

Chippewa School District
Board of Education Special Meeting Minutes

Thursday, March 26, 2020 @ 7:30 AM

I. OPENING

A. Call to Order :: Moment of Silence :: Pledge of Allegiance

B. Present: Dr. Good, Mr. Hershberger, Mr. DeAngelis, Mrs. Fenn Absent: Mrs. Rohr

Resolution 025-20

C. Upon consideration to approve the March 26, 2020 Special Meeting Agenda (corrections, additions, deletions)

Roll Call: verbal "All in favor"

CARRIED

Resolution 026-20

II. NEW BUSINESS (ROLL CALL)

Upon consideration to approve the following State of Emergency for the State of Ohio.

WHEREAS, on Monday, March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D Declaring a State of Emergency concerning COVID-19 to help contain the spread of the disease; and

WHEREAS, on Thursday, March 12, 2020, Ohio Department of Health Director Amy Acton, MD, MPH, issued an Order banning mass gatherings bringing together more than one hundred (100) or more persons in a single room or single space at a time in Ohio in order to prevent the spread of COVID-19 in the State of Ohio such as a such as an auditorium, stadium, arena, large conference room, meeting hall, theater, or any other confined indoor or space, and subsequently amended the order first to limit such gatherings to no more than fifty (50) persons, and then indicated that Ohioans should comply with the federal government's recommendation that no more than ten (10) people gather; and

WHEREAS, ODH Director Acton further stated that "For the purpose of clarity, a mass gathering does not include normal operations at airports, bus and train stations, medical facilities, libraries, shopping malls and centers, or other spaces where 100 or more persons may be in transit. It also does not include typical office environments, schools, restaurants, factories, or retail or grocery stores where large numbers of people are present, but it is unusual for them to be within arm's length of one another;" and

WHEREAS, on Thursday, March 12, 2020, Governor Mike DeWine announced that due to the ongoing COVID-19 crisis, he has ordered the closure of all kindergarten through 12th grade schools to students for a period of three (3) weeks effective at the end of the school day on Monday, March 16, 2020, through Friday April 3, 2020; and

WHEREAS, Governor DeWine also announced that during the extended period of closure, school districts should work to provide education through alternative means, school district leadership may make decisions on whether to use their school buildings, and staff members should continue to report to school as directed by school district administrators; and

WHEREAS, the Ohio Department of Education has developed guidance for K-12 schools to ensure the continuity of important student services, including a strategy for providing meals to students who receive free and/or reduced breakfast and lunch through K-12 schools; and

WHEREAS, consistent with Governor DeWine's Order of March 12, 2020, the Administration closed the District's school buildings to students from effective at the end of the school day on Monday, March 16,

2020, through Friday April 3, 2020, and will provide students with instruction through alternative methods during the building closure; and

WHEREAS, the Administration has also directed teaching staff to continue to provide education to students using alternative methods and has directed non-teaching staff to continue to report to duty; and

WHEREAS, pursuant to Ohio Revised Code Section 5502.24(B), “[w]hen due to an emergency it becomes imprudent, inexpedient, or impossible to conduct the affairs of local government at the regular or usual place or places thereof, the governing bodies may meet at those previously designated sites or places, or at any other convenient site or place, on the call of the presiding officer or any two members of the governing bodies” and “[s]uch powers and functions may be exercised in the light of the exigencies of the emergency without regard to or compliance with time-consuming procedures and formalities prescribed by law pertaining thereto, and all acts of that body and officers shall be as valid and binding as if performed within the territorial limits of their political subdivision;” and

WHEREAS, on March 13, 2020, Ohio Attorney General Dave Yost issued written guidance concerning the fact that members of a public body, including members of a board of education, may fully participate in a board meeting by remote means (e.g., by telephone, by video conference) if certain requirements are met; in particular, Attorney General Yost stated that “it is reasonable to read the OMA’s “in person” requirement as permitting a member of a public body to appear at a public meeting via teleconference [electronic means]. This interpretation gives effect to both R.C. 121.22 and R.C. 3701.13. It is also consistent with the United States Centers for Disease Control’s recent guidance, issued in response to the national COVID-19 epidemic, to use videoconferencing for meetings when possible.” and that “if a member of a public body chooses to appear via teleconference or telephone [or electronic means], it is imperative that all other requirements of the OMA be fulfilled;” and

WHEREAS, Attorney General Yost’s March 13, 2020 also addresses the issue of public attendance at board meetings, and suggested that a meeting can be made open to the public by remote means, such as by live-streaming over the internet or by television broadcast; in particular, Attorney General Yost stated that “[i]f a public body gives the public access to a meeting electronically and the members of the body appear telephonically [or electronically], the body must still ensure that the public is able to hear the discussions and deliberations of *all* of the members, even those who are present via telephonic [or electronic] means.”

NOW, THEREFORE, BE IT RESOLVED, that the Board deems it prudent and in the best interests of the School District’s students, staff, and residents to implement measures to help contain the spread of COVID-19.

BE IT FURTHER RESOLVED, that the Board adopts and affirms the actions taken by the Administration to comply with Governor DeWine’s Order of March 12, 2020, by closing the District’s school buildings to students effective at the end of the school day on Monday, March 16, 2020, through Friday April 3, 2020, and providing students with instruction through alternative methods during the building closure.

BE IT FURTHER RESOLVED, that the Board adopts and affirms the actions taken by the Administration to direct teaching staff to continue to provide education to students using alternative methods and direct non-teaching staff to continue to report to duty, if feasible.

BE IT FURTHER RESOLVED, that the Board authorizes the Superintendent and Treasurer and/or their Designees, during the time period that the School District’s buildings are closed to students due to COVID-

19, to take any and all actions necessary to maintain educational programming for students, comply with Federal and State Orders and Guidance issued concerning COVID-19, and provide for the safety and security of all students and staff, including, but not limited to assigning and directing students, teachers, and non-teachers, as appropriate; continuing to compensate teachers and non-teachers, as appropriate; continuing to implement curriculum and instruction, as appropriate; and ensuring the District has all the necessary services, supplies, technology, and equipment necessary for education of students through alternative methods and purchasing, leasing, and otherwise obtaining such items within the Board's current budget/financial appropriations.

BE IT FURTHER RESOLVED, that in accordance with R.C. §5502.24(B) and the March 13, 2020 written guidance from Ohio Attorney General Dave Yost, and as a result of the State of Emergency and closure of school buildings, the Board suspends its normal requirements to comply with the meeting location, notice, public attendance, and public participation requirements set forth in the Open Meetings Act (R.C. §121.22). In particular, the Board may, as it deems necessary:

- A. Hold meetings at the Board Office, one of the school buildings, another location within the County, via telephone, or via other electronic means.
- B. Solely post the notice of its meetings on its website.
- C. Only take formal actions to address matters related to COVID-19 if the Board decides to conduct meetings remotely. The Board will act on matters related to normal operations only when the Board conducts an in-person meeting.
- D. Limit physical attendance at Board meetings to Board Members and Administrators only, if the Board decides to meet in person. Staff members, parents, students, and members of the public will be permitted to attend Board meetings through electronic means. In other words, to avoid large crowds of individuals from being able to come in contact with one another, the Board will open the meeting to the public solely through remote means, such as by live-streaming over the internet or by television broadcast.
- E. If otherwise not able to provide public participation by electronic means, limit public participation at Board meetings by requiring individuals to submit written questions for the Board's consideration via email to the Treasurer at least 48 hours prior to the Board meeting, for which the Board will undertake its best efforts to answer.

BE IT FURTHER RESOLVED, that in accordance with R.C. §5502.24(B) and the March 13, 2020 written guidance from Ohio Attorney General Dave Yost, and as a result of the State of Emergency and closure of school buildings, the Board also suspends:

- A. Its procedures for reviewing and adopting policies in three (3) readings. Policies specifically related to COVID-19 will go before the Board to be enacted immediately as it determines.

BE IT FURTHER RESOLVED, that the Board authorizes the above-referenced procedures to take effect immediately and remain in place through Friday, April 3, 2020, unless the Governor's Order concerning the closure of school buildings is extended beyond such date, and that if the Governor's Order is extended this resolution shall automatically be extended to the new end date.

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal action of this Board concerning and/or relating to the adoption of this Resolution was taken in an open meeting of this

Board and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Motion to approve by Fenn and 2nd by DeAngelis

Roll Call: Hershberger yes, Rohr absent, DeAngelis yes, Fenn yes, Good yes **CARRIED**

III. MOTION TO ADJOURN (VOICE)

Motion to adjourn at 7:34 am by Fenn and 2nd by DeAngelis

Roll Call: Rohr absent, DeAngelis yes, Fenn yes, Good yes, Hershberger yes **CARRIED**

NOTE: *The next Regular Meeting will be held on April 13, 2020 beginning at 6:00 PM.*