

**WESTLAKE CITY SCHOOLS
BOARD OF EDUCATION MINUTES**

**Monday, June 1, 2020 – 4:00 P.M. Board Special Meeting
Virtual Meeting Streamed Via YouTube**

1. Opening

A. Call to Order: 4:01 P.M.

B. Roll Call

Mr. Kraft	Present
Dr. Stoll	Present
Mr. Finucane	Present
Mrs. Leszynski	Present
Mrs. Pirnat	Present

C. Pledge of Allegiance

D. Acknowledgement of Visitors

E. Approval of Agenda

Motion to Approve Agenda

Moved by Dr. Stoll Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

2. Board Committee Reports

- A. Legislative Liaison
- B. Student Achievement Liaison
- C. Policy Committee
- D. Curriculum Committee
- E. Community Outreach Committee
- F. Finance/Audit Committee

3. Treasurer's Recommendations

Resolution 20- 127

- A. Resolution Maintaining Employment and Compensation of Regular Non-Teaching Employees Through the 2019-2020 School Year

WHEREAS, on March 12, 2020, the Governor of Ohio announced that, due to the outbreak and spread of coronavirus (COVID-19), schools in the State of Ohio, including the Westlake City School District (the "District") will be closed to students from March 16, 2020 through April 3, 2020 and the Governor subsequently extended such closure to students through May 1, 2020; and

WHEREAS, on April 20, 2020, the Governor announced a subsequent order extending the school building closure through the end of the 2019-2020 school year, which was executed on April 29, 2020 by the Director of the Ohio Department of Health for the same purposes set forth in the March 2020 order; and

WHEREAS, given these directives, and subject to the express terms set forth below, the Board has determined to retain its non-teaching staff during this period of time and outline the compensation terms of such employees; and

WHEREAS, representatives of the Ohio Association of Public School Employees, AFSCME/AFL-CIO, and its local affiliate Local #319 (OAPSE) have been informed of terms set forth below; and

WHEREAS, the Superintendent has and will continue to assign duties for the District's non-teaching employees in furtherance of maintaining facilities and operations.

NOW THEREFORE BE IT RESOLVED by the Board that:

Section 1. For the period of time from March 16, 2020 through the end date of the school closure for students for the 2019-2020 school year, the District will continue the employment and compensation of all regularly employed non-teaching personnel (based on their regularly contracted work hours and work days), including OAPSE members and non-bargaining unit employees, conditioned upon the following:

- a. Each such employee remains available during their normally scheduled work hours/workdays and will report to work as determined by the Superintendent.
- b. Each such employee will not accept other employment during their regularly scheduled work hours/workdays.
- c. Non-teaching employees may be requested to perform duties not normally within the specific confines of the employee's job description, assuming such employees have the necessary skills and qualifications to perform said duties.
- d. Any employee who is summoned to work on any day between March 16, 2020 through the end date of the school closure for students for the 2019-2020 school year will receive his/her regular rate of pay for hours worked and will not be entitled to any "calamity day" pay or additional compensation of any nature whatsoever for such work, within the employee's normally scheduled days/hours except as required by federal law for overtime (if applicable).
- e. During the period of March 16, 2020 through April 5, 2020, members of the Association are only required to report absences if the association member or an immediate family member of the association member was hospitalized. It is the association member's responsibility to notify HR and Payroll of any days that were initially posted into the Frontline system but should not be charged to said member.
- f. During the period of April 6, 2020 through the end date of the school closure for students for the 2019-2020 school year, non-teaching employees who may not be available to report to work on a particular day of their contracted work hours and workdays, must still submit an appropriate leave request (e.g., sick, vacation, personal, FFCRA, etc.) to be absent on any such day.

Section 2. Regardless of the "end date of school closure to students" as set forth in Section 1 above, in no event shall the terms of this Resolution continue beyond the last day of any employee's individual contracted work days for the 2019-2020 contract year. For example, if an employee's last contracted day of work is June 2, 2020, no additional compensation shall be provided to the employee beyond that date based on the terms of this Resolution. For any 260-day employees, "end date of the school closure to students" shall extend to the last workday of their 2019-20 contract year, regardless of the last student day in the 2019-20 school year. Furthermore, this Resolution shall have no effect for the 2020-2021 contract year regardless of whether schools remain closed to students beyond the 2019-2020 contract year.

Section 3. The Board's commitment to maintain the employment of and compensate its regular nonteaching employees may be revoked at any time if any employee or group of employees takes action to challenge the terms set forth above. If such a challenge occurs, the Board hereby authorizes the Superintendent to declare this Resolution null and void immediately and provide notice of the same to the affected employees.

Section 4. The Superintendent and Treasurer are further authorized to take whatever actions are necessary to comply with this Resolution, as well as state, federal and/or local laws and regulations as they relate to the maintenance of a safe and secure work environment for all employees.

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.

Moved by Mr. Finucane Seconded by Dr. Stoll

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 128

B. Resolution Regarding Kindergarten Tuition for the 2019-20 School Year

WHEREAS, on March 14, 2020, in response to the COVID-19 crisis, the Director of the Ohio Department of Health ordered all kindergarten through twelfth grade school buildings in Ohio closed to students for a period of three weeks and directed that, during this period, staff members should continue to report to school as directed by administrators (the “Director’s Order”); and

WHEREAS, Governor DeWine has since extended the school closure through the end of the 2019-20 school year;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby approves a refund of \$300.00 of full-day kindergarten tuition for each paid kindergartener who was signed up for full-day programming for the 2019-20 school year as of the date of this resolution. Student who paid less than full tuition will receive a prorated refund. The Board hereby authorizes and directs the District Administration to create an application form for families to apply for this refund. The Board further authorizes and directs the Treasurer to make refund payments consistent with this resolution.

This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were held, in meetings open to the public, in compliance with the law.

Moved by Mr. Finucane Seconded by Dr. Stoll

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

4. Superintendent Recommendations

Resolution 20- 129

A. Resolution to Accept and Approve the Westlake High School Graduating Class of 2020

WHEREAS, the High School Principal has certified that the members of the 2020 graduating class (see attached) have or will have completed all requirements set forth by the State of Ohio including passing all State proficiency examinations on or before the date set for graduation; and

WHEREAS, the High School Principal has certified that the members of the graduating class have or will have completed all requirements set forth for high school graduation by the Board of Education on or before the date set for graduation,

NOW, THEREFORE, BE IT RESOLVED that the students who continue to meet all requirements for graduation as set forth by the state of Ohio and Board of Education shall be so graduated;

BE IT FURTHER RESOLVED that under the provision of ORC 3313.61, the Board President, Treasurer, Superintendent and High School Principal shall sign the diplomas; and

BE IT FURTHER RESOLVED to pay for the diplomas out of the General Fund.

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 130

B. Resolution of the Board to Authorize Petition(s) for Educational Programming to the Cuyahoga County Department of Health

WHEREAS, on March 9, 2020 the Governor of the State of Ohio issued Executive Order 2020-01D 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, 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 and signed it on April 2, 2020 to extend the closure and directed that Ohio schools 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 April 29, 2020, the Ohio Director of Health signed an order further extending the closure of Ohio schools to students through June 30, 2020 (the “Order”); and

WHEREAS, the Order continues to allow access to and use of school buildings for and by administrators, teachers, staff, vendors, and contractors as determined and directed by school administrators; and

WHEREAS, the Order excludes certain activities and events at schools and allows for local departments of health to approve additional activities; and

WHEREAS, the Order does not apply to “targeted educational support programs” and “other educational programming” that is approved, in writing, by the local department of health and that follows social distancing guidelines in Ohio Department of Health Orders; and

WHEREAS, the Board recognizes the value in the provision of educational programming through direct means as may be safely accomplished on a limited, targeted basis, and believes in the capacity of District administrators to analyze and determine what targeted educational programming should be the subject of a petition to the Cuyahoga County Department of Health.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby authorizes the Board President, the Superintendent (or his designee), Assistant Superintendent, and/or the Treasurer to determine whether and what “targeted educational support programs” and “other educational programming” should be the subject of a petition to the Cuyahoga County Department of Health and to submit any such petitions as they deem appropriate to the Cuyahoga County Department of Health.

BE IT FURTHER RESOLVED, that any targeted educational support programs” and “other educational programming” approved, in writing, by the Cuyahoga County Department of Health shall follow social distancing guidelines in Ohio Department of Health Orders.

BE IT FURTHER RESOLVED, that the Board President, the Superintendent (or his designee), Assistant 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 an electronic meeting of this Board in full compliance with the provisions of HB197, 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.

Moved by Mrs. Pirnat Seconded by Dr. Stoll

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

5. Board Items

6. Board Comments

7. Closing

A. Adjournment

Moved by Mrs. Pirnat Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Meeting Adjourned at 4:28 P.M.

President

Treasurer

The public may address the Board during the periods of the meeting designated for public participation. Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time allotted is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. The period of public participation may be extended by a vote of the majority of the Board present and voting.