

To be approved at the Board of Education meeting May 12, 2020

## MINUTES OF THE April 7, 2020 REGULAR BOARD OF EDUCATION MEETING.

Boards of Education must weigh the risks associated with the available options for balancing their governance obligations and remaining in compliance with Ohio's Open Meetings Act (OMA) in light of the COVID-19 pandemic and emergency orders put in place for the public's health and welfare. Additionally, with the passage of Ohio House Bill (HB) 197, public bodies have been granted the authority through uncodified language, during the period of the emergency declared by Executive Order 2020-01D, issued March 9, 2020, but not beyond December 1, 2020, to hold and attend meetings and conduct and attend hearings by teleconference, video conference, or any other similar electronic technology ("electronic means"). Members attending meetings or hearings by electronic means are considered present as if they were attending in person, are permitted to vote, and are counted for the purpose of determining quorum. Additionally, any public action taken by electronic means under these provisions has the same effect as if it were taken in an open meeting or hearing of the public body.

The Shaker Heights City School District Board of Education is availing itself of such provisions and will adopt a resolution to that effect in Section 1.4 of this April 7, 2020, Board meeting agenda.

The Shaker Heights Board of Education met in regular session on Tuesday, April 7, 2020 at 6:00 p.m. The meeting was held electronically via Zoom webinar at the following link: <https://shaker.zoom.us/j/607174084>

### **1. OPENING OF MEETING**

#### **1.1 CALL TO ORDER**

At 6:00 p.m., Board President Heather Weingart, who presided over the meeting, called the meeting to order. President Weingart also read a statement which explained the recent passage of Ohio House Bill (HB) 197, the provisions it makes for public bodies to hold meetings via electronic means and how this enables the District to do business during the COVID-19 pandemic.

#### **1.2 ROLL CALL**

President Weingart directed Treasurer Bryan C. Christman to call the roll.

**Members present:** Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart.

#### **1.3 AUTHORIZING THE BOARD TO CARRY OUT BOARD AND BOARD COMMITTEE MEETINGS VIA ELECTRONIC MEANS DURING THE COVID-19 STATE OF EMERGENCY**

Upon receiving a motion and a second, the Board of Education voted on the following resolution Authorizing the Board to Carry Out Board and Board Committee Meetings via Electronic Means during the COVID-19 State of Emergency.

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

**WHEREAS**, subsequent to issuance of the Order, the legislature put in place uncodified emergency provisions via passage of Ohio House Bill (HB) 197 ("HB

197”) providing public bodies the authority to hold and attend meetings by means of teleconference, video conference, or any other similar electronic technology (“electronic means”) in lieu of carrying out such meetings in person; and

**WHEREAS**, HB 197 provides public bodies the authority to carry out meetings by such electronic means during the period of the emergency declared by the Order issued March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date; and

**WHEREAS**, HB 197 provides that board members attending meetings by electronic means are considered present as if they were attending in person, are permitted to vote, are counted for quorum, and any public action taken by such electronic means under such emergency provisions has the same effect as if it were taken in an open meeting of the public body; and

**WHEREAS**, the important governance functions and public business of public bodies still must continue even in the exigent circumstances created by the COVID-19 outbreak; and

**WHEREAS**, the Board, in an effort to continue the important public business of the public body while still safeguarding the health and well-being of the all members of the school district community, wishes to avail itself of the opportunity to hold and attend meetings by electronic means in order to carry out such important governance functions and public business in compliance with HB 197 and all other requirements set forth by Ohio’s Open Meetings Act (“OMA”) that are not in conflict with the provisions of HB 197; and

**WHEREAS**, pursuant to Board policy BFF, Suspension of Policies, Ohio Revised Code (RC) 3313.20 and HB 197, and due to challenges created by the necessity to carry out such meetings by electronic means, the Board wishes to temporarily modify its policy BDDH, Public Participation at Board Meetings (also KD) to allow for pre-submitted public comment to be read at the Board meeting and/or virtual public comment during the meeting, or in the event that technology does not allow such public participation, the temporary suspension of this policy for the duration of the applicability of such emergency provisions; and

**WHEREAS**, pursuant to Board policy BFF, Suspension of Policies, Ohio Revised Code (RC) 3313.20 and HB 197, and due to challenges created by the necessity to carry out such meetings by electronic means, the Board wishes to temporarily suspend relevant provisions of its policy BDDF, Voting Method with regard to in-person voting requirements, with regard to being physically present requirements, and any and all other provisions of Board policies and procedures that are in conflict with the provisions of HB 197 for the duration of the applicability of the emergency provisions; and

**WHEREAS**, the Board strongly agrees with and abides by the standards set forth by OMA, including such emergency provisions as set forth by HB 197, and endeavors to fully comply with its requirements to the extent possible in light of the exigent public health and safety circumstances created by the COVID-19 epidemic through compliance with OMA provisions not in conflict with the provisions of HB 197.

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to Ohio House Bill (HB) 197 (“HB 197”), the Board and its Board Committees, as applicable, shall carry out its meetings either by a combination of in person attendance (with appropriate social

distancing, limitation on the number of in-person attendees, and safety precautions to the extent possible) paired with electronic attendance, or solely by the electronic means set forth in the emergency provisions for the duration of the exigent circumstances created by the COVID-19 outbreak, but not beyond December 1, 2020.

**BE IT FURTHER RESOLVED**, that the Board hereby temporarily amends its policy BDDH, Public Participation at Board Meetings (also KD) to allow for pre-submitted public comment to be read at the Board meeting and/or virtual public comment during the meeting, or in the event that technology does not allow such public participation, the temporary suspension of this policy for the duration of the applicability of such emergency provisions.

**BE IT FURTHER RESOLVED**, that the Board hereby temporarily suspends relevant provisions of its policy BDDF, Voting Method with regard to in-person voting requirements, with regard to being physically present requirements, and any and all other Board policies and procedures in conflict with the provisions of HB 197 for purposes of compliance with Ohio's Open Meetings Act ("OMA") for the duration of the applicability of such emergency provisions.

**BE IT FURTHER RESOLVED**, that the Board President, the Superintendent (or his designee), Chief Operating Officer, 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.

**BE IT FURTHER RESOLVED**, that 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 electronic meeting of this Board in full compliance with the provisions of HB 197, and that all deliberations of this Board and any of its committees that resulted in such formal action took place in a meeting open to the public by electronic means or in executive session as permitted by Ohio law.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect and be in force from and after the earliest period allowed by law.

Motion by Jeffrey Isaacs, second by Emmitt Jolly.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-04-46

#### **1.4 PRINCIPAL WELCOME AND STUDENT WELCOME**

At this time, Fernway Elementary School Principal Christopher Hayward introduced a video welcome presentation by Fernway 4<sup>th</sup>-grade students Christian Webb, Maia Martin, Saya Walters, and Gregory (Fox) Inouye and Lyra Inouye. Principal Hayward followed the presentation with an update on school events/projects at Fernway Elementary.

#### **1.5 APPROVAL OF BOARD MEETING MINUTES**

At the recommendation of the Board President, and upon receiving a motion and a second, the Board of Education voted on approving the unofficial minutes for the March 10, 2020, regular meeting.

Motion by Lisa Cremer, second by Ayesha Bell Hardaway.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-04-47

### **1.6 PUBLIC COMMENT**

Following Board Policy KD, all meetings of the Board and Board-appointed committees are open to the public.

In order for the Board to fulfill its obligation to complete the planned agenda in an effective and efficient fashion, a maximum of 30 minutes of public participation may be permitted at each meeting. During the period of the State Emergency declared by Executive Order 2020-01D, issued March 9, 2020, but not beyond December 1, 2020, the District will be availing itself of the ability to conduct Board and Board Committee meetings through the use of "electronic means". During this period the Board has temporarily modified its policy BDDH, Public Participation at Board Meetings (also KD) to allow for pre-submitted public comment to be read at the Board meeting and/or virtual public comment during the meeting, or in the event that technology does not allow such public participation, the temporary suspension of this policy.

Whether pre-submitted or virtually through electronic means, each person addressing the Board shall give his/her name and address. Each person is allotted three minutes until the total time of 30 minutes is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. Persons desiring more time should follow the procedure of the Board to be placed on the regular agenda. The period of public participation may be extended at the discretion of the Board president. Priority will be given to individuals desiring to speak on agenda items, after which time individuals may speak on non-agenda items if time permits.

Agendas are available to all via BoardDocs, the District's online agenda and meeting management system located at <https://go.boarddocs.com/oh/shaker/Board.nsf>. The section on the agenda for public participation is indicated in Section 1, where a short paragraph outlining the Board's policy on public participation is noted.

Currently, the Board is only providing for pre-submission of public comment forms. At this time, Board Vice President Ayesha Bell Hardaway read the following written pre-submitted public comments:

Ann Malone of 24100 Stanford Road thanked the Board of Education and Administration for their hard work during the COVID-19 pandemic and expressed appreciation for their dedication to every student in the community.

Lisa Harrill of 17314 Scottsdale Blvd inquired as to the plan for Prom and Commencement for the Class of 2020.

NaTasha Day of 2531 N. Moreland Blvd inquired as to whether or not students would be returning to school this school year and, if not, would they need to repeat this year. Ms. Day also inquired about refunds for summer camps in the event they are cancelled.

Molly Huang of 14109 Ashwood Road is a parent of an 8<sup>th</sup> grade student and has been impressed by our Board and Administration in managing the District's response to the COVID-19 pandemic.

Story Cadiz of 3516 Townley Road suggested additional safety precautions the District might consider implementing at the meal pick-up locations.

Nathan Pennell of 20100 Walker Road advised that, in light of anticipated continued distance-learning for the remainder of the school year and the challenges this creates for many families, a pass/fail grading system should be implemented for the K-4 students.

Chris Avary of 3082 Woodbury Road inquired as to whether the gas-line flags he sees on the Woodbury Elementary School lawns indicate plans for a new field at Woodbury and, if so, how that impacts green space at Woodbury.

### **1.7 HONORS AND RECOGNITION OF STUDENTS AND STAFF**

Even with the extended closure, Shaker students and staff have been busy since our last meeting. You can read details about these and many other accomplishments in the Shaker Schools Connection newsletter and on our website, [www.shaker.org](http://www.shaker.org).

#### **Here are some selected highlights:**

Congratulations to the High School's Upper Certamen Team, which won its first round in the online Yale Certamen tournament last month. The team scored 140 points to defeat Boston Latin (95 points) and St. Paul's School (0 points). Sophomore Will Corbin led the team in points and seniors Max Feinleib, Charlie Forbes and Matt Schiavone rounded out the scoring.

Congratulations also to The Shakerite, recipient of a Gold Crown High School Hybrid News Award by the Columbia Scholastic Press Association for its online and print news coverage during the 2018-2019 school year. This is The Shakerite's sixth crown in the last seven years. Congrats to the student staff and their advisor, Natalie Sekicky!

The District's Curriculum and Instruction Technology Specialist Lauren Priestley—along with the District's Instructional Coaches Kristin Clark, Jocelyn Dietz, Ben Lehman, Lauren Meek and Jen Weisbarth—have created an extensive schedule of virtual professional learning options during the extended closure so that our faculty can stay up-to-date on all the latest technology and best practices for distance learning! Some sessions have drawn more than 90 teachers. Thank you to the instructional support team for creating these terrific learning opportunities.

Inspired by the signs that students in Italy created to boost morale and spread smiles, the PreK-4 art teachers developed "Art to Connect & Communicate." They have encouraged everyone to share photos of student creations that can be sent to the District and shared on the District website and school Facebook pages.

### **1.8 LEARNING AND TEACHING UPDATE**

At this time Chief Academic Officer, Dr. Marla J. Robinson, provided an update on learning and teaching. Dr. Robinson was joined by Director of Primary Education Dr. Erin Herbruck; Director of Secondary Education Ms. Micki Krantz; and Director of Pupil Services Ms. Elizabeth Kimmell. The update, which lasted from 6:25 p.m. until 7:42 p.m., included questions, answers and discussion with the Board.

### **1.9 BUSINESS, OPERATIONS AND FACILITIES UPDATE**

At this time Chief Operating Officer, Jeffrey Grosse was assisted by Gilbane's Todd Gerber in providing an update on business, operations and facilities. The update, which lasted from 7:42 p.m. until 8:23 p.m., included questions, answers and discussion with the Board.

### **2.1 APPROVAL OF ALL CERTIFIED AND CLASSIFIED PERSONNEL ITEMS**

At the recommendation of Superintendent Dr. David Glasner, and upon receiving a motion and a second, the Board of Education voted on approving all personnel items included in Category Sections 3 and 4 below. Note-Category Sections 3. Personnel and 4. Addendum-Personnel of the agenda may be acted on in one motion. Note-all personnel actions are for the 2019-2020 school year unless otherwise noted.

## **3. ACTION ITEMS AND REPORTS-PERSONNEL**

### **3.1 APPOINTMENTS**

Jack, Kavaur - (Garage Mechanic/Transportation) - step 6 of the Local 200 Salary Schedule - effective March 30, 2020 (correction to the March 10, 2020 board agenda)

Young, Jr., H. Danny - (School Counselor/High School) - from Principal/Woodbury to School Counselor/High School - Class M.A.+45, step s-5 of the Teacher's Salary Schedule - effective August 19, 2020

### **3.2 TEMPORARY EMPLOYEES**

#### Lunch Aides

Difranco, Angelarae

#### Substitute Custodians

Lofton, Denise

#### Substitute Security Monitors

Hooker, Tasha

#### Substitute Teachers

Callahan, Kevin

### **3.3 SALARY RECLASSIFICATIONS**

Reclassification in accordance with SHTA contract, section 27.10, effective January 21, 2020

Andrzejewski, Erin - from B.A.+15, step k to M.A., step k

Babcock, Eric - B.A.+15, step e to M.A., step e

Billington, Lori - from B.A.+15, step h to M.A., step h

Gainford, Karen - from M.A.+30, step r-1 to M.A.+45, step r-1

Koenigsberger, Kristin - from M.A.+30, step r-5 to M.A.+45, step r-5

Koterba, Kristin - from M.A.+15, step n to M.A.+30, step n

Richards, Catherine - from M.A.+15, step n to M.A.+30, step n  
 Turner, Benjamin - from B.A., step k to B.A.+15, step k  
 Wyman, Matthew - B.A.+15, step d to M.A., step d

### **3.4 TEMPORARY REASSIGNMENTS**

Slusar, Megan - (Temporary Grade 3 Teacher/Mercer) - from Skills Support Teacher/Mercer to Temporary Grade 3 Teacher/Mercer - Class M.A.+15, step f of the Teacher's Salary Schedule - effective March 2, 2020 through March 13, 2020 (revision to the March 10, 2020 board agenda)

Smith, Alison - (Temporary KRP Support Teacher/Fernway) - from Paraprofessional/Fernway to Temporary KRP Support Teacher/Fernway - Class B.A., step b of the Support Teacher Salary Schedule - effective March 9, 2020

Tuttle, Nicole - (Temporary Kindergarten Teacher/Fernway) - from KRP Support Teacher/Fernway to Temporary Kindergarten Teacher/Fernway - Class B.A.+15, step f of the Teacher's Salary Schedule - effective March 2, 2020

Varricchio, Christine - (Temporary Kindergarten Teacher/Boulevard) - from KRP Support Teacher/Boulevard to Temporary Kindergarten Teacher/Boulevard - Class M.A., step f of the Teacher's Salary Schedule - effective March 16, 2020

### **3.5 SUPPLEMENTAL CONTRACTS**

#### **HIGH SCHOOL SUPPLEMENTALS**

FOSTER, KEVIN	9165	BASKETBALL ASSISTANT COACH - WINTER	10	x	1
STIGGERS, ARIEL	9452	LACROSSE ASSISTANT COACH (GIRLS)	8	x	1
STRANG, CARSON	9917	ICE HOCKEY GOALIE COACH - WINTER	5	x	1

### **3.6 CHANGES IN RATE FOR INDIVIDUAL LONG TERM SUBSTITUTES**

Barnett, Michelle - (KRP Support Teacher/Onaway) - Class B.A., step a in accordance with the applicable Unit & Rate Schedule - effective January 8, 2020 (correction to the January 14, 2020 board agenda)

### **3.7 NON RENEWALS**

#### Non Public Schools

Effective at the end of the 2019-2020 school year

#### Hathaway Brown

Franceschini, Alexandra  
 Leahy, Kristen  
 Wonderly, Eric

#### Laurel

Pearlman, Illissa

#### University School

Perin, Mary

#### St. Dominic

Nave, Jessica  
 Roark, Amy  
 Wyborski, Diane

**3.8 LEAVES OF ABSENCE**

Bailey, Michael - (Custodian/High School) - March 27, 2020 through April 30, 2020 (medical)

Benton, Charles - (Bus Driver/Transportation) - March 17, 2020 through April 10, 2020 (medical)

Brown, Ordenia - (Bus Driver/Transportation) - March 19, 2020 through March 27, 2020 (medical)

Colquitt, Elizabeth - (English Teacher/High School) - April 23, 2020 through June 4, 2020 (medical)

Hardy, Vanessa - (Custodian/Woodbury) - March 9, 2020 through March 30, 2020 (medical)

Johnson, Denise - (Human Resources Generalist/Administration Building) - March 9, 2020 through March 13, 2020 (caregiver)

Kolaczko, Jamison - (English Teacher/High School) - April 17, 2020 through May 13, 2020 (caregiver)

Roan, Latonya - (Permanent Part Time Bus Driver/Transportation) - March 14, 2020 through June 4, 2020 (caregiver)

Young, Aaricka - (Paraprofessional/Mercer) - February 6, 2020 through March 27, 2020 (medical)

**The following action approved on the March 10, 2020 board agenda is hereby rescinded:**

Li, Luling - (Chinese Teacher/High School) - March 30, 2020 through April 27, 2020 (caregiver)

**3.9 RESIGNATIONS**

Keene, Theresa - (Library Technician/Lomond) - effective June 30, 2020 - 45 years of service (retirement)

Williams, Raquel - (Permanent Part-Time Bus Driver/Transportation) - effective Feb 28, 2020 - 3 years of service (resignation)

Young, Jr., H. Danny - (Principal/Woodbury) - effective June 30, 2020 - 28 years of service (resignation)

**4. ADDENDUM – PERSONNEL (no items)**

Motion by Jeffrey Isaacs, second by Ayesha Bell Hardaway

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-04-48

**5. ACTION ITEMS AND REPORTS – BUSINESS (no items)****6. ADDENDUM – BUSINESS (no items)**

## **7. ACTION ITEMS - BOARD OF EDUCATION**

### **7.1 ADOPTION AND/OR REVISION OF BOARD POLICIES - NO ACTION**

**WHEREAS**, a Board Policy Review Committee was appointed to review the District's entire set of Board Policies and present suggested revisions as appropriate to the entire Board; and

**WHEREAS**, the Board Policy Review Committee has conducted a complete review of all existing Board policies working with the Ohio School Boards Association to revise and compile a new all-inclusive set of Board policies which were adopted on December 7, 2015; and

**WHEREAS**, the Board Policy Review Committee was also charged with reviewing and editing newly-required or recently-revised proposed policies, and has a set of such proposed policies to be submitted for the approval of the Board;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education that the Board Policy Review Committee's recommended proposed policies be hereby approved.

#### **FIRST OF THREE READINGS**

(Note: In accordance with Board Policy, no action is required at this time for this the first of three required readings of these policies.)

BDDG – Minutes

GBCB – Staff Conduct

IJA – Career Advising

IKF– Graduation Requirements

IKFC – Graduation Plans and Students at Risk of not Qualifying for a High School Diploma

JED – Student Absences and Excuses

JEE -Student Attendance Accounting (Missing and Absent Children)

JFCF – Hazing and Bullying Harassment, Intimidation and Dating Violence)

JFCF-R - Hazing and Bullying Harassment, Intimidation and Dating Violence)

### **7.2 ADOPTING A PLAN FOR DISTANCE LEARNING IN RESPONSE TO THE EXTENDED CLOSURE OF SCHOOL DUE TO THE CORONAVIRUS PANDEMIC**

At the recommendation of Superintendent Dr. David Glasner, and upon receiving a motion and a second, the Board of Education voted on approving the following resolution Adopting a Plan for Distance Learning in Response to the Extended Closure of School Due to the Coronavirus Pandemic.

**WHEREAS**, under current law, Ohio school districts must be open a minimum number of hours for instruction over the course of a school year;

**WHEREAS**, on March 14, 2020, the Ohio Director of Health issued an order closing all Ohio site-based schools to students, kindergarten through 12, from March 17, 2020 through April 3, 2020, due to the outbreak and spread of coronavirus (COVID-19);

**WHEREAS**, on March 30, 2020, the Ohio Director of Health issued an order extending the closure and directed that Ohio schools will remain closed to students

for an extended period of time through May 1, 2020 due to the ongoing implications of coronavirus (COVID-19);

**WHEREAS**, on March 27, 2020, the Governor of Ohio signed into law emergency legislation, House Bill 197, which addresses the urgent needs of the State in response to the coronavirus (COVID-19) pandemic;

**WHEREAS**, with respect to education, House Bill 197 permits school districts that are not internet- or computer-based schools (e-schools) to amend or adopt a plan under section 3313.482 of the Revised Code, notwithstanding anything to the contrary under section 3313.482, to require students to access and complete classroom lessons posted on the district's or school's web site in order to make up hours for the 2019-2020 school year when schools were closed in the 2019-2020 school year due to the Director of Health's school closure order;

**WHEREAS**, the District has created an "Extended School Closure Plan" and "Distance Instructional Plans By Grade Level/Building" due to the building closure and has posted these plans on its website;

**WHEREAS**, pursuant to House Bill 197, the Board wishes to adopt a distance learning plan to make up the necessary days or hours due to the closure of the Shaker Heights City School District ("District") buildings to students as a result of the Director of Health's order as well as the extension of that order up to and through May 1, 2020;

**NOW, THEREFORE, BE IT RESOLVED** by the Board:

Section 1. Pursuant to House Bill 197, the Board hereby adopts the "Extended School Closure Plan" and "Distance Instructional Plans By Grade Level/Building", as posted on its website and incorporated fully herein, as its distance learning plan to make up the necessary number of days or hours due to the closure of school as a result of the Director of Health's order closing K-12 schools in Ohio up to and through May 1, 2020 due to the coronavirus (COVID-19) pandemic.

Section 2. The Board President, the Superintendent, and/or the Treasurer/Chief Financial Officer are authorized and directed to take all other such actions as are necessary or appropriate to accomplish the objectives of this Resolution.

Section 3. 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 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Motion by Lisa Cremer, second by Emmitt Jolly.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

### **7.3 AUTHORIZING THE SUPERINTENDENT TO DESIGNATE "ESSENTIAL" EMPLOYEES DURING THE EXTENDED CLOSURE OF SCHOOL DUE TO THE CORONAVIRUS PANDEMIC**

At the recommendation of Superintendent Dr. David Glasner, and upon receiving a motion and a second, the Board of Education voted on approving the following resolution Authorizing the Superintendent to Designate "Essential" Employees During the Extended Closure of School Due to the Coronavirus Pandemic.

**WHEREAS**, on March 14, 2020, the Ohio Director of Health issued an order that all Ohio site-based schools serving any grades, kindergarten through 12, be closed to students from March 17, 2020 through April 3, 2020, due to the outbreak and spread of coronavirus (COVID-19 School Building Closure to Students);

**WHEREAS**, the Ohio Director of Health's March 14, 2020 order directed that the COVID 19 School Building Closure to Students "does not include administrators, teachers, staff, vendors, or contractors of a school," and the "administration of each school shall determine the appropriate level of access to the school during the closure";

**WHEREAS**, on March 30, 2020, the Ohio Director of Health extended the COVID 19 School Building Closure to Students order, such that Ohio schools, including the Shaker Heights City School District ("District"), remain closed up to and through May 1, 2020;

**WHEREAS**, on March 22, 2020, the Ohio Director of Health issued a "Stay at Home Order" to help prevent the spread of coronavirus (COVID-19) in the State of Ohio;

**WHEREAS**, the Stay at Home Order identifies Essential Businesses and Operations which are exempt from the Order including "Educational institutions-including public and private pre-K-12 schools, . . . or performing essential functions..."; and

**WHEREAS**, Ohio Revised Code 3319.01 provides that the superintendent shall be the executive officer for the board, shall direct and assign teachers and other employees of the district and has the authority to "perform such other duties as the board determines."

**NOW, THEREFORE, BE IT RESOLVED** by the Board:

Section 1. The Board confirms the authority of the Superintendent to declare which employees of the Board are essential for the function of the District during the COVID 19 School Building Closure to Students due to the coronavirus pandemic.

Section 2. The Superintendent is authorized and directed to take all other such actions as are necessary or appropriate to accomplish the objectives of this Resolution.

Section 3. 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 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Motion Ayesha Bell Hardaway, second by Jeffrey Isaacs.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-04-50

#### **7.4 AUTHORIZING THE DONATION OF PERSONAL PROTECTIVE EQUIPMENT DUE TO THE CORONAVIRUS PANDEMIC**

At the recommendation of Superintendent Dr. David Glasner, and upon receiving a motion and a second, the Board of Education voted on approving the following resolution Authorizing the Donation of Personal Protective Equipment due to the Coronavirus Pandemic.

**WHEREAS**, pursuant to Ohio Revised Code Section 3313.17, the Board is a body politic and corporate and capable of acquiring, holding, possessing, and disposing of real and personal property;

**WHEREAS**, Ohio Revised Code Section 3313.41 provides that when a school district board of education has property that the board, by resolution, finds is not needed for school district use, the board may donate that property if the fair market value of the property is, in the opinion of the board, two thousand, five hundred dollars (\$2,500.00) or less;

**WHEREAS**, Ohio Revised Code Section 3313.41 further provides that the property may be donated to an eligible nonprofit organization that is located in this State and is exempt from federal income taxation pursuant to 26 U.S.C. § 501(a) and (c)(3), and before donating any property, the school district board of education shall adopt a resolution expressing its intent to make unneeded district property available to these organizations;

**WHEREAS**, Ohio Revised Code Section 3313.41 further provides that the resolution shall include guidelines and procedures the school district board of education considers to be necessary to implement the donation program and shall indicate whether the school district will conduct the donation program or the board will contract with a representative to conduct it;

**WHEREAS**, Ohio Revised Code 3313.41 further provides that the resolution shall include within its procedures a requirement that any nonprofit organization desiring to obtain donated property shall submit a written notice to the board or its representative;

**WHEREAS**, the Ohio Director of Health issued an order that due to the outbreak and spread of coronavirus (COVID-19), schools in the State of Ohio, including the Shaker Heights City Local School District (the "District"), will be closed to students until at least May 1, 2020;

**WHEREAS**, the Board owns personal protective equipment, which in the Board's opinion, does not exceed the value of two thousand, five hundred dollars (\$2,500.00) and is not currently needed for use by the District due to the COVID 19 closure of school to students;

**WHEREAS**, in the wake of and in response to the coronavirus (COVID-19) pandemic, the Board intends to make available and donate this personal protective equipment to certain eligible nonprofit organizations in Ohio that are exempt from federal income taxation pursuant to 26 U.S.C. § 501(a) and (c)(3);

**WHEREAS**, the Governor of Ohio has requested that personal protective equipment be donated to assist healthcare workers and first responders due to a shortage of PPE, and this request has been published in numerous newspapers, online sites, and social media platforms and in accordance with Ohio Revised Code 3313.41, this serves as written notice to the Board that nonprofit organizations desire to obtain the Board's personal protective equipment through donation; and

**WHEREAS**, the Board has determined that it is in the best interests of the wider school community and society to donate its personal protective equipment in accordance with this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Board:

Section 1. Pursuant to and in accordance with Ohio Revised Code 3313.41, the Board intends to make available and donate personal protective equipment it owns, which in the Board's opinion does not exceed the value of two thousand, five hundred dollars (\$2,500.00), because the personal protective property is no longer currently needed for District use based on the closure of school to students due to the coronavirus (COVID-19) pandemic, and further, the Board intends to make available and donate this personal protective equipment to certain eligible nonprofit organizations in Ohio that are exempt from federal income taxation pursuant to 26 U.S.C. § 501(a) and (c)(3).

Section 2. The Board President, Superintendent, and/or Treasurer are authorized and directed to take all other such actions as are necessary or appropriate to accomplish the objectives of this Resolution.

Section 3. 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 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Motion by Lisa Cremer, second by Jeffrey Issacs.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-04-51

## **8. ACTION ITEMS AND REPORTS - TREASURER - FINANCE & BUDGET**

### **8.1 MONTHLY FINANCIAL REPORT**

At the recommendation of Treasurer Bryan C. Christman, and upon receiving a motion and a second, the Board of Education voted on approving the Monthly Financial Report consisting of the Financial Statements and Interim Investments for the month and year-to-date ended February 29, 2020 (attached Exhibit T-1 in Subject Section 8.2).

### **8.2 FINANCIAL STATEMENTS**

At the recommendation of Treasurer Bryan C. Christman, and upon receiving a motion and a second, the Board of Education voted on approving the Monthly Financial Report consisting of the Financial Statements and Interim Investments for

the month and year-to-date ended February 29, 2020 (attached Exhibit T-1 in Subject Section 8.2).

**Coronavirus Pandemic**-Due to the declared Federal and State Emergencies resulting in the closure of the school district buildings, the Treasurer's Department staff has successfully converted to fully working remotely from home since March 17th and have experienced no interruption in the critical Treasurer Department functions including processing and paying all staff semi-monthly, processing and paying all vendors, monitoring and managing District investments, and other normal department functions.

### **FEBRUARY 2020 FINANCIAL OVERVIEW**

The revenue activity for the month and for the fiscal year-to-date February 2020 has been similar to the same reporting period for the prior year with the following exceptions:

- Real estate tax revenue received YTD through February of this year was \$5.4 million or 9.0% more than prior year, due to a return to a normalized receipt pattern of real estate tax revenue. After receiving increased property tax amounts in Fiscal 2018 due to the accelerated tax payments made in advance of the January 1, 2018 federal income tax law changes that limited state and local tax deductions and subsequently followed by a reduction in Fiscal 2019, we are now returning in Fiscal 2020 to a normalized property tax receipt pattern. September receipts in both years include Shaker/Van Aken Plaza TIF payments. The September 2018 receipt included catch-up payments from the beginning of the TIF period. Property tax receipts are \$2.1 million above budget as projected through the end of the fiscal year due to higher than anticipated tax collections.
- The District is expected to receive approximately the same State Foundation funding in Fiscal 2020 as in Fiscal 2019 in accordance with the new State biennial budget using the same school funding formula that continues the funding "guarantee".
- Other Local revenue was \$462,810 or 42.8% more than prior year, due primarily to \$33,987 more received from the State for the SF-6, SF-14 & SF-14H payments, as compared to the prior fiscal year for the same time period; and \$365,775 receipt in December of the sexennial reimbursement of county reappraisal fees. Also included in this line item are receipts in July 2019 of \$12,000 and \$2,000 in September 2019 for Energy Star rebates in connection with the Fall 2019 associated purchase and implementation of 1:1 Chromebooks for Grades 5 through 12 students.
- Other State revenue was \$239,323 or 91.5% more than prior year due to the \$117,616 receipt in October and the \$117,615 receipt in February representing the first and second half of the annual amount for the new Student Wellness & Success Funds enacted with the new State biennial budget.
- Total revenues are \$5.9 million or 7.5% more than the prior year amount due primarily to the real estate tax difference as described above, but we currently project revenues in total to be only \$2.6 million or 2.65% above budget as Financial & Miscellaneous Briefs March 29, 2020 Page 2 of 8 projected through the end of the fiscal year due primarily to higher than anticipated property tax collections.

The expenditure activity for the month and for the fiscal year-to-date February 2020 was \$1.7 million or 2.7% more than the prior year amount, due primarily to timing

differences in payments and expected growth in certain expenses, primarily salaries, fringe benefits and purchased services as described below, but we currently project expenditures in total to be \$0.4 million or 0.43% below budget as projected through the end of the fiscal year, representing a \$0.9 million reversal from the prior month due to the net impacts of estimated reductions in projected expenditures due to the school closure mandated as a result of the coronavirus pandemic. The combined net variance of income and expenditures is a favorable variance of \$3.1 million as currently projected through the end of the fiscal year.

#### **eFinancePlus Conversion System Status Update:**

We continue to successfully process payrolls under the new eFP system gaining proficiency with the new system each paydate. We also continue to successfully process the accounting monthend under the new eFP accounting module. Because the eFP system is web-based, the Treasurer's Department staff has been able to fully function working remotely from home since March 17th in accordance with the Federal and State Emergency declared due to the coronavirus pandemic. We successfully processed the entire April 1st paydate and the closure of February accounting monthend remotely from the staff's respective homes. Since we have been forced to work remotely, we are taking this opportunity to modify procedures and adopt features of the eFP system to implement as many paperless processes as possible. NEOnet staff continues to provide support and guidance with the new system as needed on a daily/weekly basis.

#### **Favorable Auditor Reports for Fiscal 2019:**

Because of the Coronavirus Pandemic and the Stay-at-Home mandate, the Finance & Audit Committee scheduled for March 18th was cancelled. We will attempt to schedule the Auditor of State representative to attend a future meeting. The Fiscal 2019 audit reports, which were all "unmodified" or "clean", noted that there were **NONE** of the following identified as a result of the Auditors work:

- Material Internal Control Weaknesses at the financial statement level;
- Significant Internal Control Deficiencies at the financial statement level;
- Material Non-Compliance at the financial statement level;
- Material Internal Control Weaknesses for Major Federal Programs;
- Significant Internal Control Deficiencies for Major Programs;
- Reportable Findings under 2 CFR#200.516(a);
- Findings related to the financial statements required to be reported in accordance with Generally Accepted Government Auditing Standards (GAGAS); and
- Findings and Questioned Costs for Federal Awards.

Additionally, the District was a low risk auditee.

This year's Comprehensive Annual Financial Report has again been submitted for award consideration to both the Association of School Business Officials (ASBO) and the Government Finance Officers' Association (GFOA). Each of our last twenty-one CAFR's was awarded both of these awards. The School District has also received the Auditor of State awards for excellence in financial reporting, now entitled "Ohio Auditor of State Award with Distinction" or its predecessor award known as the State's Excellence in Financial Reporting Award, for numerous years, and was presented the Fiscal 2019 award at the March 10, 2020 Board meeting.

There were three management letter comments this year. The first related to Super Blanket Purchase Orders that extended beyond the fiscal yearend. The District will add a procedure to monthend closing processes to ensure such carryover P.O.'s are cancelled within a reasonable time after fiscal yearend.

The second comment related to insignificant differences in the number of paid, free and reduced lunches served as reported on the District's CN-7 report to the State and the underlying District Site Claim Reports from the point-of-sale Financial & Miscellaneous Briefs March 29, 2020 Page 8 of 8 system. The District will work with the Business Office to implement procedures to ensure such errors are non-recurring.

The third reiterates the prior year comment regarding the fact that the District's capitalization threshold policy is \$2,000, but in practice the District capitalizes at a \$1,000 level. The District has continued to capitalize at the lower threshold in order to capture all computer purchases. The District will consider modifying the capitalization policy and adjusting useful lives where appropriate in consultation with the Auditor of State.

Of the two comments issued in the prior year, the first relating to a requirement to have formal written policies that address Cash Management, Allowable Costs, Procurement by Competitive Proposal, and Time & Effort was resolved with the District adoption of such policies. The second was repeated in Fiscal 2019 and was addressed above.

#### **Submission of Excess Costs SF-6 Billing Report for Fiscal 2019:**

At the beginning of February, the Treasurer's office submitted to ODE the annual Excess Costs SF-6 billing report for Fiscal 2019. The SF-6 is a mechanism for the District to obtain reimbursement from other school districts for excess costs incurred by us to educate students with special needs that are court-placed in a residence within the Shaker School District. The total submitted for reimbursement amounted to \$319,105, a \$108,047 increase from the Fiscal 2018 submission of \$211,058. The amount varies from year-to-year due to mobility of the students.

Mr. Christman also reported on the following legislative items:

- **State Budget Status:** Pre Coronavirus State General Revenue Fund revenues FYTD through February 2020 ended with a \$390 million favorable variance while expenditures ended with a \$207 million favorable variance, for a net favorable variance of \$597 million.
- State tax revenues for the month of March dropped 10.5%, but the worst is yet to come, per State reports. Tax receipts were \$159.4 million or 10.5% behind estimates, but are still ahead of estimates for the FYTD by ½%.
- The real drop-off of activity, of course, began with the statewide closing of schools, restaurants and bars and the general Stay-at-Home order, which did not go into effect until the latter half of March.
- Lawmakers gave OBM authority to draw down from the Rainy Day Fund to balance the FY20 budget with the Controlling Board approval, which will be likely given the extension of the tax filing and payment deadlines from April 15<sup>th</sup> to July 15<sup>th</sup>, thereby shifting revenues from FY20 to FY21.
- **COVID 19 Impacts to the Ohio Pension Systems:**
  - Some Plans are delaying trustee elections due to need to get signatures;
  - All staffs working remotely;
  - Investment return reductions are anticipated, thereby impacting the primary revenue source for paying benefits to retirees (2/3rds from investment returns);
  - Health care plans are expected to be adversely impacted due to the coronavirus testing and treatments required;

- Too early to say if changes needed in either benefit reductions or increased charges to employers and/or employees.
- **Extension of School Closure:** The State closure of schools for students and the Stay-at-Home mandates were both extended through May 1<sup>st</sup>.
- **Ohio General Assembly House Bill No. 197 Signed:** The Governor signed House Bill No. 197 which in part provided for the following:
  - Waives State testing;
  - Allows local governments to hold virtual meetings;
  - Extends absentee voting by mail through 4/28/20; and
  - Freezes the Ed Choice eligibility at current positions.
- **Multiple Federal Legislation Passed:**
  - Families First Coronavirus Response Act (FFCRA)-provides multiple additional leave benefits for employees;
  - CARES-which provides \$13.5 billion for Elementary & Secondary Educational institutions to provide for coronavirus response activities that will be distributed through the Title II-A formula. CARES also provides \$3 billion to the governors of each state to allocate for emergency support grants to local education agencies deemed to be most affected.

Mr. Christman also updated the Board on the Treasurer's Department activities since the last meeting:

- administrative meetings covering various matters including update and renewal process for insurance, legal, contract reviews and executions, policy review, collective bargaining, public records requests, strategic planning, Capital Projects, and the Fernway Task Force;
- various other meetings including subpoenas for HS staff in student legal matter, audit, IDEA B Fiscal Review, Long Term Facilities task force, photography contract, Coronavirus preparedness, travel cancellations resulting from Coronavirus outbreak, Pre-K tuition for remainder of year, Local 200 sick leave, Skill Support Teachers grievance, Supplemental Contracts, preparing for electronic Board Meetings during Coronavirus outbreak, Processing payments for District Capital Projects, Fernway Elementary Fire - insurance, legal, financial aspects;
- held daily electronic Treasurer's Department meetings via Google Meet;
- participated in Treasurer's evaluation with Heather Weingart & Emmitt Jolly;
- attended Policy Committee electronic meeting;
- attended webinars and electronic meetings related to Coronavirus outbreak;
- processed first payroll remotely;
- continued with NEOnet/eFP transition.

Motion by Ayesha Bell Hardaway, second by Emmitt Jolly.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-04-52

The Treasurer's report lasted from 8:39 p.m. until 8:58 p.m.

## **9. SUPERINTENDENT'S REPORT**

### **9.1 SUPERINTENDENT'S REPORT**

At this time, Superintendent Dr. David Glasner reported that he has had recent opportunities to meet electronically with the Superintendent's Student Advisory

Council which has provided him valuable feedback on the District's distance learning plan. Dr. Glasner also thanked the Shaker Heights community for their advocacy efforts with regard to the EdChoice Scholarship program. Finally, Dr. Glasner wished those celebrating Passover and/or Easter in the coming week a happy holiday.

The Superintendent's Report lasted from 8:58 p.m. until 8:59 p.m

## **10. BOARD MEMBERS' REPORTS AND HIGHLIGHTS**

### **10.1 BOARD MEMBERS REPORTS AND HIGHLIGHTS**

At this time, the Board Members provided reports on various district matters including on their respective Committee and Liaison Role assignments.

Mr. Issacs thanked Board President Weingart for initiating and organizing the 2<sup>nd</sup> electronic meeting of the NE school board presidents. Ms. Weingart expressed that she finds these meetings with other districts extremely valuable as a best-practices-sharing tool as well as a comfort in knowing other communities are experiencing similar challenges during the COVID-19 pandemic.

## **11. EXECUTIVE SESSION**

### **11.1 EXECUTIVE SESSION**

At the recommendation of the Board President, and upon receiving a motion and a second, the Board of Education voted on recessing the meeting and entering into executive session to discuss employee personnel matters under Ohio Revised Code (ORC) Section 121.22(G)(1) for the purpose of considering the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee.

Motion by Ayesha Bell Hardaway, second by Emmitt Jolly.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-04-53

The Board recessed the public session at 9:02 p.m.

After a brief break, the Board convened the executive session via a separate non-public Zoom meeting at 9:07 p.m. with Superintendent Glasner and Treasurer Christman in attendance.

At 9:54 p.m., President Weingart declared the end of the executive session, at which time the Board members, Superintendent Glasner and Treasurer Christman exited the executive session non-public Zoom meeting and rejoined the public Zoom webinar and reconvened the public session.

## **12. ADJOURNMENT**

### **12.1 NEXT MEETING**

The next special meeting work session of the Shaker Heights City School District Board of Education will take place on Tuesday, April 28, 2020, at 5:00 p.m. and will be held electronically via Zoom webinar, for which a link for joining the meeting will be provided at a later date via a revised/updated Sunshine Report and various District communication outlets.

The next regular meeting of the Shaker Heights City School District Board of Education will take place on Tuesday, May 12, 2020, at 6:00 p.m. and will be held electronically via Zoom webinar, for which a link for joining will be provided at a later date via a revised/updated Sunshine Report and various District communication outlets.

### **12.2 ADJOURN THE MEETING**

There being no further business to come before the Board, and upon receiving a motion and a second, the Board of Education voted on adjourning the meeting.

Motion by Ayesha Bell Hardaway, second by Jeffrey Isaacs.

Final Resolution: Motion Carries

Yes: Lisa Cremer, Ayesha Bell Hardaway, Jeffrey Isaacs, Emmitt Jolly, Heather Weingart

20-04-54

The regular meeting of the Shaker Heights Board of Education adjourned at 9:56 p.m.

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Heather Weingart, President

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Bryan C. Christman, Treasurer