

RESOLUTION FOR THE OPERATION OF SCHOOLS 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

The Board of Education of the Danbury Local School District (“Board”), Ottawa County, Ohio, met in \_\_\_\_OPEN\_\_\_\_ session with the following members present:

_____ Rinaldo	_____ Conrad
_____ Mackey	_____ Dunfee
_____ Cole	

\_\_\_\_\_  
Dunfee

\_\_\_\_\_ moved the adoption of the following resolution:

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. 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 14, 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 Danbury Local School District, Ottawa County, Ohio, that:

Section 1: School Building Closure

Effective 12:01 a.m. on March 17, 2020 and continuing until April 3, 2020, all Board buildings are closed to students (“School Closure”). The Board confirms the authority of the Superintendent to comply with this order as well as any subsequent orders that expand upon the school closure.

Section 2: Essential Employees

The Board confirms the authority of the Superintendent to declare which Board Employees are essential for the function of the District during the School Closure.

Section 3: Unauthorized Leave

- A. Unauthorized leave is defined as non-performance of those duties and responsibilities assigned by the Superintendent and Supervisors including all duties and responsibilities as defined by state law, rules and regulations of the Board, and administrative rules and regulations. Such unauthorized leave may include, but is not limited to, individual and/or collective refusals to provide service, unauthorized use of sick leave, unauthorized use of other leave benefits, non-attendance at required meetings and failure to perform duties as assigned by the Superintendent during the School Closure.
- B. An employee is deemed to be on an unauthorized leave at such time and on such occasions as the employee may absent himself from required duties during the School Closure.
- C. Unauthorized leave shall constitute a breach of contract and, therefore, may result in the initiation of dismissal procedures, loss of salary and fringe benefits or such disciplinary action as may be deemed appropriate.

Section 4: Substitute Employees

The Superintendent is authorized to hire substitute employees as may be deemed necessary during the pendency of the School Closure and/or the Orders set forth above (and any subsequent Executive and Administrative Orders) to replace employees who are on leave or unable to report to work due to exposure to or positive test for COVID-19 or due to any Executive or State Department Order related to quarantine. The Superintendent is authorized to pay such substitute teaching employees up to \$\_\_\_95\_\_\_ per day, and other substitute employees up to \$\_15\_\_\_ per hour.

#### Section 5: Temporary Employees

The Superintendent is authorized to hire any necessary temporary employees for the duration of the School Closure and/or the Orders set forth above (and any subsequent Executive and Administrative Orders) as may be deemed necessary by the Superintendent.

#### Section 6: Leasing of Equipment and Purchase of Supplies and Services

The Superintendent is authorized to purchase, obtain, lease or otherwise utilize and pay for all necessary supplies, personnel services, and the services of any and all equipment which is deemed necessary during the School Closure and/or the Orders set forth above (and any subsequent Executive and Administrative Orders). Said equipment may include, but is not limited to, motor vehicles, communication devices, and other items.

#### Section 7: Authorization of Superintendent

The Superintendent or designee shall be authorized to make any changes necessary to maintain the educational program and provide for the safety of all students and staff.

#### Section 8: School Sponsored Athletics

The OHSAA has directed that there be a mandatory no-contact period for all sports as well as no use of sports facilities until April 5, 2020. The Superintendent is directed to take any and all necessary action enforce the OHSAA order.

#### Section 9: Spring Supplemental/Co-Curricular Contracts

Due to the Orders set forth above, all supplemental/co-curricular and athletic contracts are hereby temporarily frozen. The Superintendent shall determine, based upon the orders above and subsequent orders, if and when the Supplemental contracts will be re-instated or rescinded. The Superintendent and Treasurer are authorized to pay any pro-rated portion of the contract for services rendered under such contracts prior to the cessation of activities.

#### Section 10: Meals for Students

The Board authorizes the Superintendent to take any action deemed appropriate and necessary during the School Closure to provide meals to students who qualify for free and reduced programs. The Superintendent is further authorized to provide meals to any student deemed to be in need during the pendency of the School Closure and/or the Orders set forth above (and any subsequent Executive and Administrative Orders).

#### Section 11: Treasurer's Authority

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

Section 12: Board Policy Emergency Suspension

By this action, the Board hereby suspends any and all Board Policies that conflict with the authority granted herein.

Section 13: 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.

\_\_\_\_\_ Cole \_\_\_\_\_ seconded the Motion.

Upon roll call on the passage of the resolution, the vote resulted as follows:

\_\_\_\_\_ Rinaldo - YES \_\_\_\_\_

\_\_\_\_\_ Conrad - YES \_\_\_\_\_

\_\_\_\_\_ Mackey - YES \_\_\_\_\_

\_\_\_\_\_ Dunfee - YES \_\_\_\_\_

\_\_\_\_\_ Cole - YES \_\_\_\_\_

Resolution passed and adopted this \_\_18th\_\_ day of March, 2020.

\_\_\_\_\_  
President, Board of Education

ATTEST:

\_\_\_\_\_  
Treasurer

\_\_\_\_\_  
Date