

Book Policy Manual

Section Vol. 44, No. 2 - January 2026 CO

Title Vol. 44, No. 2 - January 2026 Policy Disposition Sheet

Code 02 - Policy Disposition Sheet

Status 1) Reading and Review

Adopted March 18, 2026

Last Revised February 9, 2026

Last Reviewed February 18, 2026

**DISPOSITION OF NEW/REVISED/REPLACEMENT
POLICIES FOR BOARD ADOPTION**

VOL. 44, NO. 2 - JANUARY 2026

Coding for District-Specific Edits

*1 = drafted by District staff

*2 = if the material was a work for hire, that is, material the District paid someone else to develop but from whom the District purchased the rights to publish

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Policy Number	Date Adopted	District-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po2431.06 New	3/18/2026			
po3440	3/18/2026			
po4440	3/18/2026			
po5223				3/18/2026
po6320	3/18/2026			
po6325	3/18/2026			
po6423	3/18/2026			
po6424				3/18/2026
po6425 New	3/18/2026			
po6460	3/18/2026			
po6465 New	3/18/2026			
po7540.09 Replacement	3/18/2026			

Book	Policy Manual
Section	Vol. 44, No. 2 - January 2026 CO
Title	Vol. 44, No. 2 - January 2026 New NAME, IMAGE, AND LIKENESS (NIL) IN ATHLETICS
Code	po2431.06
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New Policy - Vol. 44, No. 2

2431.06 - NAME, IMAGE, AND LIKENESS (NIL) IN ATHLETICS

Pursuant to Ohio High School Athletic Association ("OHSAA") Bylaws, students may enter into an agreement or arrangement in which the student capitalizes on their Name, Image, and Likeness/Personal Branding Rights, commonly referred to as a NIL Agreement. However, pursuant to OHSAA Bylaw 4-10-1, a student may not participate in an interscholastic sport unless the student is an amateur. Pay-for-play (receiving payments simply for being a student-athlete), entering an agreement/contract with a professional sports team, and improper recruiting inducements are also prohibited.

DEFINITIONS

Name, Image, and Likeness (NIL)/Personal Branding Rights shall mean the use of self-publicity due to public recognition (athletic fame) and/or the notoriety a student may attain to receive a benefit through appearances, licensing, social media, endorsements, and/or the use of branding.

A **collective** is a third-party group, typically formed by alumni and supporters, that pools donations and fundraising to create and manage NIL/Personal Branding Rights opportunities for student-athletes. Collectives provide student-athletes with sponsorships, endorsement deals, and other ways to monetize their NIL/Personal Branding Rights, bridging the gap between athletes and the brands or businesses looking to leverage their popularity and control their earnings from their public persona. Collectives are strictly prohibited by OHSAA Bylaws.

Official Team Activities include activities that occur during school hours, while traveling to or from an OHSAA event, or during school or team events, including any practice, meeting, contest, tournament, or any similar event or facility the OHSAA deems inappropriate or distracting.

PROVISIONS

A student may enter into a NIL/Personal Branding agreement provided the following criteria are met:

- A. The student does not utilize the name, logos, mascots, trademarks, or other proprietary properties of the OHSAA or any OHSAA member school or school team while receiving the compensation and/or during any promotions or imply that the OHSAA or the OHSAA member school or school team approves the NIL/personal branding activity;
- B. The student does not engage in an NIL/Personal Branding Rights agreement that is provided by an OHSAA member school or an agent of the school (e.g. collectives, booster clubs, foundations, administrators, coaches, or other individuals);
- C. The student does not engage in any name and image/personal branding activities during school hours, while traveling to or from any OHSAA event, or during official team activities;
- D. The student does not engage in an NIL/Personal Branding Rights agreement that provides compensation based on specific athletic performance or achievement (e.g. points scored, etc.);

- E. The student does not engage in a NIL/Personal Branding Rights agreement that is provided as an inducement to attend a particular school;
- F. The student does not display the sponsor's product or otherwise advertise for a sponsor during official team activities;
- G. The student is the only person impacted by the NIL/Personal Branding Rights agreement and this agreement shall never provide any money, merchandise, services of value, or any other benefits directly to the student's school and/or team;
- H. The student does not engage in a NIL/Personal Branding Rights agreement associated with gaming/gambling, alcoholic beverages, tobacco, cannabis, banned or illegal substances, adult entertainment products or services, firearms or other weapons, or any other product or service the OHSAA deems inappropriate or distracting; and
- I. The student is responsible for determining what, if any, effect the NIL/Personal Branding Rights agreement may have on eligibility with the NCAA, NJCAA, and/or the NAIA.

A student engaged in a NIL/Personal Branding Rights agreement shall disclose each agreement to the OHSAA within fourteen (14) days after entering into said agreement. Students who fail to disclose their agreement(s) or fail to disclose their agreement(s) in a timely fashion shall be subject to a period of ineligibility up to twenty percent (20%) of the sport season in which they participate and/or any other penalties as outlined in OHSAA Bylaw 11.

Details on how to disclose said agreement(s) shall be posted on the OHSAA website.

A student engaged in an NIL/Personal Branding Rights agreement shall also comply with any other applicable OHSAA bylaws and regulations and any applicable policies of the District.

If a student transfers to a school and the transfer can be shown to be reasonably linked to a student's NIL/Personal Branding Rights agreement, a rebuttable presumption shall exist that the student has been recruited, which is in violation of OHSAA Bylaw 4-9. The Executive Director's Office may suspend the privilege of participation in interscholastic athletics during the pendency of any alleged violation of this bylaw.

Member school administrators and coaches shall have an obligation to educate the school community that any attempt to facilitate an NIL/Personal Branding Rights agreement to help secure the enrollment of a prospective student shall result in penalties as prescribed in OHSAA Bylaw 11, including a review of the school's membership status.

Student-athletes with NIL/Personal Branding Rights deals, along with their parents or guardians, are encouraged to seek professional advice, understand contracts thoroughly, and prioritize academic and athletic commitments to protect the student-athlete's eligibility and long-term success. These activities should be regarded as a business, and participants should stay compliant with school and State regulations and focus on building a strong support system to avoid mismanagement of funds and protect future opportunities.

Any violation of this policy and OHSAA Bylaw 4-11 shall be subject to penalties outlined in OHSAA Bylaw 11 and may include suspension of the privilege of participation in interscholastic athletics during the pendency of any alleged violation of this policy.

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OHSAA Bylaw 4-11

Book	Policy Manual
Section	Vol. 44, No. 2 - January 2026 CO
Title	Vol. 44, No. 2 - January 2026 Revised JOB-RELATED EXPENSES
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Revised Policy - Vol. 44, No. 2

4440 - JOB-RELATED EXPENSES

The Governing Board ~~() will (X)~~ may ~~[END-OF-OPTION]~~ provide for the payment of the actual and necessary expenses, including traveling expenses, of any classified staff member of the Educational Service Center ("Center") incurred in the course of performing services for the Center, whether within or outside the Center, under the direction of the Board and in accordance with the Superintendent's administrative guidelines.

The validity of payments for job-related expenses shall be determined by the **Superintendent or designee**. Pre-approval for estimated travel expenses by the **Superintendent or designee** is required.

The Board ~~() shall (X)~~ may ~~[END-OF-OPTION]~~ pay the expenses of classified staff members when they attend meetings with prior approval in accordance with the policy of this Board and in accordance with the administrative guidelines of the Superintendent.

~~Whenever a staff member is unable to provide one (1) or more receipts for appropriate expenses, the staff members/he may be reimbursed in an amount not to exceed~~

~~() \$100 one hundred dollars (\$100)~~

~~() \$ _____ [ENTER AMOUNT] [END-OF-OPTION]~~

~~upon written explanation of the reason for the lack of the receipt and the approval of the expenses by the Superintendent.~~

Classified staff members are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include but are not limited to alcohol, movies, supplemental insurance on rental cars, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

DRAFTING NOTE: CHOOSE ONE (1) OF THE OPTIONS BELOW:

~~[] Accrual of personal frequent flyer miles, hotel "bonus points", credit card "rewards", or any other reward under similar affinity programs (including credit points or rewards directed to non-profit organizations) is strictly prohibited.~~

{OR

[X] Accrual and use of frequent flyer miles, credit card rewards, hotel points, or other rewards earned during official business in their personal life is permitted, provided that these rewards are earned the same way as members of the public would earn them; and they do not impose additional costs to the Center. Such accrual and use shall be in accordance with Policy 6465 - Public Office Award Program.

~~{END OF OPTIONS}~~

This policy does not address every issue, exception, or contingency that may arise in the course of travel.

Attorney General Bulletin 2025-012

Ohio Ethics Commission Opinion No. 2025-02

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Attorney General Bulletin 2025-012

Ohio Ethics Commission Opinion No. 2025-02

Book	Policy Manual
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Revised Policy - Vol. 44, No. 2

3440 - JOB-RELATED EXPENSES

The Governing Board (☒) will ~~() may [END OF OPTION]~~ provide for the payment of the actual and necessary expenses, including traveling expenses, of any professional staff member of the Educational Service Center ("Center") incurred in the course of performing services for the Center, whether within or outside the Center, under the direction of the Board and in accordance with the Superintendent's administrative guidelines.

The validity of payments for job-related expenses shall be determined by the **Superintendent or designee**. Pre-approval for estimated travel expenses by the **Superintendent or designee** is required.

The Board ~~() shall~~ (☒) may ~~[END OF OPTION]~~ pay the expenses of professional staff members when they attend professional meetings (as defined in Policy 3243) with prior approval in accordance with the policy of this Board and in accordance with the administrative guidelines of the Superintendent. Job-related expenses incurred by the Superintendent shall be reimbursed in accordance with this policy and administrative guidelines when authorized by the **Superintendent**.

~~Whenever a staff member is unable to provide one (1) or more receipts for appropriate expenses, the staff members/he may be reimbursed in an amount not to exceed~~

~~() \$100~~

~~() \$_____ [ENTER AMOUNT] [END OF OPTION]~~

~~upon written explanation of the reason for the lack of the receipt and the approval of the expenses by the Superintendent.~~

Professional staff members are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include, but are not limited to, alcohol, movies, supplemental insurance on rental cars, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

DRAFTING NOTE: CHOOSE ONE (1) OF THE OPTIONS BELOW

~~[] Accrual of personal frequent flyer miles, hotel "bonus points", credit card "rewards," or any other reward under similar affinity programs (including credit points or rewards directed to non-profit organizations) is strictly prohibited.~~

{OR

[X] Accrual and use of frequent flyer miles, credit card rewards, hotel points, or other rewards earned during official business in their personal life is permitted, provided that these rewards are earned the same way as members of the public would earn them; and they do not impose additional costs to the Center. Such accrual and use shall be in accordance with Policy 6465 - Public Office Award Program.

~~{END OF OPTIONS}~~

This policy does not address every issue, exception, or contingency that may arise in the course of travel.

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Book	Policy Manual
Section	Vol. 44, No. 2 - January 2026 CO
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Revised Policy Vol. 44, No. 2

~~5223 RELEASED TIME FOR RELIGIOUS INSTRUCTION DURING THE SCHOOL DAY~~

~~The Governing Board desires to cooperate with those parents who wish to provide for religious instruction for their children, but also recognizes its responsibility to enforce the attendance requirements of the State.~~

~~Students shall be provided "released time" during the school day to attend a course in religious instruction conducted by a private sponsoring entity that is provided off of Educational Service Center ("Center") property. Students will be excused and not considered absent from school during released time, provided that the following requirements are met:~~

- ~~A. student's parent/guardian gives consent in writing;~~
- ~~B. sponsoring entity maintains attendance records and makes them available to the Center;~~
- ~~C. sponsoring entity provides and assumes liability for the student; and~~
- ~~D. student assumes responsibility for any missed school work.~~

~~Transportation of students to and from released time instruction is the sole responsibility of the sponsoring entity, the parent, guardian, and/or student. The Board, its members, and employees are immune from liability for any injuries arising from transportation to and from released time instruction. Further, no Board funds will be expended for, and no Center personnel shall be involved in, the provision of religious instruction.~~

~~The Center shall collaborate with a sponsoring entity to identify a time for religious instruction to be offered during the school day.~~

~~At times identified by the Center during the school day, released time for religious instruction will be permitted as follows:~~

- ~~A. For elementary and middle schools students, at least one (1) period per week () but no more than two (2) periods [OR] () but no more than ____ () [ENTER AMOUNT] period(s) per week [DRAFTING NOTE: most centers will have a maximum of five (5) periods per week so that students may attend release time each day] [END OF OPTIONS].~~
- ~~B. For high school students, the equivalent time to attend one (1) unit of high school credit per week () but no more than two (2) periods [OR] () but no more than ____ () [ENTER AMOUNT] periods per week [DRAFTING NOTE: most centers will have a maximum of five (5) periods per week so that students may attend release time each day] [END OF OPTIONS] ____ () [ENTER AMOUNT] unit(s) of high school credit per week.~~

~~[DRAFTING NOTE: H.B. 57 permits an ESC governing board's released time religious instruction policy to set higher maximum time limits on student attendance in released time courses in religious instruction than the statutory limits otherwise established in law which provides that such released time may not exceed two (2) periods per week or time equal to a student attending two (2) units of high school credit per week. Note that for elementary and middle school students, released time must minimally be at least one (1) period per week~~

~~but may not exceed two (2) periods per week, whereas for high school students, the legislature provided a minimum amount of time equal to a student attending one (1) unit of high school credit per week, but a maximum amount of time equal to attending two (2) units of high school credit per week.]~~

~~Students shall not be excused from a core curriculum subject course to attend released time instruction.~~

~~[] The Board deems all graded courses to be core curriculum including, but not limited to, courses that have State-approved learning standards. [END OF OPTION]~~

~~[] [OPTION]~~

~~High school students may earn up to two (2) units of high school credit for coursework completed during released time instruction. Such credits may substitute for credits required pursuant to R.C. 3313.603(C)(8).~~

~~In determining whether to award credit for completion of a course, the Board will evaluate the course based on secular criteria including, but not limited to:~~

- ~~A. the number of hours of instructional time;~~
- ~~B. a review of the course syllabus that reflects course requirements and materials used;~~
- ~~C. the assessment methods used in the course; and~~
- ~~D. the instructor's qualifications, which shall be similar to the qualifications of other teachers in the Center.~~

~~The decision as to whether to provide credit for a specific released time religious instruction course will be neutral as to religious content and will not involve any test for religious content or denominational affiliation.~~

~~[END OF OPTION]~~

~~[] [OPTION]~~

~~The Governing Board requires sponsoring entities to conduct criminal background checks of any instructors or volunteers. It is the responsibility of any private entity providing religious instruction during release time from the school day to annually submit to the Board an acknowledgment that it has completed criminal background checks on all instructors and volunteers and has verified that no such individual has a criminal conviction which would constitute an absolute bar offense under R.C. 3319.31(C) and otherwise prevent them from being employed with an Ohio public school district. In addition, the acknowledgment will include an affirmation by the private entity of its ongoing obligation to complete and maintain such checks on all such instructors and volunteers if/when staffing changes.~~

~~[END OF OPTION]~~

~~[] [OPTION]~~

~~Any private entity providing religious instruction during the school day may distribute educational and program materials to participating students. Non educational or non program related materials, however, are not permitted for return to school.~~

~~Distribution of materials provided by outside groups is governed by Board Policy 9700.~~

~~[END OF OPTION]~~

DRAFTING NOTE: Policy 9700 House Bill 96 specifically states that board policies may not prohibit students from bringing external educational and program materials into school. Since determining whether and/or what snacks, clothing, candies, trinkets, etc. are "program" related will be difficult, we anticipate that challenges will ensue for any effort to limit what students bring when returning from religious instruction as in the first option above. This will be true whether either option is selected. For example, a center choosing not to address this item in policy could wait to see if any disruption to the educational environment is being caused by what students are returning with, determine if the "material" is either educational or program related, and if not, enter into dialogue with the religious provider for voluntary compliance backed up by the language of the statute. As such, we highly recommend that centers consult legal counsel before considering either of these options and/or when attempting to restrict or otherwise regulate what students are bringing to school from religious instruction.]

~~Staff members shall not promote or discourage participation in release time programs for any religious instructional program.~~

~~Nothing herein shall constitute an endorsement of religion or infringe upon an individual's First Amendment rights.~~

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R.C. 3313.6022

Attorney General's Opinion 88-001

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Revised Policy - Vol. 44, No. 2

6320 - PURCHASING AND BIDDING

Price Quotations for Items Not Required to be Competitively Bid

It is the policy of the Governing Board that the appropriate administrator seek at least two ~~()~~ **[ENTER AMOUNT]** price quotations, unless fewer quotations are available, on purchases of any supplies, materials, and/or equipment costing more than \$2,000 **[ENTER AMOUNT]**, except in cases of emergency or when the materials purchased are of such a nature that price negotiations would not result in a savings to the Educational Service Center ("Center") or when the item is subject to formal bid. Standardized purchasing procedures of the Center (AG 6320A) shall be followed when purchasing on the basis of price quotations from vendors.

Limitations

All purchases that are within the amount contained in the ~~()~~ function ~~()~~ object ~~()~~ line item ~~[END OF OPTIONS]~~ of the appropriation ~~()~~ and were originally contemplated in the budgeting process ~~[END OF OPTION]~~ may be made upon authorization of the ~~()~~ unless the contemplated purchase is for more than \$ ~~()~~ **[ENTER AMOUNT]**, ~~in which case prior approval is required from the~~ ~~()~~ **[END OF OPTION]**.

~~[]~~ The Treasurer is authorized to adjust appropriations within a fund in order to make necessary purchases and shall report such modifications at the following regular Board meeting. ~~[END OF OPTION]~~

~~[]~~ Then and Now Certificate

If the Treasurer can certify that ~~[]~~ both at the time of the purchase and at the time of certification, sufficient funds were available ~~()~~ or in the process of collection, ~~[END OF OPTION]~~ to the credit of the respective fund, properly appropriated and free from previous encumbrance, the expenditure may be authorized. The Board may approve such payment within thirty (30) days from receipt of such certificate.

Amounts of less than \$3,000 may be paid by the Treasurer upon completion of the "then and now" certificate, provided that the expenditure is otherwise lawful.

~~[END OF OPTION]~~

~~The Board should be advised of all nonbid purchases () not contemplated during the budgeting process () when the amount exceeds the amount of the appropriation [END OF OPTIONS].~~

~~[]~~ The Superintendent is authorized to make emergency purchases, without prior adjustment, of those goods and/or services needed to keep the schools in operation. Such purchases shall be brought to the Board's attention at the next regular meeting. ~~[END OF OPTION]~~

[X] "Blanket" Certificates

The Treasurer may issue "blanket" purchase orders (certificates) for a sum not exceeding an amount established by resolution of the Board against any specific line item account over a period of time, not to extend beyond the end of the fiscal year in which it is issued. Only one (1) "blanket" purchase order (certificate) may be outstanding at any one (1) particular time for any one (1) particular line item appropriation. ~~{END OF OPTION}~~

[X] "Super Blanket" Certificates

The Treasurer may issue "super blanket" purchase orders (certificates) for any amount for expenditures and contracts from a specific line-item appropriation account in a specified fund for most professional services, fuel, oil, food items, and any other specific recurring and reasonably predictable operating expense. Such a purchase order (certificate) shall not extend beyond the fiscal year. ~~{END OF OPTION}~~

Contracts for Development and Improvement of Facilities

All contemplated contracts for professional design services, such as from an architect or for construction management, shall be in accordance with R.C. 9.33 - 9.335 and R.C. 153.65 - 153.71 as applicable, as well as any relevant provisions of the Ohio Administrative Code.

Competitive Bidding

When the Board determines to build, repair, enlarge, improve, or demolish any building or other property, ~~a school building~~ the cost of which will exceed the amount to be determined and published by the Ohio Director of Commerce ~~{DRAFTING NOTE: The bidding threshold established in O.R.C. 9.17 for 2025 is \$77,250 for 2024 is \$75,000, and automatically increases each year by three percent (3%) thereafter.}~~, or for the purchase (or lease-purchase) of school buses, the appropriate administrator shall obtain competitive bids.

[] In accordance with statute, the Board may elect to forego the bidding for contracts in any of the following situations if:

- A. **[]** the Board elects and declares by resolution to participate in purchase contracts, in accordance with R.C. Chapter 125 and the terms and conditions prescribed by the Department of Administrative Services
- B. **[]** the Board determines and declares by resolution adopted by two-thirds (2/3's) of its members that any item is available and can be acquired only from a single source
- C. **[X]** the Board declares by resolution adopted by two-thirds (2/3's) of its members that the installation, modification, and/or remodeling subject to contracting is involved in an energy conservation measure undertaken through an installment payment contract under R.C. 3313.372 or pursuant to R.C. 133.06(G)
- D. **[]** the Board finds and determines that an urgent necessity exists (as defined by statute) with respect to a particular improvement
- E. **[]** pursuant to R.C. 9.48, the Board participates in a joint purchasing program, operated by or through a national or State association of political subdivisions in which the Board is eligible for membership or through the Federal government or another political subdivision

The Superintendent shall verify that the specifications for any public improvement project for which bids are solicited do not require any bidder to:

- A. enter into agreements with labor organizations on said public improvement; or
- B. enter into an agreement that requires its employees to become members of or pay fees or dues to a labor organization as a condition of employment or continued employment.

Bidding shall be conducted in accordance with R.C. 3313.46 and related statutes.

Bids shall be sealed and shall be opened by the appropriate administrator in the presence of at least one (1) witness.

Soliciting of Bids

The Board, by resolution, may award a bid to the lowest responsible bidder. For a bidder to be deemed responsible, the Board may request evidence from the bidder concerning:

- A. (f) the experience (type of product or service being purchased, etc.) of the bidder;
- B. (f) the financial condition;
- C. (f) the conduct and performance on previous contracts (with the Center or other agencies);
- D. (f) the bidder's facilities;
- E. (f) management skills;
- F. (f) the ability to execute the contract properly;
- G. (f) a signed affidavit affirming that neither the bidder nor any subcontractor has entered into an agreement with any labor organization regarding the public improvement project.

Awarding of Bids

The Board shall approve all contracts resulting from competitive bids prior to being awarded. The Board reserves the right to reject any or all bids.

In situations in which the Board has resolved to award a bid to the lowest responsible bidder and the low bidder does not meet the considerations specified above, the Board shall so notify the bidder, in writing, by certified mail.

Purchase of School Buses and Certain Other Motor Vehicles

The Board shall use competitive bidding to enter into an agreement for the purchase or lease-purchase of a school bus unless an exception to bidding applies. The term "school bus" includes any vehicle designed to carry more than nine (9) passengers excluding the driver. Bids shall indicate that prior to delivery the bus must comply with all applicable State laws and regulations, including the Ohio Pupil Transportation Operation and Safety Rules. No bid bonds will be required unless requested by the Board during the competitive bidding process. The Board is not required to use competitive bidding to rent or lease a school bus as long as the agreement does not include a provision for purchase of the bus.

For the purchase of motor vehicles other than school buses, the Board will follow the adopted procedures to obtain price quotations prior to purchase when applicable. Standardized purchasing procedures of the Center shall be followed when purchasing a motor vehicle other than a school bus.

Lease-Purchase Agreements

Lease-purchase agreements entered into by the Board shall be in accordance with R.C. 3313.375. Such agreements shall be a series of one (1) year renewable lease terms totaling not more than thirty (30) years, after which time ownership is transferred to the Board if all obligations of the Board under the agreement have been satisfied.

Purchases from the State

In accordance with State law (R.C. 4115.31 - 4115.35), the Superintendent shall, in accordance with rules of the State Committee for the purchase of products and services provided by persons with severe disabilities, procure products or services at the fair market price established by the committee from a qualified nonprofit agency for persons with severe disabilities, if the product or service is on the procurement list and is available within the period required by the Center, notwithstanding any law requiring the purchase of products and services on a competitive bid basis.

Quantity Purchases

In order to promote efficiency and economy in the operation of the Center, the Board requires that the appropriate administrator periodically estimate requirements for standard items or classes of items and make quantity purchases to procure the lowest cost consistent with good quality.

Requirement

Before the appropriate administrator places a purchase order, they shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the Center. All purchase orders shall be numbered consecutively.

~~In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:~~

- A. ~~() items commonly used in the various schools or units thereof, be standardized whenever consistency with educational goals can be maintained;~~
- B. ~~() opportunity be provided to as many responsible suppliers as possible to do business with the Center. To this end, the _____ shall develop and maintain lists of potential suppliers for various types of supplies, equipment, and services;~~
- C. ~~() a prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;~~
- D. ~~() where the requisitioner has recommended a supplier, the _____ may make alternate suggestions to the requisitioner if, in their judgment, better service, delivery, economy, or utility can be achieved by changing the proposed order.~~

Employees may be held personally responsible for anything purchased without a properly-signed purchase order or authorization.

The Board may acquire equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase and the purchase complies with applicable law and Board policy.

Reverse Auctions

It is the policy of the Board to permit the use of a reverse auction to purchase services and supplies whenever it is determined that the reverse auction process will be advantageous to the Center (e.g., result in a cost savings to the Center). To that end, vendors may submit proposals when competing to sell services and/or supplies in an open environment via the Internet. While the reverse auction process may be used to purchase supplies such as equipment, materials, tangible assets, and insurance, the process may not be used to purchase real property or interests in real property. The process may also be used to purchase services such as the furnishing of labor, time, or effort by a person, provided such services do not involve the delivery of a specific end product other than a report, and are not being furnished in connection with an employment agreement or collective bargaining agreement and/or which are not subject to a competitive selection procedure required by law.

The Board will provide notice of the request for proposals and award contracts in accordance with the Superintendent's administrative guidelines.

☒ Procurement - Federal Grants

The Superintendent shall maintain a procurement and contract administration system in accordance with the USDOE requirements (34 C.F.R. 80.36) for the administration and management of Federal grants and Federally-funded programs. The Center shall maintain a compliance system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy and administrative guidelines (AG 6320A). (See Policy 6325)

[END OF OPTION]

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Legal

R.C. 9.17, 9.25, 9.30, 9.31, 9.311, 9.312, 9.314, 125.04, 153.02, 153.12, 153.54
 R.C. 2909.33, 3313.37, 3313.375, 3313.46, 3313.172, 3327.08, 4115.32 et. seq.
 R.C. 4116.02, 4116.03, 4511.76, 5705.41, 5705.45
 A.C. 3301-83

Cross References

po6325 - PROCUREMENT - FEDERAL GRANTS/FUNDS

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6325 - PROCUREMENT - FEDERAL GRANTS/FUNDS

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or Educational Service Center ("Center") matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Governing Board policies, and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R. 200.317-.326), including affirmative steps for small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms, for the administration and management of Federal grants and Federally-funded programs. The Center shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the Center's documented general purchasing Policy 6320 and AG 6320A.

When required by Federal program legislation, all Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.

All Center employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3113, and Policy 4113 - Conflict of Interest.

The Center will avoid acquisition of unnecessary or duplicative items. Consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. When appropriate, an analysis shall be made between leasing and purchasing property or equipment to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the Center may enter into State and local intergovernmental agreements, where appropriate, for procurement or use of common or shared goods and services.

Competition

All procurement transactions under the Federal award paid for from Federal funds or Center matching funds shall be conducted in a manner that provides full and open competition and that is in accordance with 2 C.F.R. Part 200, good administrative practice, and sound business judgment. To ensure objective contractor performance and eliminate unfair competitive advantage, the Center shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids from competition for such procurements.

Examples of situations that may restrict competition include, but are not limited to:

- A. unreasonable requirements on firms for them to qualify to do business

- B. unnecessary experience and excessive bonding requirements
- C. noncompetitive pricing practices between firms or between affiliated companies
- D. noncompetitive contracts to consultants that are on retainer contracts
- E. organizational conflicts of interest
- F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement
- G. any arbitrary action in the procurement process

To the extent that the Center uses a pre-qualified list of persons, firms, or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources to ensure maximum open and free competition. The Center allows vendors to apply for consideration to be placed on the list continuously.

The Center shall require that all prequalified lists of persons, firms, or products which are used in procurement transactions are current and include enough qualified sources to provide maximum open competition. When establishing or amending prequalified lists, the Center (or subrecipient) must consider objective factors that evaluate price and cost to maximize competition. The Center shall not preclude potential bidders from qualifying during the solicitation period.

To the extent consistent with established practices and legal requirements applicable to the recipient or subrecipient, this subpart does not prohibit recipients or subrecipients from developing written procedures for procurement transactions that incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job-training for employees making work products or providing services on a contract, and other worker protections. This subpart also does not prohibit recipients and subrecipients from making inquiries of bidders about these subjects and 2 C.F.R. Revisions 2024: Unofficial Comparison Version assessing the responses. Any scoring mechanism must be consistent with the U.S. Constitution, applicable Federal statutes and regulations, and the terms and conditions of the Federal award.

Solicitation Language (Purchasing Procedures)

The Center shall have written procurement procedures (in accordance with 2 C.F.R 200.319(d)) that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the property, equipment, or service being procured. The description may include a statement of the property, equipment, or service to be procured. When necessary, the description must set forth those minimum essential characteristics and standards to which the property, equipment, or service shall conform. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to clearly and accurately describe the technical requirements, a "brand name or equivalent" description of features to provide procurement requirements may be used. The specific features of the named brand must be clearly stated and the Center must identify any additional requirements which the offerors must fulfill and all other factors that will be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The Center shall have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

A. Informal Procurement Methods

Informal procurement methods for small purchases expedite the completion of transactions, minimize administrative burdens, and reduce costs. Informal procurement methods may be used when the value of the procurement transaction under a Federal award does not exceed the simplified acquisition threshold or a lower threshold established by the State. The informal procurement methods include:

1. Micro-Purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of

which does not exceed \$15,000. To the extent practicable, the Center should distribute micro-purchases equitably among qualified suppliers.

Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable based on research, experience, purchase history, or other relevant information, and maintains documents to support its conclusion. The Center shall maintain evidence of this reasonableness in the records of all purchases made by this method.

[X] Unless otherwise defined by State or local law, Centers are responsible for determining and documenting an appropriate micro-purchase threshold in accordance with 2 C.F.R. 200.320(a)(iv) based on internal controls, an evaluation of the risk, and its documented procurement procedures. The micro-purchase threshold used by the Center shall be authorized or not prohibited under State, local, or tribal laws or regulations.

An eligible Center may self-certify a threshold of up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal agency or pass-through entity and auditors in accordance with 2 C.F.R. 200.334. The self-certification, in accordance with 2 C.F.R. 200.334, must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

- a. a qualification as a low-risk auditee in accordance with the criteria in 2 C.F.R. 200.520;
- b. an annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or
- c. for public institutions, a higher threshold is consistent with State law.

2. Small Purchases

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of \$350,000. Small purchase procedures require that price or rate quotations shall be obtained from **(X)** two (2) qualified sources.

Centers are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations ("FAR"). When applicable, a lower simplified acquisition threshold used by the Center must be authorized or not prohibited under State, local, or tribal laws or regulations.

B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than \$77,250 (established in O.R.C. 9.17 for 2025 and automatically increases each year by three percent (3%) thereafter). and when the Board determines to build, repair, enlarge, improve, or demolish any building or other property, the cost of which will exceed the amount to be determined and published by the Ohio Director of Commerce.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. two (2) or more responsible bidders have been identified as willing and able to compete effectively for the business; and
- c. the procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally based on price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from ~~(X) two~~ (2) qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids must define the items or services with specific information, including any required specifications, for the bidder to properly respond.
- c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- d. A firm fixed-price contract is awarded in writing to the lowest responsive bid and responsible bidder. When specified in the invitation for bids, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts must only be used to determine the low bid when the Center determines they are a valid factor based on prior experience.
- e. The Board reserves the right to reject any or all bids but must document and provide a justification for all bids it rejects.

2. Proposals

Procurement by proposals is a method in which either a fixed-price or cost-reimbursement contract is awarded. This method is used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. ~~[DRAFTING NOTE: Federal law does not require a competitive proposal unless the procurement is for over \$250,000. The State/Center may set a lower threshold for sealed bids and competitive proposals. Ohio law requires sealed bids when the Board seeks to build, repair, enlarge, improve, or demolish a school building/facility if the cost will exceed the amount to be determined and published by the Ohio Director of Commerce per R.C. 9.17 (see Policy 6320).]~~

If this method is used, the following requirements apply:

- a. Requests for proposals require public notice and must identify all evaluation factors and their relative importance. To the maximum extent practicable, any proposals submitted in response to the public notice must be considered.
- b. Proposals shall be solicited from ~~(X) two~~ (2) ~~[OR] (1) an adequate number of [END OF OPTION]~~ sources.
- c. The Center must have written procedures for conducting technical evaluations and for making selections.
- d. Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the Center considering price and other factors.

The Center may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby the competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where the price is not used as a selection factor, can only be used to procure A/E professional services. The method cannot be used to purchase other services provided by A/E firms that are a potential source to perform the proposed effort.

3. Noncompetitive Procurement

Procurement by noncompetitive proposals may be used only when one (1) or more of the following circumstances apply:

- a. the aggregate amount of the procurement transaction does not exceed the micro-purchase threshold;
- b. the procurement transaction can only be fulfilled by a single source;

- c. the public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of a competitive solicitation;
- d. the Center requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval; or
- e. after soliciting several sources, competition is determined to be inadequate.

4. **Noncompetitive Purchases Through Educational Service Centers (ESCs)**

Under State law, the Board may enter into a contract with an educational service center ("ESC") that authorizes the ESC to make purchases for supplies, materials, equipment, and services or the delivery of services on the Center's behalf. These contracts promote operational efficiency and cost savings, and further enhance the educational experience for our students. Purchases made through such contracts are exempt from competitive bidding. ~~[DRAFTING NOTE: This provision applies to R.C. 3313.843, 3313.844, and 3313.845 contracts. A Center with a student enrollment of less than 16k must enter into a contract with an ESC in accordance with R.C. 3313.843.]~~

The Center may apply for approval from the Department of Education and Workforce ("DEW") to use a noncompetitive purchasing method to procure personnel-based services from an ESC only when the following criteria are met:

- a. the ESC posts a list of all services it provides, including costs of these services, on its website;
- b. the ESC has been designated as "high performing" by the DEW; and
- c. DEW as the pass-through state entity has determined that the ESC was substantially in compliance with all audit rules and guidelines during the most recent audit conducted by the Auditor of State.

The Treasurer/CFO will submit an application and any required documentation to DEW on the designated form requesting approval for use of a noncompetitive purchasing method for personnel services. Purchases will not be made until the application is approved. Notice of approval will be maintained by the Treasurer/CFO. ~~[END OF OPTION]~~

Domestic Preference for Procurement

The Center should, to the extent practicable and consistent with law, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards, contracts, and purchase orders under the Federal award.

Procurement of Recovered Materials

The Center must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6962. These requirements include:

- A. procuring only items designated in the guidelines of the Environmental Protection Agency ("EPA") at 40 C.F.R. part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000;
- B. procuring solid waste management services in a manner that maximizes energy and resource recovery; and
- C. establishing an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.

The Center should, to the greatest extent practicable and consistent with law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable.

This may include purchasing compostable items and other products and services that reduce the use of single-use plastic products.

Contract/Price Analysis

The Center shall perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the Simplified Acquisition Threshold (currently \$350,000 effective October 1, 2025). The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction. For example, the Center should consider potential workforce impacts in their analysis if the procurement transaction will displace public sector employees. However, as a starting point, the Center must make independent estimates before receiving bids or proposals.

A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements. The Center must not use the "cost plus a percentage of cost" and "percentage of construction costs" methods of contracting.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that the costs incurred or cost estimates included in negotiated prices would be allowable for the Center according to cost principle requirements.

Time and Materials Contracts

The Center uses a time-and-materials type contract only 1) after a determination that no other contract is suitable, and 2) if the contract includes a ceiling price that the contractor exceeds at its own risk. A time-and-materials type contract means a contract whose cost to the Center is the sum of the actual costs of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Because this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the Center sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Center shall assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The Center will award contracts only to responsible contractors that possess the ability to perform successfully under the terms and conditions of the proposed contract. All purchasing decisions shall be made in the best interests of the Center and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Center shall consider such factors as 1) contractor integrity; 2) public policy; 3) compliance; 4) proper classification of employees; 5) record of past performance; and 6) financial and technical resources.

The Center shall not subcontract with or award subgrants to any person or company that is debarred or suspended. For contracts over \$25,000, the Center shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors, at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

Bid Protest

The Center maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals ("RFPs") or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The Center shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Records Retention

The Center must retain all Federal award records for three (3) years from the date of submission of the final financial report, or as otherwise required pursuant to the Board-adopted records retention schedule, whichever is longer. For awards that are renewed quarterly or annually, the Center must retain records for three (3) years from the date of submission of the quarterly or annual financial report, respectively, or as otherwise required pursuant to the Board-adopted records retention schedule, if longer. Records to be retained include, but are not limited to, financial records, supporting documentation, and statistical records. Other records retention requirements shall be in accordance with 2 C.F.R. 200.334 and the Board-adopted records retention schedule.

The Center must collect, transmit, and store Federal award information in an open file, non-licensed, and machine-readable formats. The Center may substitute electronic versions of original paper records through duplication or other forms of electronic conversion, provided that the procedures are subject to periodic quality control reviews. Quality control reviews must ensure that electronic conversion procedures provide safeguards against the alteration of records and assurance that records remain in a format that is readable by a computer system.

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Legal

2 C.F.R. 200.317 - .326, Appendix II to Part 200

2 C.F.R. 200.334 - 200.336

2 C.F.R. 200.520

R.C. 3313.843 - 3313.846

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6423 - USE OF CREDIT CARDS

The Governing Board recognizes the value of an efficient method of payment and recordkeeping for certain expenses.

The Board, therefore, authorizes the use of Educational Service Center ("Center") credit cards. The name of the Center shall appear on each Center credit card and check related to a credit card account held by the Center. A "credit card account" shall include any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or otherwise transact with the account, and any debit or gift card account related to the receipt of grant monies. The term expressly excludes any procurement card account, gasoline or telephone credit card account, or any other card account where merchant category codes are in place as a system of control for use of the account.

The authorization, handling, and use of credit cards have been established to provide a convenient and efficient means to purchase goods and services from vendors. Credit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or school-related activities and that only those types of expenses that are for the benefit of the Center and serve a valid and proper public purpose shall be paid for by credit card. However, under no circumstances shall credit cards be used for personal purchases or the purchase of alcoholic beverages regardless of whether the purchase of such beverages is made in connection with a meal.

~~DRAFTING NOTE: CHOOSE ONE (1) OF THE FOLLOWING OPTIONS~~

~~The Center credit card may never be used for the personal gain of credit card rewards such as bonus points, frequent flyer miles, or any other affinity program reward permitted under any circumstances.~~

OR

X Accrual and use of frequent flyer miles, credit card rewards, hotel points, or other rewards earned during official business is permitted, provided that these rewards are earned the same way as members of the public would earn them, and they do not impose additional costs to the Center. Such accrual and use shall be in accordance with Policy 6465 - Public Office Award Program.

~~END OF OPTIONS~~

Use of credit cards in an unauthorized or illegal manner may result in revocation of credit card privileges, disciplinary action, and/or, where appropriate, may require the user to pay any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase. Additionally, any officer or employee of the Center who knowingly misuses a credit card account is guilty of the criminal offense of misuse of credit cards. Violations will be reported to the appropriate law enforcement authorities and any applicable licensure board(s).

The **Treasurer** shall be responsible for the initial issuance, reissuance, and cancellation of Center credit cards and shall maintain written procedures and all appropriate records and reports regarding the Center's credit card account(s). Records and reports will be maintained and made available for review in accordance with this policy and State law.

All officers and employees are required to immediately report lost or stolen credit cards or notice of a possible data breach involving a Center credit card to their immediate supervisor and the **Treasurer**. The **Treasurer** will notify the entity that issued the credit card and request cancellation of the lost or stolen card as soon as practicable.

~~{SELECT OPTION #1 OR OPTION #2}~~

X {OPTION #1}

The maximum limit for any credit card account shall be \$**20,000** ~~ENTER AMOUNT~~.

~~{ } The sum of all credit card accounts shall not exceed \$ _____ [ENTER AMOUNT].~~

~~{END OF OPTION #1}~~

~~{OR}~~

~~{ } {OPTION #2}~~

~~The maximum limit for any credit card account or any credit card utilized by the Center will be established annually at the Board's Organizational Meeting, following a recommendation by the _____.~~

~~{END OF OPTION #2}~~

~~{END OF OPTIONS}~~

~~{OPTIONAL LANGUAGE}~~

X Subject to the discretion of the Board and the approval of the **Treasurer**, credit cards may be used for eligible goods and services including:

- A. ~~()~~ transportation reservations and expenses;
- B. ~~()~~ conference registrations;
- C. ~~()~~ hotel reservation guarantees and expenses;
- D. **(X)** reasonable meal expenses (both in-town and out-of-town), including a maximum gratuity of **eighteen** percent (**18%**), but excluding alcoholic beverages;
- E. ~~()~~ purchases from vendors who do not accept purchase orders or vouchers with prior approval from the **Treasurer**;
- F. **(X)** safety and security reasons in connection with a student field trip, competition, and/or other activity or event if monies are budgeted and deposited with the Treasurer in advance;
- G. ~~()~~ _____;
- H. ~~()~~ other purchases approved by the **Treasurer** on a case-by-case basis.

~~END OF OPTIONAL LANGUAGE~~

Officers and employees are liable in person and upon official bond for any unauthorized use of credit cards and any officer or employee who suspects the loss, theft, or possibility of unauthorized use of a credit card must notify the **Treasurer** immediately, who shall notify the Board.

The Board prohibits the use of debit card accounts except for the receipt of grant monies. Any officer or employee of the Center who uses a debit card account for any other purpose is guilty of the criminal offense of misuse of credit cards.

~~{CHOOSE OPTION #1 OR OPTION #2}~~

X {OPTION #1 RECOMMENDED}

Use of the Center credit card for any cash withdrawal transaction is strictly prohibited.

END OF OPTION #1

{OR}

{ } {OPTION # 2}

~~Use of the Center credit card for a cash withdrawal transaction may only be permitted with the prior approval of the Superintendent and only under the following circumstances:~~

A. _____

B. _____

C. _____

~~Such approved cash withdrawal transactions shall be limited to no more than \$_____ ENTER AMOUNT per transaction.~~

END OF OPTION #2

{END OF OPTIONS}

{CHOOSE OPTION #1 OR OPTION #2}

X {OPTION #1}

The Treasurer/CFO shall retain general possession and control of the credit card account or presentation instruments related to an account, such as credit cards and checks.

{END OF OPTION #1}

{OR}

{ } {OPTION #2}

The _____ ~~[someone other than the chief financial officer]~~ shall retain general possession and control of the credit card account or presentation instruments related to an account, such as credit cards and checks. Accordingly, the Board shall appoint the _____ to serve as the credit card compliance officer. The compliance officer shall review officers' and employees' use of credit card accounts under the policy at least once every six (6) months. The review shall identify the number of cards issued, the number of active cards issued, the cards' expiration dates, and the cards' credit limits. The compliance officer may not authorize an employee to use a credit card account.

~~{ } The Treasurer/CFO shall review the credit card account transaction detail monthly and shall sign a written attestation confirming the review. [DRAFTING NOTE: this option should only be selected if the Board appoints the Superintendent to serve as the credit card compliance officer AND the Superintendent has authority to use the credit card.]~~

~~[DRAFTING NOTE: If the Board's Treasurer/CFO does not retain general possession and control of a credit card account or presentation instruments related to an account, the Board must appoint a compliance officer. The Center's Treasurer/CFO is not eligible for appointment as the compliance officer. The appointed compliance officer may not use a credit card unless the appointed compliance officers/he is the Superintendent.]~~

{END OF OPTION #2}

{END OF OPTIONS}

The (X) Superintendent and (X) Treasurer/CFO ~~END OF OPTION~~ shall develop administrative guidelines that specify those employees authorized to use credit cards, the types of expenses which can be paid by credit card, and their proper supervision and use. Inappropriate or illegal use of the credit card and/or failure to strictly comply with the limitations and requirements set forth in the administrative guidelines may result in a loss of credit card privileges, disciplinary action, up to and including termination, personal responsibility for any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase, and/or possible referral to law enforcement authorities for prosecution. Violations will also be reported to the applicable licensure board(s).

The Board authorizes the following employees to use Center credit cards:

DRAFTING NOTE: insert the title of the position for each individual

- A. Superintendent;
- B. Treasurer;
- C. Directors & Administrators;
- D. Managers & Administrative Assistants.

Each request for use of a Center credit card shall contain:

- A. ☒ date needed,
- B. ☒ date to be returned,
- C. ☒ purpose,
- D. ☒ authorization.
- E. ☒ ~~other~~ properly executed purchase order. **END OF OPTIONS**

Upon receipt of a Center credit card, employees shall:

- A. ☒ inform merchants that the purchase is for "official Center business" and is not subject to State or local sales tax;

However, if the merchant fails to waive the tax, the employee shall pay it. For large purchases where the merchant refuses to waive the tax, the employee shall present a tax exemption form.

- B. ☒ maintain credit cards in a secure fashion and prevent unauthorized charges to the account;
- C. ☒ use reasonable care when making purchases online, refrain from providing the credit card number to unknown online merchants, and do not auto-save credit card number for any online account;
- D. ☒ maintain sufficient documentation of all purchases including, but not limited to, charge receipts, original cash register slip or other detailed receipt, and invoices;
- E. ☒ provide documentation of all purchases to the fiscal office in a timely manner to ensure prompt payment;
- F. ☒ refrain from allowing anyone else to use the credit card or account number;
- G. ☒ refrain from splitting the costs of an invoice or purchase in order to circumvent the credit card process and establish pre-approved single purchase limits, monthly spending limits, and/or funds availability. **END OF OPTIONS**

☒ The officer or employee is liable in person and upon any official bond to reimburse the Center the amount for which the officer or employee does not provide itemized receipts in accordance with the credit card policy described herein. **END OF OPTION**

~~[] After use, Center credit cards are to be returned to the , along with appropriate receipt copies of all charges, within _____ () ENTER AMOUNT business days upon completion of any approved use. END OF OPTION~~

~~[] Employees, when possible, shall include an original cash register slip or other detailed receipt (i.e., a receipt from a restaurant itemizing all purchases made) in addition to the receipt copy of all charges. In addition, employees shall include shipping documents and receipts received with the merchandise. END OF OPTION~~

~~[] Employees shall specify on the back of the receipt the following information:~~

- A. ~~() a brief description of the school-related purpose of the purchase~~

B. ~~() the names and affiliation of each attendee if a purchase is made on behalf of a group of individuals~~

C. ~~() verification that family members or other individuals having no school-related purpose for their attendance paid their own expenses~~ **[END OF OPTIONS]**

Failure to return Center credit cards and/or receipts within the above-referenced time period may result in the suspension of credit card privileges and/or charges being deemed unrelated or unsubstantiated.

☒ Employees shall be responsible for any and all unrelated or unsubstantiated purchases and shall be required to make full reimbursement to the Center within thirty (30) business days. **END OF OPTION**

~~[] If an employee reimburses the Center for an unsupported purchase, it shall be documented in the monthly credit card reconciliation.~~ **[END OF OPTION]**

The **Treasurer** will keep a record/activity log of all credit card uses and review and approve all purchases to verify that the expenses are incurred in connection with Board-approved or school-related activities, are for the benefit of the Center, and serve a valid and proper public purpose prior to disbursing public funds for payment of such expenses.

~~[] Any and all reviews and approvals must be evidenced by the _____'s initials and/or signature.~~ **[END OF OPTION]**

~~[] In addition to evidencing review and approval of the purchase, the _____ should immediately send all questionable items to the employee purchasing the item for an explanation. These explanations shall be approved by the employee's immediate supervisor and the _____ prior to the payment of such expenses. If an employee reimburses the Center for a questionable purchase, it shall be documented in the monthly credit card reconciliation.~~ **[END OF OPTION]**

~~[] Upon review and approval, all appropriate documentation shall be forwarded to the _____.~~ **[END OF OPTION]**

~~[] Upon receipt of the appropriate documentation, credit card expenditures will be paid through the Treasurer's office.~~ **[END OF OPTION]**

~~[] The _____ will monitor the credit card account(s) and reconcile all credit accounts on a monthly basis.~~ **[END OF OPTION]**

The Treasurer/CFO shall file a report with the Board annually, detailing all rewards received based on the use of the Center's credit card account.

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R.C. 2921.01, 2913.21, 3313.311

Book Policy Manual

Section Vol. 44, No. 2 - January 2026 CO

Title Vol. 44, No. 2 - January 2026 Revised PROCUREMENT CARDS

Code po6424

Status 1) Reading and Review

Last Revised January 27, 2026

Last Reviewed February 18, 2026

Revised Policy - Vol. 44, No. 2

6424 - PROCUREMENT CARDS

The Governing Board recognizes that procurement cards offer a convenient and efficient method of purchasing minor goods and services, and therefore authorizes the use of procurement cards. The Board authorizes the Treasurer/CFO to obtain procurement cards for use with Board approved vendors. The name of the Educational Service Center ("Center") shall appear on each card.

Procurement cards are cards issued to authorized employees to make purchases of designated items at authorized businesses, and are linked to either a credit card or bank account. They function like a credit card, except that there are more options for spending controls.

The Treasurer/CFO shall establish per purchase and per month dollar limits with each voucher for every procurement card, the total value of which shall not exceed \$_____ [ENTER AMOUNT] per year. The Treasurer/CFO may also establish limits on the number of purchases that may be made per day, week, or month with the card. Purchases must be limited to items in the following Merchant Category Codes:

- A. office supplies
- B. printing and stationery
- C. catering and other food purchases
- D. computers and software
- E. _____
- F. _____
- G. other purchases approved by the _____ on a case by case basis.

The bank manages the procurement card and will provide invoices at least monthly. The Treasurer/CFO will approve these invoices prior to payment being made. Employees shall submit itemized receipts within _____ (____) [ENTER AMOUNT] days after purchases are made.

The Board authorized the following employees to use procurement cards:

- A. _____
- B. _____
- C. _____

~~Employees who use a procurement card are subject to all procedures and restrictions that apply to the use of credit cards summarized in Policy 6423, as well as administrative guidelines developed by the () Superintendent () Treasurer/CFO [END OF OPTION].~~

~~All approved cardholders must agree to abide by procurement card procedures and regulations set forth in this policy, as well as Policy 6423 and relevant administrative guidelines. All transactions must be made by the individual to whom the card is issued. Employees are responsible for the security and physical custody of the card. Lost or stolen cards shall be reported immediately to the Treasurer/CFO.~~

[DRAFTING NOTE: Choose one (1) of the following options]

~~[] Employees may use procurement cards only for school related purposes in accordance with State law and Board policy. Procurement cards shall not be used or circumvent the general purchasing procedures required by Ohio law and Board policy. The procurement card may never be used to purchase alcohol or personal items or services, nor is the personal gain of credit card rewards such as bonus points, frequent flyer miles, or any other affinity program reward program permitted under any circumstances.~~

OR

~~[] Employees may use procurement cards only for school related purposes in accordance with State law and Board policy. Procurement cards shall not be used to circumvent the general purchasing procedures required by Ohio law and Board policy. The procurement card may never be used to purchase alcohol or personal items or services. Accrual and use of frequent flyer miles, credit card rewards, hotel points, or other rewards earned during official business is permitted, provided that these rewards are earned the same way as members of the public would earn them, and they do not impose additional costs to the Center. Such accrual and use shall be in accordance with Policy 6465—Public Office Award Program.~~

[END OF OPTIONS]

~~[] Employees shall be responsible for any and all unrelated or unsubstantiated purchases and shall be required to make full reimbursement to the Center within thirty (30) business days. [END OF OPTION]~~

~~Cardholders will immediately surrender their cards upon request of the _____ for administrative reasons and shall surrender their cards upon separation from employment. This policy and related administrative guideline cannot cover every issue, exception, or contingency that may arise during the cardholder use of the procurement card.~~

~~The _____ shall conduct independent regular reviews of each cardholder's activity to verify that the purchasing card is being used in accordance with this policy and administrative guidelines. Prices for commonly priced items should be periodically verified to prevent schemes of purposeful price inflation.~~

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Book	Policy Manual
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New Policy - Vol. 44, No. 2

6425 - USE OF CENTER TAX EXEMPT CERTIFICATE

In accordance with Ohio law, the Educational Service Center ("Center") is exempt from payment of Ohio's retail sales tax. The Center seeks to prevent waste by ensuring sales tax is not paid erroneously or unnecessarily due to its tax-exempt status.

Purchases of tangible personal property and selected services made by Federal, State, and local governmental employees are subject to the Ohio sales or use tax. The retail sales tax exemption is not transferable to an individual employee of the Center. The exemption applies only when the purchase of goods or services is paid for by the Center using its credit card or other authorized Center account. Purchases directly made by and charged to the Center are considered sales to a public office and are sales tax exempt even if the goods or services are picked up by an employee of the Center. Any invoice or bill of sale/receipt should reflect that the purchaser is the Center, and the Center's credit card or account must be charged. Use of a sales tax-exempt certificate by officials or employees to make purchases for the Center will be approved by the Superintendent in advance.

If a Center official or employee uses a personal credit card or checking account to make purchases on behalf of the Center, the tax-exempt certificate may not be used and sales tax must be paid at the point of sale. Purchases of up to a total amount of \$1,500 [ENTER AMOUNT] made by a Center official or employee using a personal credit card or checking account shall be reimbursed in accordance with Board policy and procedures, provided that the purchase is considered to be for a proper public purpose. ~~[DRAFTING NOTE: The Auditor of State recommends that Board policy include a provision that sets a reasonable maximum dollar threshold. Guidance issued in 2025 includes an example of \$500. Bulletin 2025-013]~~ If the amount of the purchase and sales tax exceeds this threshold, the purchase must be made using the Center credit card or account and shall be exempt from sales tax.

If sales tax was erroneously charged by a vendor for a Center purchase, the fiscal office will attempt to recover the tax at the point of sale, or file for a refund of the taxed amount with the Ohio Department of Taxation. Erroneous sales tax charges should be reported to the Treasurer promptly when discovered by the official or employee who made the purchase. Failure to adhere to this policy may result in the issuance of a Finding for Recovery.

R.C. 57393.02
Ohio Auditor of State Bulletin No. 2025-013

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Legal R.C. 57393.02
Ohio Auditor of State Bulletin No. 2025-013

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Revised Policy - Vol. 44, No. 2

6460 - VENDOR RELATIONS

The Governing Board shall not enter into a contract knowingly with any supplier of goods or services to this Educational Service Center ("Center") under which any Board member or officer, employee, or agent of this Center has any pecuniary or beneficial interest, direct or indirect, unless the person has not solicited the contract or participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any educational material of which the person is the author and which has been properly approved for use in the schools of this Center.

Board members and school personnel shall not accept any form of compensation from vendors that might influence their recommendations on the eventual purchase of equipment, supplies, or services. Furthermore, Board members and school personnel shall not accept any compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. In addition, Board members or school personnel who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the Center, or a vendor with whom the Center is doing business, whereby an individual board member or member of the school staff receives compensation in any form for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member or member of the school staff receives such compensation, albeit unsolicited, from a vendor, the Board member or school staff member shall notify the Treasurer, in writing, that they received such compensation and shall thereafter promptly transmit said compensation to the Treasurer at their earliest opportunity.

~~DRAFTING NOTE: CHOOSE ONE (1) OF THE OPTIONS BELOW~~

~~**[] Employee accrual of personal frequent flyer miles, hotel "bonus points", credit card "rewards", or any other reward under such affinity programs (including credit points or rewards directed to non-profit organizations) or other merchant "rewards" programs as a result of a Center purchase is strictly prohibited.**~~

~~OR~~

[X] Employee accrual and use of frequent flyer miles, credit card rewards, hotel points, or other rewards earned during official business is permitted, provided that these rewards are earned the same way as members of the public would earn them; and they do not impose additional costs to the Center. Such accrual and use shall be in accordance with Policy 6465 - Public Office Award Program.

~~END OF OPTIONS~~

Nothing herein shall prevent a school employee, who is not in a position to negotiate or authorize a contract with a vendor, from accepting a discount on goods purchased for personal use from a vendor with whom the Board does business (i.e., that has a contract with the Board) provided the vendor (a) extends the same discount to all of its customers and does not limit it to officials and employees of the Center, (b) offers a uniform discount to all eligible school officials and employees,

without limiting the offer to employees with official duties or responsibilities affecting the vendor's financial interest, and (c) does not offer the discount to school officials and employees in exchange for the performance of their public duties. Board members and/or school personnel who negotiate or authorize a vendor's contract are prohibited from accepting any discount offered by the vendor for their personal use. Such individuals also shall not suggest that the vendor offer an employee discount as part of the public contract.

All sales persons, regardless of the product, shall make contact with the Superintendent's office before contacting any teachers, students, or other personnel of the Center. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with the policies of the Board on the basis of quality, price, and delivery, with past service as a factor if all other considerations are equal.

Requirements for Certain Technology Provider Contracts

Any person or entity who contracts with a Center to provide a school-issued device for dedicated student use and creates, receives, or maintains education records pursuant or incidental to its contract with the Center must meet certain requirements as outlined in State law. For the purpose of this policy, these individuals/entities are referred to as "technology providers." The term "technology provider" does not include a county board of developmental disabilities, educational service centers, information technology centers, assessment providers, curriculum providers, or a city, local, or exempted village school district that the Center contracts with to provide school-issued devices to students unless otherwise indicated.

For the purpose of this policy, the term "school-issued device" includes hardware, software, devices, and accounts that the Center or technology provider, at the direction of the Center, provides to an individual student for dedicated student use.

As a condition of doing business with the Center, technology providers who maintain education records as part of their contract to provide school-issued devices are required to comply with Chapter 1347 of the Revised Code to the same extent that the Center is with regard to the collection, use, and protection of the records. Upon discovering that any of the Center's education records are subject to a breach of security, a technology provider must promptly notify the Center and provide all of the information that the Center needs to notify individuals whose personal information has been compromised as required by R.C. 1347.12. All education records created, received, maintained, or disseminated by a technology provider remain the sole property of the Center. Unless renewal of the contract is reasonably anticipated, all education records must be returned to the Center or destroyed using industry-standard destruction protocols within ninety (90) days of the contract's expiration. Technology providers are prohibited from selling, sharing, or disseminating education records unless part of a valid delegation or assignment of its contract, or unless State law otherwise authorizes such action. Technology providers may not use education records for commercial purposes, including for marketing or advertising goods or services to students or parents. Technology providers may use education records which have been stripped of all personally identifiable information for the purposes of improvement, maintenance, development, support, or diagnosis of its site, services, or operations.

All contracts between the Center and technology providers must ensure that appropriate industry-recognized security measures are used to safeguard education records. Contracts must also include provisions that technology providers will 1) only grant access to education records to those employees and contractors who need access to fulfill their official duties; and 2) take measures to restrict unauthorized access of education records by employees and contractors.

By August 1st each school year, the Center will provide parents and students with direct and timely notice by mail, electronic mail, or another method of direct communication of any contracts the Center has with any provider of curriculum, testing, or assessment technology that affects a student's education records (including those entities which are not otherwise defined as technology providers under this policy). The notice will:

- A. identify each curriculum, testing, or assessment technology provider with access to education records;
- B. identify the education records affected by the curriculum, testing, or assessment provider contract;
- C. notify parents and students that they may request an opportunity to inspect a complete copy of any contract with a technology provider; and
- D. provide contact information for the school department or employee that a parent or student should direct any questions or concerns regarding any program or activity that allows curriculum, testing, or assessment technology provider access to a student's education records.

~~[DRAFTING NOTE: This notice is a new requirement adopted through Senate Bill 29 (135th General Assembly), which took effect October 24th, 2024. Some provisions of SB 29 were further amended by House Bill 432 (135th General Assembly), which took effect as an emergency measure on December 9th, 2024. Since the bill's~~

~~effective date did not occur until after August 1, 2024, it is reasonable to conclude that Centers are not required to send the notice for the 2024-2025 school year. However, all Centers should be prepared and ready to send the notice by August 1, 2025.]~~

Criminal Background Checks

In accordance with State law, Policy 4121, and Policy 8142, a criminal background check is required of any non-teaching employee, including individuals employed by a private company/vendor under contract with the Board to provide essential school services who will work within the Center in a position which does not require a license issued by the State Board of Education, is not for the operation of a vehicle for student transportation, but does involve routine interaction with a child or regular responsibility for the care, custody, or control of a child.

R.C. 2909.33, 3319.321, 3319.325, 3319.326, 3319.391, 3319.392
Auditor's Bulletin 2000-006

Family Educational Rights and Privacy Act, 20 U.S.C. 1232g
Ohio Ethics Commission Opinion No. 2011-08 (effective Nov. 3, 2011)

Attorney General Bulletin 2025-012

Ohio Ethics Commission Opinion No. 2025-02

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Legal

R.C. 2909.33, 3319.321, 3319.325, 3319.326, 3319.391, 3319.392

Auditor's Bulletin 2000-006

Family Educational Rights and Privacy Act, 20 U.S.C. 1232g

Ohio Ethics Commission Opinion No. 2011-08 (effective Nov. 3, 2011)

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New Policy - Vol. 44, No. 2

6465 - AFFINITY, REWARDS, OR OTHER DISCOUNT PROGRAMS

Educational Service Center ("Center") officials or employees may use frequent flyer miles, credit card rewards, hotel points, or other rewards earned during official business in their personal life, provided that the rewards:

- A. are earned the same way as members of the public would earn them; and
- B. do not impose additional costs onto the Center.

Center officials and employees may only use such rewards in accordance with this policy, and:

- A. shall comply with the Center's Conflict of Interest policies (Policy 3112/4112) and Ohio Ethics Commission Advisory Opinion 2025-02 to avoid violating criminal laws;
- B. are prohibited from choosing a hotel, airline, vendor, or service based on whether it provides frequent flyer miles, credit card rewards, hotel rewards, or other similar rewards program points, or in order to earn such rewards or points for their personal use;
- C. are prohibited from selecting an airline, hotel, car rental company, or other vendor to earn reward program points when the expenditure results in a higher cost to the Center;
- D. are prohibited from earning and keeping rewards program points, credits, or other rewards for booking conference, event, or group travel for Center staff;
- E. are required to select the lowest reasonable rate for Center purchases/expenditures and are prohibited from paying additional costs to earn more rewards program points or credits; and
- F. shall comply with the Center's internal controls (see Policy 6114), including internal monitoring mechanisms, in order to identify and mitigate risk on noncompliance.

Attorney General Bulletin 2025-012
Ohio Ethics Commission Opinion No. 2025-02

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Legal Attorney General Bulletin 2025-012
Ohio Ethics Commission Opinion No. 2025-02

Book	Policy Manual
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Title	Vol. 44, No. 2 - January 2026 Replacement ARTIFICIAL INTELLIGENCE ("AI")
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Replacement Policy - Vol. 44, No. 2

7540.09 - ARTIFICIAL INTELLIGENCE ("AI")

[X] The Governing Board acknowledges the positive impact and transformative potential of Artificial Intelligence ("AI") in education and operations, emphasizing a balanced, people-centered approach. It supports the responsible and innovative use of AI in classrooms and professional settings, with the understanding that AI should enhance human interaction and instruction, not replace it, and all AI-driven decisions require human review. ~~[END OF OPTION]~~

Through this policy, the Board aims to prepare students for success, encourage innovation for classroom instruction, and embrace opportunities for operational efficiency, while providing for consistent expectations, standards, and approval processes for safe and responsible implementation and integration of AI.

[X] The Superintendent is authorized to support the use of artificial intelligence technology when its use is consistent with the Educational Service Center's ("Center") mission, goals, and operational integrity. The ~~Superintendent~~ **(X) administration** ~~[END OF INTERNAL OPTION]~~ is responsible for overseeing and ensuring compliance of this policy. ~~[END OF OPTION]~~

Definitions

Artificial Intelligence ("AI"): A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments. Artificial intelligence systems use machine and human based inputs to perceive real and virtual environments; abstract such perceptions into models through analysis in an automated manner; and use model inference to formulate options for information or action. See 15 U.S.C. 9401, Sec. 3.

Generative AI: Any internet-based generative artificial intelligence program that makes use of large language model algorithms to make something new. AI used for auto-complete, minor text predictions, and/or grammar/spelling/punctuation suggestions, commonly found in most word-processing applications, is not considered generative AI. See A.C. 3342-3-01.8(B)(15).

AI tool: A software application that uses artificial intelligence technologies, like machine learning and natural language processing ("NLP"), to perform tasks that typically require human intelligence, such as understanding language, analyzing data, solving problems, and creating content, often by learning from patterns in large datasets to improve over time."

~~[DRAFTING NOTE: The following definitions are optional; you may select one (1), some, all, or none of them, as you deem appropriate to your ESC.]~~

~~[] Natural Language Processing ("NLP"):~~ A field of artificial intelligence that focuses on enabling computers to understand, interpret, and respond to human language in a meaningful way. Examples of NLP include, but are not limited to, Grammarly, GPT-Based APIs, Google Cloud Natural Language AI, Microsoft Azure Text Analytics, IBM Watson NLP, Amazon Comprehend, etc.

~~[] Large Language Model ("LLM"):~~ A sophisticated AI system trained on extensive text data to process and produce language; recognize patterns, grammar, and nuances. It can perform tasks like text generation, question answering, and language translation.

~~[] Algorithm:~~ A set of rules or instructions guiding AI operations and decision making.

~~[] Personally Identifiable Data/Personal Data: Refers to any information that can directly or indirectly identify an individual including, but not limited to, names, addresses, student records, and health information.~~

~~[] Proprietary Information/Data: Refers to a broad category of non-public, sensitive, or confidential data belonging to the Center, its staff, or its operations. This information is considered the Center's. This information is generally protected from unauthorized disclosure or use.~~

~~[] Open AI ("Open Source AI"): AI models where the developers openly share the model's architecture, underlying code, and often the "weights" (the learned parameters of the model), and sometimes the training data. Open AI models accessed publicly present a high risk of data release, as data input is often used for AI tool training and can be publicly available. Open AI models may require the Center to implement and manage its own wrapper or filtering layer. As a result, it is not recommended that Open AI tools/applications are used in ESCs due to the high potential of violating Federal and State laws. Open Source AI also produces less reliable content because it is accessing a pool of data that is not universally verified as accurate.~~

~~[] Closed AI ("Closed Source/Proprietary AI"): AI models where the developers obscure or protect the model's architecture, underlying code, training data, and weights. Users interact with the model via a restricted service. Closed AI may offer better, contractually guaranteed data security (e.g., "enterprise" versions), but its "black box" nature still requires a formal audit and contract. Closed AI developers typically manage these filters internally. Closed Source or Proprietary AI produces more reliable results because it is accessing data sources that are controlled and can be verified as accurate.~~

~~[END OF OPTIONAL DEFINITIONS]~~

AI LITERACY

The Board recognizes the importance of preparing students and educators for the successful integration of innovative technologies. To that end, the Board directs the administration to responsibly integrate AI by building AI literacy for all students and educators, including integration of AI into relevant curriculum, professional learning opportunities, and safe and responsible usage.

STAKEHOLDER ENGAGEMENT

The Superintendent shall establish an AI workgroup to inform AI policy and implementation. The workgroup should include educators who are representative of grade levels and departments, including special education and related services professionals, other relevant staff, Board members, and students, as well as external representatives such as local businesses and postsecondary institutions. Educators and staff should be given the opportunity to explore and gain experience with applications and integrated approaches to achieving the Center's mission and priorities. The workgroup should regularly review new research and guidance and provide ongoing feedback to the Board.

Parents and community members should be informed through ongoing engagement about the skills students need for the future workforce and how AI is being used in the classroom. Educational resources may be provided to empower families to understand the potential risks associated with the unsupervised use of AI tools. Regular AI updates, including the use of tools and opportunities for feedback, shall be integrated into the existing family and community engagement strategy.

DATA PRIVACY AND SECURITY

The Center is committed to protecting the privacy and security of all student and staff data. The adoption and implementation of any AI tool must adhere to existing data privacy and security policies that include, but are not limited to, Personally Identifiable Information ("PII"), FERPA, and any other relevant State of Ohio and Federal laws. ~~[] See Policy 8330—Student Records; Policy 8350—Confidentiality; and Policy 8351—Security Breach of Confidential Databases. [END OF OPTION]~~ AI tools should only access, store, or process data that is necessary, and must do so in a secure, transparent, and ethical manner. AI systems must be vetted to ensure they meet rigorous standards for data encryption, access control, and responsible data use.

Users must also follow the terms of service, including appropriate age limits.

PROCUREMENT AND EVALUATION OF AI TOOLS

The adoption of AI-enabled tools should be conducted in accordance with existing procurement policies and in alignment with the Center's core values, goals, and priorities. Selection procedures must ensure that any AI tool adheres to data privacy and security policies. Evaluation of tools must also address alignment to instructional and operational goals,

accessibility, and cost. All third-party vendors providing AI tools must comply with Center standards and State and Federal law for data protection, ethical use, and accessibility.

~~[] The Center approves the use of Closed AI tools only, that have been carefully reviewed, evaluated, and approved by () _____ [e.g., IT Director, Curriculum Director, or an AI Committee] for students and staff use.~~

~~[] Before adopting any AI tool or system, the Center will conduct a comprehensive risk assessment—evaluating data sources (including use of student Personally Identifiable Information), decision-making impacts on students, potential bias or disparate impact, and vendor compliance with privacy, security, and data retention laws—and verify all contracts include clear legal, ethical, and technical safeguards aligned with FERPA, IDEA, COPPA, PPRA, relevant Ohio laws and regulations and guidance issued by the Ohio Department of Education and Workforce, and Board policies. AI systems must be reviewed to confirm they are nondiscriminatory, fully accessible, and do not compromise the rights or individualized support of students, particularly those protected under Federal and State civil rights laws.~~

~~[] Additionally, all AI tools used by the Center must undergo a formal risk assessment by the IT department () and Legal Counsel [END OF OPTION] to review their Terms of Service and data-handling practices to ensure compliance with all Federal and State privacy laws. The Center prohibits users from inputting any student information, staff information, or confidential Center data into any AI tool that does not have a formal, vetted contract that guarantees data privacy and non-use for training.~~

~~[END OF PROCUREMENT AND EVALUATION OF AI TOOLS OPTIONS]~~

ETHICAL USE OF AI

The Superintendent is charged with verifying that the design and implementation of AI is done in a safe and responsible manner that keeps people at the core of every AI-related decision. AI implementation should be human-centered and should empower students, educators, and communities. It is a tool to support learning and teaching, not a substitute for student effort or the role of the educator. Accordingly, users should critically analyze AI output, respect safeguards and rules, and be transparent about its use.

~~[] Center employees who use AI technologies must do so in ways consistent with institutional values, privacy standards, Family Educational Rights and Privacy Act ("FERPA"), Individuals with Disabilities Education Improvement Act ("IDEA"), copyright laws, and ethical principles, honesty, trustworthiness, and personal dignity of both employees and students. [END OF OPTION]~~

~~[] The Center is committed to transparency and accountability in AI use by informing teachers, students, and parents when AI influences decisions, clearly explaining how it works and what data it uses, assigning oversight to () _____, [END OF INTERNAL OPTION] and conducting regular audits to evaluate accuracy, fairness, and impact on equity and student rights. [] The Center will maintain a public AI Tool Inventory that lists every approved AI tool and includes a summary of its data handling and privacy features. [] The AI Tool Inventory will be posted on the Center website. [END OPTIONS]~~

ACCEPTABLE USE

The Center recognizes that responsible and appropriate uses of AI by students and educators will vary depending on the context including, but not limited to, grade level, subject, and/or the nature of the classroom activity or assignment.

Expectations for acceptable student uses should be clearly articulated by educators in alignment with policy and guided by the specific requirements for an assignment or activity. This includes specifying AI use expectations in course syllabi and assignment instructions when relevant. These expectations should clearly articulate the expectations of use, types of relevant assignments where AI use is acceptable, and the required format for references.

~~[] Students shall receive age-appropriate instruction about responsible AI use, digital citizenship, privacy, and the risks/limitations of AI prior to using AI. [END OF OPTION]~~

~~[] Students are expected to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI tools, and they should ask their teacher(s) when they have questions and/or need assistance. [END OF OPTION]~~

~~[] As noted above, students may use AI tools for academic purposes when specifically and clearly permitted by their teacher(s). The use of AI must be properly disclosed and cited in accordance with the established guidelines and not be employed to undermine authentic learning or learning objectives for the course or assignment. [END OF OPTION]~~

~~[] If a student has any questions about whether they are permitted to use AI tools for a specific class assignment, they should ask their teacher(s). [END OF OPTION]~~

~~Educators should consider the impact on learning objectives and assessment of student learning when designing related instruction and classroom activities. No assignment shall require the use of a tool that is not provided by the Center. AI tools approved for use should be clearly communicated.~~

~~[] Employees may integrate AI tools into their instruction at their discretion and should clearly define (), in writing, [END OF OPTION] the parameters for AI usage in the classroom by students using Center approved AI applications/tools. [END OF OPTION]~~

~~[] When using AI to create instructional materials, assessments, or feedback, employees shall maintain transparency by disclosing the role of AI in these processes. [DRAFTING NOTE: The Superintendent should provide employees with guidance concerning when (i.e., under what circumstances) they are required to maintain a history of the prompts they use to have the AI generate the content/output they intend to use with students and/or to perform their operational responsibilities. Additionally, boards of education may want to consult with their local legal counsel concerning the potential public record requirements and/or implications associated with keeping such information.] Employees must review and verify the accuracy and appropriateness of any AI-generated content. Employees are solely responsible for all AI-generated content that they use. [END OF OPTION]~~

~~[] Employees shall not input sensitive, confidential, personally identifiable, or proprietary information about students, colleagues, or institutional operations into AI systems that lack safeguards and policies to protect such data from being used in their training models, and if such information will be entered into an AI system, employees shall seek the approval of their () supervisor () Principal [END OF INTERNAL OPTION] before doing so. [END OF OPTION]~~

~~[] Employees may use AI tools to enhance workflows, such as drafting communications, analyzing data, or developing reports, provided the outputs are verified for accuracy and compliance with State and Board policies. The use of AI tools () (with the exception of AI writing assistants such as Grammarly or Microsoft Editor, which are used solely to check for spelling, grammar, and punctuation errors, or to offer suggestions to improve clarity, conciseness, and style) [END OF INTERNAL OPTION] for such purposes should be disclosed when disseminating AI output. [END OF OPTION]~~

Expectations for educators, staff, and third-party use should align with Center priorities. Educator use should be in alignment with the Licensure Code of Conduct for Ohio's Educators. Educators and staff must model appropriate acceptable use practices when using AI tools for instructional and operational uses.

Use of tools that have not been approved is not permitted.

All users are expected to employ AI tools solely for educational and related operational purposes, upholding values of respect and academic integrity, and in alignment with other related Board policies. Using AI tools for bullying, harassment, and any form of intimidation is strictly prohibited and should be addressed in alignment with existing behavior and discipline policies. ~~() See Policy 2240 Controversial Issues; Policy 2266 Nondiscrimination on the Basis of Sex in Education Programs and Activities; Policy 5136 Personal Communication Devices; Policy 5500 Student Conduct; Policy 5517 Anti Harassment; Policy 5517.01 Bullying; Policy 7540.03 Student Technology Acceptable Use and Safety; Policy 7540.04 Staff Technology Acceptable Use and Safety. [END OF OPTION]~~

Students and staff with concerns regarding inappropriate use that violates Board policies and/or applicable state or federal laws should contact the Superintendent (X) or appropriate building administrators. ~~[END OF OPTION]~~

ACADEMIC INTEGRITY

The Board recognizes that the responsible use of AI requires the highest standards of academic integrity with clear expectations for students, educators, and staff regarding the ethical use of AI tools. AI-enabled tools may be used to support student work (such as brainstorming or feedback), but AI-generated work must not replace student work. Students are expected to complete assignments and assessments in a manner that reflects their own understanding and effort, critically analyze AI-generated content and not misrepresent it as original work, and use proper citations and references for AI-assisted work according to existing policies and expectations relevant to assignments (such as APA or MLA style formats).

The Superintendent shall specify procedures for investigating and addressing suspected misuse in alignment with existing academic integrity policies.

~~[] A student's unauthorized use of AI tools will be considered a form of plagiarism, unauthorized collaboration, or misrepresentation of AI-generated content as original work, and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Handbook or Policy 5500—Student Code of Conduct. [END OF OPTION] [DRAFTING NOTE: Confirm the Board has adopted this policy if included in this policy]~~

~~[] Use of AI detection software to enforce academic integrity should be done in accordance with the knowledge that this software is not foolproof and that the disruptive nature of AI technologies in education can lead to considerable confusion regarding expectations for AI use. Employees should use AI detection ethically and as the starting point of an inquiry into a possible violation of academic integrity rather than as a definitive indication of student dishonesty. Employees must also disclose the use of AI software in course curricula. [END OF OPTION]~~

~~[] ACADEMIC ACCESSIBILITY~~

~~AI tools can be utilized to assist students with disabilities in accessing and understanding written materials. For example, text to speech software can help students with specific learning disabilities, visual impairments, or other disabilities in reading texts, and AI-powered translation tools can help students with hearing impairments understand spoken language (e.g., create transcripts or provide closed captioning for spoken material). Specific use of AI technologies beyond universal application for students with disabilities is best addressed in each student's Individual Education Plan ("IEP"). [END OF OPTION]~~

~~[] EMPLOYEE TRAINING~~

~~Employees will receive training () annually () periodically [END OF INTERNAL OPTION] to ensure adherence to this and other related policies, data privacy, student records, and allowable/approved AI tools in the Center. [END OF OPTION]~~

IMPLEMENTATION AND REVIEW

~~The Board (), in partnership with the Superintendent's AI workgroup, [END OF OPTION] [DRAFTING NOTE: Include the preceding optional language if the Superintendent was charged with establishing an AI workgroup, above.] will monitor developments in AI technology and update policies to address emerging risks. This policy should be reviewed often for effectiveness; alignment to center, school, educator, and student needs; considerations of ongoing innovation; related data privacy and management policies; and impact on students, including learning outcomes.~~

OTHER CONSIDERATIONS

NON-ACADEMIC USE OF AI

Students and staff are prohibited from using AI to generate false or knowingly misleading representations of other students, staff, volunteers, or Board members that are reasonably interpreted as derogatory, threatening, or otherwise objectionable to a reasonable person, including by way of AI generated or manipulated visual or verbal depictions of any such individual, or the distribution of such depictions through any means, for example via social media, regardless of whether the distributor created the depictions themselves. This provision expressly prohibits the creation and/or distribution of Non-Consensual Intimate Imagery ("NCII"). This paragraph shall be implemented in a manner consistent with individuals' First Amendment rights.

~~[DRAFTING NOTE: National digital safety experts emphasize the importance of addressing issues related to Non-Consensual Intimate Imagery (NCII) in board policies—particularly as pertains to digital wellness and cyberbullying. The Center for Democracy & Technology has developed relevant resources that address this topic that you may want to review. In potential cases where NCII may be used for the purposes of sexual extortion, schools and centers should be aware of Braden's Law and consider how it may apply within existing local policies, as the law classifies sexual extortion as a felony offense in Ohio. If you have any questions concerning this issue, you should consult with your local legal counsel.]~~

[X] ENFORCEMENT

Violation of this policy may result in disciplinary consequences. Students may be disciplined for violations, up to and including suspension or expulsion. Staff may be disciplined for violations, up to and including suspension or termination of employment. The Administration will refer any illegal acts to law enforcement. ~~[END OF OPTION]~~

[X] QUESTIONS OR CONCERNS

Staff, parents, or members of the public who have questions or concerns regarding this policy or the use of AI in the Center should contact the () Superintendent (X) **administration**. ~~[END OF INTERNAL OPTION]. [END OF OPTION]~~

NON-CONSENSUAL INTIMATE IMAGERY

National digital safety experts have emphasized the importance of addressing issues related to Non-Consensual Intimate Imagery ("NCII"), particularly in terms of local policies on digital wellness and cyberbullying. The Center for Democracy & Technology has created a model policy and related resources that centers and schools may want to consider incorporating into relevant local policies. In potential cases where NCII may be used for the purposes of sexual extortion, schools and centers should be aware of Braden's Law and consider how it may apply within existing local policies, as the law classifies sexual extortion as a felony offense in Ohio.

A.C. 3342-3-01.8

R.C. 3301.24

Ohio's AI in Education Coalition: AI Strategy

Ohio's AI Toolkit: Guidance and Resources to Advance AI Readiness in Ohio Schools

[Cross References:

po5500 - STUDENT CONDUCT

po7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

po7540.04 - STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY]

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