

Board of Education Emergency Meeting

March 19, 2020 7:00 PM

Deerfield Primary Library

Electronically at <https://zoom.us/j/925964953>

Information concerning the Open Meeting Law, Chapter 84, Article 14 of Nebraska State Statutes, is posted on the wall in this room and attached to the public agenda electronically.

1. Call to Order

Mrs. Kari Loseke, President, called the Board of Education Emergency Meeting to order at 7:00pm.

Nebraskans are facing unprecedented challenges to conduct open, public meetings in the face of the Coronavirus Pandemic. Recommendations to limit social gatherings to fight the spread of the virus have generated several questions and concerns about the ability of public bodies to meet electronically. In response, Governor Ricketts issued Executive Order No. 20-03 (“Order”), which provides a limited waiver of certain requirements of the Nebraska Open Meetings Act, Neb. Rev. Stat. §§84-1407 to 84-1414 (2014, Cum. Supp. 2018, Supp. 2019). The order permits all public bodies in the state to meet by videoconference, telephone conference call, and other telecommunications applications, so long as members of the public and the media are provided access to the meetings in some manner. The Order applies to all public meetings beginning now through May 31, 2020.

Governor Ricketts recommended that all citizen avoid public gatherings of more than ten (10) people. The Board urged the public to follow this public health recommendation and avoid in person attendance. The Board meeting was available electronically at <https://zoom.us/j/925964953>.

2. Roll Call

Present Board Members: Brandi Petersen, Kari Loseke, Laura Ronning and Denise Ray.

Present Board Members Electronically: Steve Callaghan, Brittney Gunderson, Lyle Schjodt and Bob Schoby.

3. Approval of Absent Board Members – None

4. Pledge of Allegiance

Dr. Gilson led the Board in the Pledge of Allegiance.

5. Directed Health Measure Order - Staff Work Agreements

Pursuant to Neb. Rev. Stat. 71-502 and 81-601 and Title 173 Neb. Admin. Code Ch. 6, the Nebraska Department of Health and Human Services has exercised a Directed Health Measure for Washington County. Governor Ricketts imposed school buildings are directed to operate without students in buildings until April 30th. They have also limited public gatherings for Cass, Douglas, Sarpy, and Washington in effect until April 30th for ten (10) or less people to not work in their buildings. The restriction does not apply to school staff working in school buildings.

During school closures, schools have chosen the following options for paying classified staff wages.

1. Option 1 - Pay Classified staff nothing if they do not work.
2. Option 2 - Allow Classified staff to substitute accrued sick and vacation leave or compensatory time during school closure.
3. Option 3 - Require/allow Classified staff to work limited hours during school closure.

4. Option 4 - Pay all Classified staff some amount of paid leave in exchange for a "Return to Work Agreement."
5. Option 5 - Place all Classified staff on "paid leave" prior to closing the school districts.

Twenty-four school districts responded to a survey Blair Community Schools conducted.

- No school district chose Option #1 (no work, no pay).
- One (1) school district (4%) chose Option #2 and one is considering it.
- Eleven (11) school districts (46%) chose Option #3 and two are considering it.
- Six (6) school districts (25%) chose Option #4 and two are considering it.
- Five (5) school districts (21%) chose Option #5.
- Four (4) school districts (17%) chose a combination of Option #3 and Option #4.

Dr. Gilson, Superintendent Blair Community Schools, is recommending the use of a combination of Option #3 and #4. A Classified Staff Work Agreement would be given to all Classified staff outlining a work agreement during the extended school closure. Dr. Gilson shared a Blair Emergency Pandemic Closure document explaining the procedures for all Classified staff to follow. The Board showed full support for Dr. Gilson's recommendation for the Classified Staff Work Agreement.

In order to continue paying the Classified employee during the school closure, The District and Employee desire to enter into the Work Agreement to address the Employees compensation and work condition.

- For each workday that the District's operations are closed, the employee will be paid 75% of their hourly rate for the number of hours that the employee was scheduled to work, as determined in the Superintendent's sole and absolute discretion, on such workday.
- In exchange for the pay for the closed day, the employee agrees that the District may schedule additional workdays in which the employee will be paid the remaining 25% of their regular hourly rate.
- If the employee received pay for a closed day and the employee does not (for whatever reason) work the additional workdays, then the employee hereby authorizes the District to deduct such pay from the employee's final paycheck.
- The Superintendent shall schedule the additional workdays and will do so at his discretion and with the best interest of the students.
- If the Superintendent determines that the employee needs to perform work during a closed day, then the employee will be entitled to full pay for the actual work performed during the closed day and will not be required to work additional time to receive such pay for work actually performed.

6. Board Action – Approval of a Resolution Regarding Coronavirus Plans

The Emergency Response Resolution presented to the Board of Education resolved that:

- A. the World Health Organization designated the COVID-19 (coronavirus) outbreak as a global pandemic.
- B. The Superintendent or his designee, in order to facilitate the ability to implement response actions plans and prompt reactions the evolving coronavirus situation the Board of Education of the District hereby finds and determines it is necessary and appropriate to delegate authority and does hereby delegate the full power and authority to the Superintendent to close or limit access to buildings, schools or the District as needed or deemed appropriate by the Superintendent, implement a Pandemic Response Plan as it now or may exist or as amended by staff and other necessary, transportation or response action plans as developed, implement staff payment procedures as deemed appropriate, contract with or provide facilities maintenance and cleaning services as deemed appropriate, carry out nutrition services and food programs as deemed appropriate, undertake and continue special education measures may be deemed appropriate and/or

required by law, and undertake or carry out any other program that may be required by local, state or federal law, implement distance or e-learning as deemed appropriate, implement telework or “work from home” procedure, and take any and all other actions and sign all contracts or agreements in order to make emergency expenditures determined to be in the best interests of the District in this emergency situation.

- C. That this delegation of authority is to continue in effect until the emergency has been dealt with as determined by the Superintendent to the extent that the conditions no longer exist, or until modified or terminated by action of the Board of Education.
- D. In exercising the above authority, the Superintendent or his designee shall maintain close contact with the Board President and regularly inform the members of the Board of Education of actions taken pursuant to the foregoing authority.

Motion Passed: I move to approve the Emergency Response Resolution of the Board of Education of Washington County School District 89-0001, A/K/A Blair Community Schools District, Regarding the Coronavirus as presented passed with a motion by Brandi Petersen and a second by Denise Ray.

Steve Callaghan	Yes
Brittney Gunderson	Yes
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Denise Ray	Yes
Laura Ronning	Yes
Lyle Schjodt	Yes
Bob Schoby	Yes

7. Adjournment

Motion Passed: I move to adjourn the meeting at 7:55pm passed with a motion by Brandi Petersen and a second by Denise Ray.

Steve Callaghan	Yes
Brittney Gunderson	Yes
Kari Loseke	Yes
Deb Parks	Yes
Brandi Petersen	Yes
Denise Ray	Yes
Laura Ronning	Yes
Lyle Schjodt	Yes
Bob Schoby	Yes

Angie Conety, Secretary Board of Education

Randall Gilson, Ed.D., Superintendent