

Held APRIL 20

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4-01-20

ROLL CALL

The Garaway Local Board of Education met in regular session on Monday, April 20, 2020, at 6:00 O’Clock P.M. via Zoom virtual meeting. President Dick Marshall opened the meeting with the Pledge of Allegiance. Other members present were April Beachy, Bob Eckert, John Shrock, and Mike Warkall.

4-02-20

APPROVAL OF AGENDA

Mrs. Beachy moved and Mr. Shrock seconded the motion to approve this meeting’s agenda and items as presented and amended by the Superintendent.

Roll call on motion: Ayes: Beachy, Eckert, Shrock, Warkall, and Marshall

4-03-20

RESOLUTION

Mrs. Beachy moved and Mr. Warkall seconded the motion to approve the following resolution:

The Treasurer advised the Board that the notice requirement of R.C. 121.22 and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

WHEREAS, pursuant to Ohio House Bill 197, signed into law by Governor DeWine on March 27, 2020, members of a public body may hold, attend, and participate in meetings by means of teleconference, video conference, or any other similar electronic technology; and

WHEREAS, in conformance with the Executive Orders of the Governor’s Office and the Ohio Department of Health, issued in March, 2020, prohibiting large gatherings of people and closing school buildings in response to the Coronavirus pandemic, the Board has determined to exercise its authority to hold today’s meeting by means of a video conference over the internet; and

WHEREAS, current Board Policy 0167 provides that a Board member must be physically present at a Board meeting to vote; and

WHEREAS, current Board Policy 0169.1 provides that the Board will offer public participation to members of the public at a Board meeting; and

WHEREAS, to ensure compliance with its own Policies, the Board desires to temporarily remove the aforementioned requirement from Board Policy 0167, and to suspend Board Policy 0169.1 in its entirety, for the duration of the period of emergency declared by Executive Order 2020-01D.

THEREFORE, BE IT RESOLVED, by the Board of Education of the Garaway Local School District, Tuscarawas County, Ohio, that:

Section 1. Pursuant to Ohio House Bill 197, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, unless the period of the emergency continues beyond that date, Board Policy 0167 – “Voting” shall be revised, so as to remove the following sentence: “A Board member must be physically present at the meeting to vote.” The intent of this action is to permit members of the Board to vote during public meetings held by means of teleconference, video conference, or any other similar electronic technology, in which such Board members are participants.

Section 2: During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, unless the period of the emergency continues beyond that date, Board Policy 0169.1 – “Public Participation at Board Meetings” shall be suspended. This action is taken because not all members of the public have the technological ability to participate in meetings held electronically. This action does not prohibit public comment during Board meetings. Rather, public comment may be heard at the Board’s sole discretion.

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 the Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and Section 12 of H.B. 197.

Roll call on motion: Ayes: Beachy, Eckert, Shrock, Warkall, and Marshall

4-04-20

TREASURER’S REPORT

Mr. Warkall moved and Mrs. Beachy seconded the motion to approve the Treasurer’s report as follows:

1. Approval of Minutes – Minutes from the March 16, 2020, Special Meeting, as recorded dispensing of reading pursuant to O.R.C. 3313.
2. Approval of bills as presented for March and payment of bills with “Then and Now” certificates.
3. Approval of financial reports for the month ended March 31, 2020.
4. Approve Quarterly Investments for the first quarter.

Roll call on motion: Ayes: Beachy, Eckert, Shrock, Warkall, and Marshall

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4-05-20

NEW BUSINESS

Mr. Eckert moved and Mr. Warkall seconded the motion to approve the following items of new business:

1. First reading of the following Board Policies: (06)
  - 1520 – Employment of Administrators (Revised)
  - 2464 – Gifted Education and Identification (Revised)
  - 3120 – Employment of Professional Staff (Revised)
  - 3120.04 – Employment of Substitutes (Revised)
  - 3120.05 – Employment of Personnel in Summer School and Adult Education Programs (Revised)
  - 3120.08 – Employment of Personnel for Co-Curricular/Extra-Curricular Activities (Revised)
  - 4120 – Employment of Professional Staff (Revised)
  - 4120.08 – Employment of Personnel for Co-Curricular/Extra-Curricular Activities (Revised)
  - 4124 – Employment Contract (Revised)
  - 4162 – Drug and Alcohol Testing of CDL License Holders and Other Employees Who Perform Safety-Sensitive Functions (Revised)
  - 5460 – Graduation Requirements (Revised)
  - 5460.02 – Students At Risk of Not Qualifying for a High School Diploma (New)
  - 6107 – Authorization to Accept and Distribute Electronic Records and to Use Electronic Signatures (Revised)
2. Purchase of a 48” Simplicity Broadmoor riding mower for Garaway 7-12.
3. Managed Internal Broadband Service Agreement with OMERESA for FY21 discounted through E-Rate.
4. Approval of the ECOESC – Business Advisory Council Meeting Minutes of February 24, 2020.
5. Continuation of Student Accident Insurance coverage for the 2020/2021 school year through Guarantee Trust Life Insurance Company, with Michael R. Percy from Mount Vernon, Ohio, as the local representative at no cost to the Board.
6. Resolution beginning with the 2020/2021 school year, a school district may administer the third-grade English Language Arts or Mathematics assessment, or both, in a paper format in any school year for which the district board of education adopts a resolution indicating that the district chooses to administer the assessment in a paper form and resolves to do so. An exception is allowed for any student whose individualized education program or plan specifies that taking the assessment in an online format is an appropriate accommodation for the student.
7. Disposal of outdated electronic equipment as per list.
8. Union Hospital – Cleveland Clinic WorkWell to perform physicals for district bus and van drivers.
9. Occupational Medicine Center of Tuscarawas County to perform quarterly random drug testing for bus and van drivers.
10. Memorandum of Understanding between the Garaway Local Board of Education and the Garaway Teacher Association regarding compensation for Spring coaching staff.

This Memorandum of Understanding is entered into by and between the Garaway Local School District Board of Education (“Board”) and the Garaway Teachers’ Association (“Association”).

WHEREAS, the Board and the Association are parties to a Negotiated Agreement (“Agreement”) governing, in part, the terms and conditions of the employment of the Board’s teaching employees; and

WHEREAS, Article 21 of the Agreement governs the issuance of supplemental contracts and the payment of compensation thereunder; and

WHEREAS, the Board has issued supplemental employment contracts and the parties have agreed that the Board will pay employees their supplemental contracts, in accordance with Section 1 of this Memorandum of Understanding, despite the COVID-19 pandemic which has resulted in the cancellation or suspension of certain student athletics and extracurricular activities.

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NOW, THEREFORE, the parties hereby agree as follows:

1. The Board shall compensate all individuals with whom it had entered into a supplemental contract or pupil activity contract for the 2019-2020 school year to supervise or direct extracurricular pupil activity programs and athletics, including full-year and spring contracts, as follows: head coaches shall be paid their full stipend, whereas assistant coaches shall be paid one half of their set stipend.
2. Except as provided in this Memorandum of Understanding, all other terms and conditions of the Agreement shall remain in full force and effect. Nothing in this Memorandum of Understanding shall be construed to create or result in a past practice, or modification of the bargaining unit. This Memorandum of Understanding represents the entire agreement of the parties with respect to its subject matter and may only be amended by a signed writing.

**11. Resolution for the payment of supplemental and pupil-activity contracts during the pendency of executive order 2020-01D, ODH Director’s Order regarding the closure of all K-12 schools in Ohio and future orders requiring District response.**

WHEREAS, the COVID-19 pandemic and the resulting State of Ohio Executive and Department Orders, as well as the following related Agency Orders, necessitate that the Board of Education pass the following resolution:

1. Governor Mike DeWine’s March 10, 2020 Executive Order 2020-01D.
2. Ohio Department of Health Director Amy Acton, M.D., MPH March 14, 2020 Order In Re: Order the Closure of All K-12 Schools in the State of Ohio.
3. Ohio High School Athletic Association Order, March 13, 2020.
4. Ohio Department of Health Director Amy Acton, M.D., MPH March 30, 2020 Amended Order In Re: Order the Closure of All K-12 Schools in the State of Ohio, through 11:59 p.m. on May 1, 2020;
5. Any other orders or directives of duly authorized Ohio State Officials in relation to COVID-19 that may occur during the pendency of Executive Order 2020-01D; and

WHEREAS, on March 14, 2020, Director Acton ordered that all school buildings that provide any kindergarten through grade twelve instruction in the State of Ohio be closed to students beginning at 12:01 a.m. on March 17 through 11:59 p.m. on April 3, 2020; and,

WHEREAS, on March 30, 2020, Director Acton amended her March 14, 2020 Order, and extended the closure to students of all school buildings that provide any kindergarten through grade twelve instruction in the State of Ohio through 11:59 p.m. on May 1, 2020; and

WHEREAS, on March 14, 2020, and her Amended Order of March 30, 2020, Director Acton further clarified that such closure “does not include administrators, teachers, staff, vendors, or contractors of a school,” and that the “administration of each school shall determine the appropriate level of access to the school during the closure.”

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Garaway Local School District, Tuscarawas County, Ohio, that:

**Section 1: Payment of Supplemental/Co-Curricular/Extracurricular Contracts**

The Board hereby authorizes all individuals with whom it had entered into a supplemental contract or pupil activity contract for the 2019-2020 school year to supervise or direct extracurricular or co-curricular pupil activity programs and athletics, including full-year and spring contracts, to be compensated. Head coaches shall be paid in full, whereas assistant coaches shall be paid one half of their set stipend. The Treasurer is hereby authorized and directed to pay said contracts, including during the cessation of all sports, extracurricular, and co-curricular activities due to the COVID-19 pandemic.

**Section 2: Meeting to Confer with GTA Regarding Modified Duties**

The Board hereby approves the Memorandum of Understanding attached hereto with the Garaway Teachers’ Association regarding the payment of supplemental contract or pupil activity contract for the 2019-2020 school year, which shall be incorporated herein by reference. Nothing in the Memorandum of Understanding or this Resolution shall be construed to create or result in a past practice of the Board.

**Section 3: Treasurer’s Authority**

By this action, the Board hereby appropriates the funds necessary for the execution and implementation of this resolution and further authorizes and directs the Treasurer to encumber and pay any funds necessary for the implementation of this resolution.

**Section 4: Board Policy Emergency Suspension**

By this action, the Board hereby suspends, for the 2019-2020 school year only, any and all Board Policies that may conflict with the authority granted herein.

**Section 5: Compliance with Public Meetings Law**

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 the Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and Section 12 of H.B. 197.

Roll call on motion: Ayes: Beachy, Eckert, Shrock, Warkall, and Marshall

RECORD OF PROCEEDINGS

Nº 1361

Minutes of Garaway Local Board of Education

REGULAR Meeting

Held APRIL 20

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4-06-20

EMPLOYMENT/PERSONNEL

Mrs. Beachy moved and Mr. Warkall seconded the motion approving the Superintendent's recommendation regarding the following personnel matters:

1. Retirements

- A. Rebecca Egler as Second Grade Teacher at Ragersville Elementary effective the end of the 2019/2020 school year.
- B. Christina Miller as Special Services Aide effective the end of the 2019/2020 school year.

Roll call on motion: Ayes: Beachy, Eckert, Shrock, Warkall, and Marshall

4-07-20

ADJOURNMENT

Mr. Warkall moved and Mr. Shrock seconded the motion to adjourn the meeting.

Roll call on motion: Ayes: Beachy, Eckert, Shrock, Warkall, and Marshall

ATTEST

Sheryl Hardisty  
Treasurer

Dick Marshall  
President