

**Minutes of the October 28, 2010 Meeting
Of the Board of Directors of the Akron Digital Academy**

A meeting of the Board of Directors of the Akron Digital Academy was held on October 28, 2010 at the Akron Board of Education, 70 N. Broadway, Akron, Ohio.

In Attendance: Gerald Holland, David James, Fred Lewis, Ellen McWilliams, Fredric Schuett, Fred Tolbert; Catherine Hunt, Secretary.

Excused: Laraine Duncan; Todd Adkins, Treasurer

The meeting was called to order at 4:00 p.m.

The minutes of the Board Meeting of June 15, 2010 were unanimously approved.

Akron Digital Academy is seeking State, Federal and private funding grants. One of the criteria reviewed in grant requests is governing authority. At the advice of Adam C. Miller, ADA Legal Counsel, and working with David James, Superintendent of Akron Public Schools, the number of Board of Directors Meetings has been increased for the 2010-2011 school year. The following Revised Schedule of Board Meetings for the 2010-2011 School Year was approved:

- Thursday, October 28, 2010
- Thursday, November 18, 2010
- Thursday, January 13, 2011
- Thursday, February 17, 2011
- Thursday, March 24, 2011
- Thursday, May 5, 2011

Due to the recent illness of Todd Adkins, ADA Treasurer, the review of Treasurer's Reports was delayed until the November 18, 2010 Board meeting.

Upon a motion duly made and seconded, the Board unanimously approved the Five-Year Forecast: Statement of Receipt, Disbursements and Changes in Fund Cash Balances for the Fiscal Years Ended June 30, 2008 through 2010, Actual and the Fiscal Years Ending June 30, 2011 through 2015, Forecasted.

Upon a motion duly made and seconded, the Board unanimously approved requesting a Waiver of BMI Screening Requirements:

RESOLUTION: WAIVER OF BMI SCREENING REQUIREMENTS, AMENDED SUBSTITUTE SENATE BILL 210 (Nutritional Standards for Schools)

WHEREAS, amended substitute Senate Bill 210 setting forth Nutritional Standards for Schools was signed by the Governor on June 18, 2010, with an initial effective date of September 17, 2010, with certain provisions becoming effective July 1, 2011; and

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WHEREAS, this legislation restricts the sale of certain foods and beverages to students in school districts, requires a pilot program of moderate to rigorous physical activity each school day, imposes licensure standards (on or after July 1, 2013) for teachers hired to teach physical education, addresses curriculum content in health education, and requires school districts to establish body mass index (BMI) and weight status category screening programs for students in certain grades; and

WHEREAS, a waiver of the BMI screening requirements may be approved by the Superintendent of Public Instruction upon request by the school district stating, by affidavit, that the district is unable to comply with the requirements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Akron Digital Academy:

Section I. that the Board is aware of the requirements set forth in Section 3313.674(A) of the Ohio Revised Code for BMI screening and weight status category of each student enrolled in kindergarten, third, fifth and ninth grades, prior to the first day of May of the 2010-2011 school year; and

Section II. that the Board authorizes the Board President to sign and submit to the Superintendent of Public Instruction for the State of Ohio an affidavit requesting a waiver of the requirement from Amended Substitute Senate Bill 210 to the BMI screening requirements of this Bill.

After discussion on the Resolution to offer a Cash in Lieu of Defined Health Plan, Fred Tolbert moved that the issue be tabled until the November 18, 2010 Board of Directors meeting. The motion was seconded by David James and unanimously passed.

The Board adjourned at 4:30 p.m.

Respectfully submitted,

Catherine E. Hunt
Secretary