

**Kirtland Board of Education
Regular Meeting
April 27, 2020**

The Regular Meeting of the Kirtland Board of Education was held via Zoom on April 27, 2020. Mr. Withrow called the meeting to order at 7:04 p.m. President Withrow led the Pledge of Allegiance. The following members answered the roll: Mr. Cosgrove, Mrs. Green, Mrs. Talty and Mr. Withrow and Dr. Whittaker.

Superintendent Bill Wade and Treasurer Lew Galante were also present.

SUPERINTENDENT REPORT

Mr. Bill Wade presented his monthly Superintendent report

FINANCE COMMITTEE

Mr. Talty reviewed the April 2020 meeting

STUDENT LEARNING AND ACHIEVMENT COMMITTEE

Mrs. Green reviewed the April 2020 meeting

It was moved by Mrs. Talty and seconded by Mrs. Green that the following resolution be adopted:

Resolution #26-2020

Recommendation to approve the consent agenda items:

A. Superintendent Recommendations:

1. Recommendation to let the records reflect the following personnel are automatically non-renewed at the conclusion of the 2019-2020 school year: Academic Tutors: Joseph Coxon, Carly Marko, Andrea O'Donnell, Mary Reilly, Susan Summerhill, Kurt Ragle and Mary Cosimi.
Long term substitutes: Linda Dauterman, Jamie Lauer, Amanda Turk, Tayn Winny and Rose Mary Caruso, Matthew Starkey
2. Recommendation to let the records reflect that all supplemental contracts and as needed substitute employee contracts for 2019-2020 will automatically expire/non-renew at the end of the 2019-2020 school year.

Roll Call: Ayes: Mr. Cosgrove, Mrs. Green, Mrs. Talty, Mr. Withrow, Dr. Whittaker

REQUESTS FOR BOARD ACTION

Dr. Whittaker moved seconded by Mrs. Talty that the following resolution be adopted:

Resolution #27-2020

1. Recommendation to approve Administrator Contract for John Renwick

Roll Call: Ayes: Mr. Cosgrove, Mrs. Green, Mrs. Talty, Mr. Withrow, Dr. Whittaker

Dr. Whittaker moved seconded by Mrs. Talty that the following resolution be adopted:

Resolution #28-2020

2. Recommendation to approve KEA Settlement Agreement re Teacher Overpayment

Roll Call: Ayes: Mr. Cosgrove, Mrs. Green, Mrs. Talty, Mr. Withrow, Dr. Whittaker

Mrs. Talty moved seconded by Mrs. Green that the following resolution be adopted:

Resolution #29-2020

3. Recommendation to approve OTES MOU with KEA

Roll Call: Ayes: Mr. Cosgrove, Mrs. Green, Mrs. Talty, Mr. Withrow, Dr. Whittaker

Mr. Cosgrove moved seconded by Mrs. Green that the following resolution be adopted:

Resolution #30-2020

4. Recommendation to approve a resolution for new end of instruction date of May 22, 2020

RESOLUTION APPROVING THE EXERCISE OF THE SUPERINTENDENT'S AUTHORITY UNDER BOARD POLICY 8220 TO CLOSE SCHOOL OR DISMISS SCHOOL EARLY ON EACH OF THE REMAINING DAYS ON THE SCHOOL CALENDAR FOR THE 2019-2020 SCHOOL YEAR DUE TO THE CORONAVIRUS (COVID-19) PANDEMIC

WHEREAS, prior to the start of the 2019-2020 school year, the Board approved a school calendar for the Kirtland Local School District (the "District") designating June 2, 2020 as the last day for students in the buildings in accordance with the requirements set forth in Section 3313.48 of the Ohio Revised Code ("O.R.C.");

WHEREAS, on March 9, 2020, the Governor of the State of Ohio ("Governor DeWine") issued Executive Order 2020-01D, declaring a state of emergency to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19;

WHEREAS, on March 14, 2020, the Director of the Ohio Department of Health (the "Director") issued an order closing all Ohio K-12 site-based schools, including the District, to students from March 17, 2020 through April 3, 2020, to address the COVID-19 outbreak and attempt to prevent the spread of COVID-19;

WHEREAS, on March 30, 2020, the Director issued a subsequent order, which was signed on April 2, 2020, extending the school building closure through May 1, 2020 for the same purposes set forth in the March 14, 2020 order;

WHEREAS, on April 20, 2020, Governor DeWine announced that all school buildings would remain closed to students for the remainder of the 2019-2020 school year;

WHEREAS, O.R.C. 3313.48 requires that at a minimum school districts be open for instruction each school year for not less than four hundred fifty-five (455) hours in the case of pupils in half-day kindergarten, nine hundred ten (910) hours in the case of pupils in all-day kindergarten through grade six, and one thousand one (1,001) hours in the case of pupils in grades seven through twelve, which may include time for parent-teacher conferences, reporting periods, professional meetings and recess periods for pupils in grades kindergarten through six;

WHEREAS, on March 27, 2020, the Governor of Ohio signed into law emergency legislation, House Bill 197 (H.B. 197), which addresses the urgent needs of the State in response to the coronavirus (COVID-19) pandemic, including special provisions for school districts to implement plans to accommodate distance learning to make-up any number of hours schools are closed in the 2019-2020 school year due to the COVID-19 pandemic;

WHEREAS, during the Director's school closure orders, the Board has taken measures to adopt a plan for online learning to implement remote learning opportunities for District students pursuant to H.B. 197 to make up any necessary hours during the school building closure and to fulfill the minimum instructional hour requirements established in O.R.C. 3313.48;

WHEREAS, Board Policy 8220 ("School Day") provides: "The Superintendent may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members";

WHEREAS, the District's online learning plan will enable it to meet the minimum number of instructional hours as set forth in O.R.C. §3313.48 by May 22, 2020, which is before the last day of the school year as established in its adopted school calendar;

WHEREAS, due to the fact that the school buildings are closed to students for the remainder of the 2019-2020 school year because of the COVID 19 pandemic and the District's online learning plan will enable it to meet the minimum number of instructional hours by May 22, 2020, the Superintendent has recommended closing the schools after May 22, 2020 and dismissing school early for students for the 2019-2020 school year such that the instructional year for students ends May 22, 2020; and

WHEREAS, the Board believes this action is in the best interest of the District students due to the situation created by the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED by the Board:

Section 1. The Board hereby affirms its grant of authority in the Superintendent with regard to closing school and dismissing school early for students under Board policy, including but not limited to Board Policy 8210.

Section 2. The Board hereby approves the exercise of the Superintendent's authority to close schools as of the close of business on May 22, 2020 and dismiss school early for students for the remainder of the 2019-2020 school year, as long as the District has satisfied its obligations to be open for instruction for the minimum number of hours as set forth in O.R.C. 3313.48 as of that date.

Section 3. The Board hereby declares that while school is dismissed early for students for the 2019-2020 school year, the teacher's last day remains June 3, 2020.

Section 4. The Board President, the Superintendent, and/or the Treasurer are authorized and directed to take all other such actions as are necessary or appropriate to accomplish the objectives of this Resolution, including but not limited to, notifying all students, parents, guardians, and anyone else in the District community that may be directly affected by any decision made under this Resolution.

Section 5. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted 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 or in executive session as permitted by Ohio law.

Section 6. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Roll Call: Ayes: Mr. Cosgrove, Mrs. Green, Mrs. Talty, Mr. Withrow, Dr. Whittaker

Mrs. Green moved seconded by Mrs. Talty that the following resolution be adopted:

Resolution #31-2020

5. Recommendation to approve a memorandum of understanding with the KEA regarding compensation of certain bargaining unit members with supplemental/extra duty contracts and abolishment of certain supplemental/extra duty contracts for the 2019-2020 school year.

Roll Call: Ayes: Mr. Cosgrove, Mrs. Green, Mrs. Talty, Mr. Withrow, Dr. Whittaker

Mr. Cosgrove moved seconded by Mrs. Green that the following resolution be adopted:

Resolution #32-2020

6. Recommendation to approve a Resolution Abolishing Certain Nonteaching Supplemental Positions and Suspending the Applicable Employment/Extra Duty/Pupil Activity Contracts and Authorizing Pro Rata Payment for Work Performed

WHEREAS, Board Policy 4120.08 ("Employment of Personnel for Co-Curricular/Extra-Curricular Activities") provides, "The Board of Education may find it necessary to employ, on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees may be members of the District's classified and/or support staff or individuals from the community or nearby areas.";

WHEREAS, the Board has awarded nonlicensed/non-certificated staff members supplemental/extra duty/pupil activity nonteaching positions;

WHEREAS, pursuant to the Ohio Revised Code and Board policy, the Board has authority to abolish nonteaching supplemental/extra duty positions and suspend the supplemental/extra duty contracts of nonteaching employees for financial reasons and suspension of schools, among other reasons;

WHEREAS, the Ohio Director of Health issued an order on March 14, 2020, which directed that due to the outbreak and spread of coronavirus (COVID-19), schools in the State of Ohio, including the Kirtland Local School District (the "District"), will be closed to students for an extended period of time up to and through May 1, 2020;

WHEREAS, on April 20, 2020, the Governor of Ohio announced a subsequent order extending the school building closure through the end of the 2019-2020 school year for the same purposes set forth in the March 14, 2020 order;

WHEREAS, because of the extended school closure to students and its resulting effects on the District, the Superintendent has recommended to the Board that it abolish all Spring supplemental/extra duty contracts for the 2019-2020 school year held by nonlicensed/non-certified employees and any non-bargaining unit staff as well as pay such individuals for time worked to date as set forth in this Resolution;

WHEREAS, the Superintendent has recommended that the supplemental/extra duty contracts of the individuals holding the positions identified above be suspended;

WHEREAS, the Superintendent has recommended that this proposed position abolishment and the suspension of supplemental, extra duty, and/or pupil activity contracts, is necessary due to suspension of schools and financial reasons in accordance with the Ohio Revised Code and Board policy.

NOW THEREFORE BE IT RESOLVED by the Board that:

Section 1: On the recommendation of the Superintendent and because of the suspension of schools and financial reasons the Board hereby finds it necessary to and hereby abolishes the following positions: all Spring 2019-2020 supplemental, extra duty, and/or pupil activity contracts held by nonlicensed/non-certified employees as well as non-bargaining unit staff. The Board further suspends all Spring 2019-2020 supplemental, extra duty, and/or pupil activity contracts held by nonlicensed/non-certified employees as well as non-bargaining unit staff for the 2019-2020 school year.

Section 2: On the recommendation of the Superintendent and for the reasons stated above, the Board hereby authorizes payment to the individuals identified in Section 1 for the time worked on a pro rata basis in the amount of fifty percent (50%) of the total compensation for the supplemental/extra duty contract position(s) as set forth in Article X (Extra Duty) and Appendix D (Supplemental Contract Salary Schedule) of the collective bargaining agreement between the Board and the Kirtland Education Association.

Section 3: The Board hereby directs that the effective date of the abolishment of the aforementioned positions and suspension of the supplemental, extra duty, and/or pupil activity contracts shall be effective upon passage of this Resolution.

Section 4: The Board hereby authorizes and directs the Superintendent and Treasurer to take all actions necessary to make the pro rata payment, implement the abolishment of the positions and the suspension of supplemental, extra duty, and/or pupil activity contracts in accordance with Ohio law and Board policy, including but not limited to notifying the affected employees of this action.

Section 5: It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted [electronically] in an open meeting of this Board and that all deliberations of this Board and of any of its committees resulting in such formal action were in meetings open to the public or otherwise in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

April 27, 2020
Regular Meeting

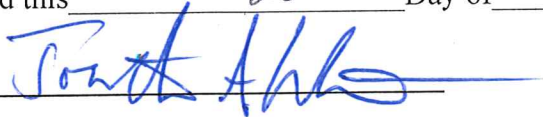
Roll Call: Ayes: Mr. Cosgrove, Mrs. Green, Mrs. Talty, Mr. Withrow, Dr. Whittaker

Mr. Cosgrove moved, seconded by Mrs. Talty that the Board move to executive session to discuss labor negotiations at 9:03 p.m.

Mrs. Talty moved seconded by Mrs. Green that the meeting be adjourned at 9:03 p.m.

We, the undersigned, do hereby certify that the above and foregoing is a true and exact copy of the proceedings that were held on the above aforementioned date.

Signed this 26th Day of May, 2020.



President



Treasurer