

New Lexington, Ohio

December 21, 2020

The New Lexington School District Board of Education held its 2020 Regular meeting at 6:00 p.m. in the New Lexington Middle School Media Center, 2549 Panther Dr., New Lexington, Ohio and virtually via ZoomMeetings.

Members present: John McGaughey, Steve Burton, Jason Givens, and Ray Hatem.

Union Presidents Address the Board

All members having received a type written copy of the minutes from the November 16, 2020 regular meeting, it was moved by Hatem and seconded by McGaughey that the Treasurer dispense with the reading of the minutes, and further that said minutes be approved.

THE VOTE: Hatem, yes; McGaughey, yes; Burton, yes; Givens, yes. President McGaughey declared the motion carried.

Audience Comments on Agenda Items

Treasurer’s Recommendations

It was moved by Burton seconded by Givens to approve the Treasurer Recommendations as follows:

- A. Approve the November 30, 2020 Financial Report as presented.
- B. Approve advancing \$65,870.10 from General Fund to Permanent Improvement fund to be returned after 1st half of 2020 tax receipts.
- C. Approve December 2020 Increase in Appropriation Adjustment

<u>Fund</u>	<u>Fund No.</u>	<u>Amount</u>
Youth Resiliency Fund of the Foundation for Appalachian Ohio	499-9421	\$27,476.00

- D. Approve the following transfers:

From Fund	To Fund	Amount
FY 20 Auxiliary Funds	FY 21 Auxiliary Funds	\$7,599.64
Class of 2020 200-967P	Class of 2021 200-967Q	\$ 920.55

**THE VOTE: Burton, yes; Givens, yes; Hatem, yes; McGaughey, yes.
President McGaughey declared the motion carried.**

Superintendent’s Report

First Reading of Policies in Volume 39, No. 1

- 1520 – Employment of Administrators (Revised)
- 1530 – Evaluation of Principals and Other Administrators (Revised)
- 2270 – Religion in the Curriculum (Revised)
- 2431 – Interscholastic Athletics
- 3124 – Employment Contract (Revised)
- 5200 – Attendance (Revised)
- 5517.02 – Sexual Violence (Rescind/Delete)
- 5610 – Removal, Suspension, Expulsion, and Permanent Exclusion of Students (Revised)
- 5611 – Due Process Rights (Revised)
- 6144 – Investments (Revised)
- 6152 – Student Fees, Fines and Charges (Revised)
- 6152.01 – Waiver of School Fees for Instructional Materials (Revised)
- 6325 – Procurement – Federal Grants/Funds (Revised)
- 6424 – Procurement Cards (Replacement)
- 8450.01 – Protective Facial Coverings During Pandemic/Epidemic (New)
- 8800 – Religious/Patriotic Ceremonies and Observances (Revised)

Superintendent’s Recommendations

- A. It was moved by Givens and seconded by Hatem to approve Resolution #20-18 to carry out board meetings virtually through Electronic Means during the COVID-19 Pandemic as authorized by Ohio House Bill 404:

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 (“virtual or 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 virtual or electronic means during the period of the emergency declared by the Order issued March 9, 2020, but not beyond December 1, 2020; and

WHEREAS, HB 197 provides that board members attending meetings by virtual or 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 Ohio legislature extended HB 197's virtual meeting authority for public bodies through July 1, 2021 through the passage of additional emergency legislation, Ohio House Bill 404 ("HB 404"), which was signed by the Ohio Governor and became effective immediately on November 22, 2020; 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 pandemic; and

WHEREAS, the New Lexington School District Board of Education ("Board"), in an effort to continue the important public business of the public body while still safeguarding the health and well-being of all members of the school district community, wishes to avail itself of the option to hold and attend meetings by virtual or electronic means in order to carry out such important governance functions and public business in accordance with HB 404 and all other requirements set forth by Ohio's Open Meetings Act ("OMA") that are not in conflict with the provisions of HB 404; and

WHEREAS, pursuant to Board Bylaw 0131, Legislative, Ohio Revised Code (RC) 3313.20 and HB 404, and due to challenges created by the necessity to carry out such meetings by electronic means, the Board wishes to temporarily suspend its Bylaw 0167, Voting, with regard to in-person voting requirements, relevant portions of its Bylaw 0131, Legislative, with regard to being physically present requirements, and any and all other provisions of Board bylaws, policies and procedures that are in conflict with the provisions of HB 404 for the duration of the applicability of the emergency provisions and to the extent that the Board determines to avail itself, as a public body, of the ability to conduct official public meetings via virtual electronic means in accordance with provisions of HB 404 up and through July 1, 2021.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Ohio House Bill (HB) 404 ("HB 404"), the New Lexington School District Board of Education ("Board") hereby declares its intent to conduct its official public 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 virtual or electronic attendance, or solely by the virtual or electronic means set forth in the uncodified emergency provisions, effective from the date of this official action up and through July 1, 2021.

BE IT FURTHER RESOLVED, that the Board hereby suspends relevant provisions of its Bylaw 0167, Voting, with regard to in-person voting

requirements, relevant portions of its Bylaw 0131, Legislative, with regard to being physically present requirements, and any and all other Board bylaws, policies and procedures in conflict with the provisions of HB 404 for purposes of compliance with Ohio's Open Meetings Act ("OMA") for the duration of the applicability of the emergency provisions provided in HB 404 for the conduct of public meetings up and through July 1, 2021.

BE IT FURTHER RESOLVED, that 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.

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 a in person and virtual regular public meeting of this Board in full compliance with the provisions of HB 404, 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 both in person and 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.

THE VOTE: Givens, yes; Burton, yes; Hatem, yes; McGaughey, yes. President McGaughey declared the motion carried.

It was moved by Hatem and seconded by Givens to approve the following consent agenda items:

- B. Approve the Second Reading of Updated Policies (Revised, Replacement, New and Deleted) on Volume 39 No. 1 as presented at the 11/16/20 Board Meeting.
 - 1520 – Employment of Administrators (Revised)
 - 1530 – Evaluation of Principals and Other Administrators (Revised)
 - 2270 – Religion in the Curriculum (Revised)
 - 2431 – Interscholastic Athletics
 - 3124 – Employment Contract (Revised)
 - 5200 – Attendance (Revised)
 - 5517.02 – Sexual Violence (Rescind/Delete)
 - 5610 – Removal, Suspension, Expulsion, and Permanent Exclusion of Students (Revised)
 - 5611 – Due Process Rights (Revised)
 - 6144 – Investments (Revised)
 - 6152 – Student Fees, Fines and Charges (Revised)
 - 6152.01 – Waiver of School Fees for Instructional Materials (Revised)
 - 6325 – Procurement – Federal Grants/Funds (Revised)
 - 6424 – Procurement Cards (Replacement)
 - 8450.01 – Protective Facial Coverings During Pandemic/Epidemic (New)
 - 8800 – Religious/Patriotic Ceremonies and Observances (Revised)

- C. Approve Long Term Substitute Megan Howell at New Lexington High School as an Intervention Specialist at a salary of \$95/day* beginning 1/4/2021.

*Salary will be at the substitute rate for the first 60 workdays. A per diem rate based on training and experience will be paid beginning on day 61.

- D. Approve the following non-licensed personnel as substitutes for the 2020-21 school year:

Noah Jenkins – substitute custodian
Hallie Clark – substitute secretary, aide
Deborah Weiland – substitute cook, custodian

**THE VOTE: Hatem, yes; Givens, yes; Burton, yes; McGaughey, yes.
President McGaughey declared the motion carried.**

Items for Discussion/Research Prior to Action

- COVID-19 updates/In Person Learning
- Comprehensive Literacy Grant
- Organizational Meeting and Regular January Board meeting moved to January 11, 2021 at 6:00 pm

It was moved by Nutt and seconded by Hatem to adjourn the meeting.

**THE VOTE: Givens, yes; Burton, yes; Hatem, yes; McGaughey, yes.
President McGaughey declared the motion carried.**

President

Treasurer