

RECORD OF PROCEEDINGS 10522

SPECIAL SESSION

May 7, 2020

The Gahanna-Jefferson Board of Education met in Special Session on May 7, 2020 by Teleconference. President Beryl Piccolantonio called the meeting to order at 5:34 p.m.

ROLL CALL:	Mr. Matthew Campbell	Present
	Mrs. Jennifer Chrysler	Present
	Mr. Bryan Hairston	Present
	Mrs. Daphne Moehring	Present
	Mrs. Beryl Piccolantonio	Present

Amended Agenda

20-05-049

Deletions to Agenda

1. Removed #A1 Human Resources: Employment – Certificated Staff.

Moved by Mr. Campbell, and seconded by Mrs. Chrysler, upon the recommendation of the Superintendent, that the Gahanna-Jefferson Board of Education approved this amendment

Roll: Ayes – Campbell, Chrysler, Moehring, Hairston, Piccolantonio
Nays – None
Motion carried.

Amended Agenda

20-05-050

Changes to Agenda

1. Amended #B1 under General Business that any reference to the last day of school should be May 20, 2020.

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Moved by Mr. Campbell, and seconded by Mrs. Chrysler, upon the recommendation of the Superintendent, that the Gahanna-Jefferson Board of Education approved this amendment

Roll: Ayes – Campbell, Chrysler, Moehring, Hairston, Piccolantonio
Nays – None
Motion carried.

B. GENERAL BUSINESS

ITEM(S) FOR ACTION (5)

20-05-051

Moved by Mrs. Moehring, and seconded by Mr. Hairston, upon the recommendation of the Superintendent, that the Gahanna-Jefferson Board of Education approved the following:

1. Close School and Dismiss School Early Resolution

The Gahanna-Jefferson Board of Education approved the following resolution:

A RESOLUTION APPROVING THE EXERCISE OF
THE SUPERINTENDENT'S AUTHORITY UNDER BOARD
POLICY 8220 TO CLOSE SCHOOL AND DISMISS SCHOOL
EARLY ON EACH OF THE REMAINING DAYS OF THE
2019-2020 SCHOOL YEAR AFTER MAY 20, 2020 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 Gahanna-Jefferson City School District (the "District") designating May 27, 2020 as the last day of school 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

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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 29, 2020, the Director signed another order (*In Re: Second Amended Order the Closure of All K-12 Schools in the State of Ohio*), which extended the school building closure through June 30, 2020, to prevent the spread of COVID-19;

WHEREAS, Ohio law allows school districts to control their instructional days during a school year provided they meet the minimum number of hours for instructional time as set forth in O.R.C. 3313.48;

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)

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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 15, 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 15, 2020, the Superintendent has recommended closing the schools after May 20, 2020 and dismissing school early for students for the 2019-2020 school year in the interests of the health of students and staff and also so that staff can plan for extended school year needs for students with disabilities along with planning for the 2020-2021 school year in light of the ongoing COVID-19 pandemic and the corresponding health and safety measures that are required; and

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WHEREAS, the Board believes this action is in the interest of the health and safety of District staff and 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 8220.

Section 2. The Board hereby approves the exercise of the Superintendent's authority to close schools as of the close of business on May 15, 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 May 28, 2020 so that staff can plan for extended school year needs for students with disabilities along with planning for the 2020-2021 school year in light of the ongoing COVID-19 pandemic and the corresponding health and safety measures that are required.

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 electronically-held 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 electronic meetings open to the public or in executive session as permitted by Ohio law.

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

2. Athletic Eligibility Resolution

The Gahanna-Jefferson Board of Education approved the following resolution:

A RESOLUTION GRANTING THE SUPERINTENDENT
AUTHORITY TO ADJUST ATHLETIC ELIGIBILITY
CRITERIA DUE TO THE CORONAVIRUS
(COVID-19) PANDEMIC

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 school buildings, including Gahanna-Jefferson City School District (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, the Governor of Ohio announced the extension of the Director's closure of school buildings through the end of the 2019-2020 school year;

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

WHEREAS, the Board of Education has adjusted its grading policies to permit a Pass (P) / Fail (F) grading system based on student completion of assignments, pursuant to House Bill 197 and subsequent guidance from the Ohio Department of Education;

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WHEREAS, Board Policy 2431 sets forth a specific minimum grade point average required to maintain eligibility for interscholastic extracurricular activity, including athletics;

WHEREAS, the Ohio High School Athletic Association (“OHSAA”) Bylaw 4-4-1 does not delineate a specific grade point average to maintain athletic eligibility and, instead, provides that “during the preceding grading period, the student must have received passing grades in a minimum of five (5) one-credit courses or the equivalent, each of which counts toward graduation;”

WHEREAS, the Board wishes to authorize the Superintendent to adjust eligibility criteria for interscholastic athletics to reflect OHSAA requirements, in light of the COVID-19 pandemic, the building closures and subsequent adjustments to the Board’s grading policies;

NOW, THEREFORE, BE IT RESOLVED by the Board:

Section 1. Due to the COVID-19 pandemic, the Board hereby authorizes the adjustment of eligibility criteria for participation in interscholastic athletics to reflect OHSAA requirements in Bylaw 4-4-1. Due to the COVID-19 pandemic and the corresponding grading policy change, the Board authorizes the Superintendent or the Superintendent’s designee to permit participation in interscholastic athletics for students, provided such students received, during the preceding grading period, passing grades in a minimum of five (5) one-credit courses or the equivalent, each of which counts towards graduation. The Board also authorizes the Superintendent or the Superintendent’s designee to develop procedures and guidance for implementing this eligibility adjustment and for addressing collateral issues associated with this adjustment. Additionally, to the extent that this eligibility adjustment conflicts with the standards set forth in current student handbooks, Board Policy, guidelines, and/or procedures, the conflicting standards set forth in Board Policy, guidelines, and/or student handbooks are temporarily suspended due to the COVID-19 pandemic.

Section 2. 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.

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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 held electronically by 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.

3. Grading Procedures Resolution

The Gahanna-Jefferson Board of Education approved the following resolution:

A RESOLUTION GRANTING THE SUPERINTENDENT
AUTHORITY TO ADJUST GRADING PROCEDURES
FOR THE REMAINDER OF THE 2019-2020 SCHOOL
YEAR IN ACCORDANCE WITH HB 197 DUE TO THE
CORONAVIRUS (COVID-19) PANDEMIC

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 school buildings, including Gahanna-Jefferson City School District (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, the Governor of Ohio announced the extension of the Director's closure of school buildings through the end of the 2019-2020 school year;

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WHEREAS, on March 27, 2020, the Governor of Ohio signed into law emergency legislation, House Bill 197 (“HB 197”), addressing the urgent needs of the State in response to the COVID-19 pandemic;

WHEREAS, due to the Director’s closure of school buildings, the Ohio Department of Education (“ODE”) has released revised guidance to assist districts in making good faith efforts, to the extent practicable, to issue grades and provide feedback to students in alignment with their local board of education grading policies;

WHEREAS, such ODE guidance provides “Districts may choose to use traditional letter grades, opt for a pass/fail/incomplete approach or utilize a standards-based/mastery approach to report learning;”

WHEREAS, such ODE guidance, with regard to promotion and retention of students, further provides that “if, in the judgment of the teacher and principal, a student is prepared, given the student’s demonstration of knowledge and skills in the particular context of the ordered school-building closure to participate successfully in the next higher grade, then the child should be promoted;”

WHEREAS, student handbooks and other grading protocols set forth grading procedures that primarily utilize letter and numerically scored grades;

WHEREAS, Board Policy 5421 provides in part that: “Grading procedures should provide for a pass/fail grade in programs for which it is appropriate;”

WHEREAS, the District staff have developed a Pass (P) / Fail (F) grading system based on student completion of assignments to be used during the 4th quarter of the 2019-2020 school year due to the COVID-19 public health emergency and building closure, and the Superintendent has recommended use of such grading system; and

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WHEREAS, the Board wishes to approve use of a P/F grading system based on student completion of assignments to be used during the 4th quarter of the 2019-2020 school year and authorize the Superintendent to create and amend as necessary procedures and guidance for implementing such grading system.

NOW, THEREFORE, BE IT RESOLVED by the Board:

Section 1. Due to the COVID-19 pandemic, the Board hereby authorizes use of a Pass (P) / Fail (F) grading system based on student completion of assignments for determination of 4th quarter grades for the 2019-2020 school year. Under the Board-authorized system, a grade of P shall be counted as a 4.0 for purposes of grade point average calculation. The Board authorizes the Superintendent or the Superintendent's designee to develop procedures and guidance for implementing such system and for addressing collateral issues associated with such system including but not limited to promotion and retention decisions, grade point averages, local recognitions (such as National Honor Society), National Collegiate Athletic Association eligibility, college admissions and scholarship opportunities. Additionally, to the extent that the use of a P/F grading system or such locally-developed procedures and guidance for use of a P/F grading system conflict with the standards set forth in current student handbooks, athletic handbook, Board policy and/or procedures, including, but not limited to 5421 – Grading and 5410 – Promotion, Academic Acceleration, Placement, and Retention, the conflicting standards set forth in Board policy and/or student handbooks are temporarily suspended.

Section 2. 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, arranging for the development of procedures and guidance necessary to implement a P/F grading system based on student completion of assignments for determination of 4th quarter grades for the 2019-2020 school year.

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 held electronically by this Board, and that all deliberations of this Board and any of its committees that resulted in such

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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.

4. Annual and Spring Supplemental Contracts Resolution

The Gahanna-Jefferson Board of Education approved the following resolution:

WHEREAS, Governor Mike DeWine has declared a state of emergency in Ohio, which resulted in the closure of schools starting on March 16, 2020; and

WHEREAS, the Director of the Ohio Department of Health Amy Acton has issued several orders, including one dated April 29, 2020 that extends school closures to at least June 30, 2020; and

WHEREAS, Doctor Acton has affirmed that April 29 Order in the expanded April 30 Order entitled "Stay Safe Ohio Order;" and

WHEREAS, the District's Annual and Spring supplemental activities and contracts were impacted by these Orders; and

WHEREAS, the Board previously approved the Annual and Spring supplemental contracts, and there is an expectation that these contracts be paid as the collective bargaining agreement provides the basis for payment of supplemental contracts; and

WHEREAS, refusal to pay under the supplemental contracts and the collective bargaining agreement exposes the Board to the risk of litigation and/or grievance and arbitration expense that could easily exceed the value of the supplemental contracts; and

WHEREAS, coaches and advisors substantially completed their responsibilities under the supplemental contracts, to the extent they were able; and

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WHEREAS, the District has an interest in maintaining the stability in its coaching and advisory staff, given that coaching and advisor positions can sometimes be difficult to fill; and

WHEREAS, U.S. Congress has recently enacted the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which makes certain funds available to school districts on the condition that they retain and continue to pay employees and contractors to the extent practicable during the coronavirus pandemic.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the Treasurer to pay the full amount of all Annual and Spring supplemental contracts, as the Board finds that it is a proper public purpose to do so.

5. Continued Payment Resolution

The Gahanna-Jefferson Board of Education approved the following resolution:

WHEREAS, Governor Mike DeWine has declared a state of emergency in Ohio, which resulted in the closure of schools starting on March 16, 2020; and

WHEREAS, the Director of the Ohio Department of Health Amy Acton has issued several orders, including one dated April 29, 2020 that extends school closures to at least June 30, 2020; and

WHEREAS, Doctor Acton has affirmed that April 29 Order in the expanded April 30 Order entitled "Stay Safe Ohio Order;" and

WHEREAS, Ohio law requires continued compensation of certain employees during epidemics and public calamity; and

WHEREAS, U.S. Congress has recently enacted the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which makes certain funds available to school districts on the condition that they retain and continue to pay employees and contractors to the extent practicable during the coronavirus pandemic.

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NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the following actions:

1. The Treasurer shall continue paying full-time, part-time and as-needed staff;
2. These payments will be based on the schedule which the individual would have worked had no shutdown occurred.
3. The Board authorizes these payments through the earlier of May 28th, 2020, or such time that the employees and/or contractors identified above return to regular work.

Roll: Ayes – Moehring, Piccolantonio, Campbell, Chrysler, Hairston
Nays – None
Motion carried.

ADJOURNMENT

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Moved by Mr. Hairston, and seconded by Mr. Campbell, the Special Meeting of the Gahanna-Jefferson Board of Education adjourned at 6:25 p.m.

Roll: Ayes – Hairston, Moehring, Piccolantonio, Campbell, Chrysler
Nays – None
Motion carried.



President



Treasurer