for any proper purpose of the NCOESC LPDC including, but not limited to, payment of fees for professional and contracted services, and for programs and operating expenses.

The Treasurer of the Fiscal Agent shall not be an elected position for the purpose of serving as a member of the NCOESC LPDC nor deemed an Executive Officer of the NCOESC LPDC.

(B) Maintenance of Records

The Fiscal Agent shall maintain records that identify contributions for LPDC costs. This Fiscal Agent shall maintain or cause to be maintained records that account for all disbursements or transfers from the NCOESC LPDC Fund.

(C) Reports

The Fiscal Agent shall make such financial reports as may be deemed necessary by the Executive Officers or LPDC Coordinator, at such times as may be deemed advisable by the NCOESC LPDC.

(D) Contracts

- 1) The Fiscal Agent shall enter into all contracts on behalf of the NCOESC LPDC, as directed by the Executive Officers or LPDC Coordinator.
- 2) Teachers will be paid a supplemental contract of \$50.00 per meeting, not to exceed ten (10) meetings per year.

(E) Competitive Bidding

The Fiscal Agent shall carry out all procedures related to competitive bidding which is conducted on behalf of the NCOESC LPDC.

(F) Fidelity Bond

The Treasurer of the Fiscal Agent shall obtain and keep in force a fidelity bond, in an amount determined by the NCOESC LPDC and with a surety company approved by the NCOESC LPDC, the amount thereof shall not be reduced without prior consent of the NCOESC LPDC pursuant to a duly authorized resolution.

(G) Management Fee

As consideration for its services, the Fiscal Agent may receive a management fee from the NCOESC LPDC in an amount approved by the NCOESC LPDC. Any such fee shall be included in the NCOESC LPDC costs.

SECTION 6. Employees and Consultants

The NCOESC LPDC may employ such staff, and contract for the services of such consultants or experts, as deemed necessary for the work of the NCOESC LPDC, provided that any amounts to be paid under any contracts of employment or contracts for services are within the NCOESC LPDC budget in accordance with these By-Laws. The NCOESC LPDC shall establish the salaries, benefits, work and disciplinary rules for any staff employed by the NCOESC LPDC, and shall direct the hiring and discharge of that staff. The salaries and benefits paid to the NCOESC LPDC's staff and any amounts paid under contract to consultants or experts shall be NCOESC LPDC costs, and shall be payable solely from monies on deposit in the NCOESC LPDC Fund.

Any staff employed to assist the Fiscal Agent in the discharge of its duties shall be considered employees of the NCOESC LPDC, but shall be supervised by the Fiscal Agent.

SECTION 7. Equipment and Facilities

The NCOESC LPDC, through and LPDC Coordinator, may purchase, lease, lease-purchase or otherwise provide for such supplies, materials, equipment and facilities as it deems necessary and appropriate to carry out the work of the NCOESC LPDC; provided that any amounts to be paid under contract or leases for such supplies, materials, equipment, or facilities are with the NCOESC LPDC budget approved by the NCOESC LPDC and the LPDC Coordinator in accordance with these By-Laws. The NCOESC LPDC shall comply with the applicable laws of the state governing the NCOESC with respect to the procedures for bidding and letting of contracts for acquisition, repair, or improvement of its facilities, equipment, and supplies. The Fiscal Agent shall, at the direction of the NCOESC LPDC and LPDC Coordinator, enter into all contracts or leases for supplies, materials, equipment or facilities.

SECTION 8. Amendments

The By-Laws may be amended, modified, or supplemented in any respect not prohibited by law with the approval of the NCOESC LPDC and LPDC Coordinator. Any amendment, modification, or supplement shall thereupon become binding, and a certified copy of the resolution shall be provided to the Fiscal Agent within thirty (30) days following its adoption.

Adopted this 20th day of *December*, 2011.

Witnesses: _____, Chair
_____, Secretary
_____, LPDC Coordinator
_____, Member
_____, Member
_____, Member
_____, Member
_____, Member
_____, Member