



The Newport Board of Education held a regular meeting on March 25, 2020 at 6:30 PM. The meeting was held via video teleconference.

### **CALL TO ORDER**

Chairman Malone called the meeting to order and asked for a roll call. The following were present: Ramona Malone, Dr. Julie Smith-Morrow, Melissa Sheffel, Theresa Miller, and Sylvia Covington.

Also, in attendance: Kelly Middleton, Superintendent.

### **RESOLUTION REGARDING MEETING PROTOCOLS DURING STATE OF EMERGENCY**

**WHEREAS**, on March 6, 2020, the Governor issued Executive Order 2020-215, declaring a state of emergency throughout Kentucky pursuant to his power under the Kentucky Constitution and KRS Chapter 39A regarding the threats to public health presented by the Novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, the Secretary of the Kentucky Finance and Administration Cabinet has more fully described the public health threats of COVID-19 in the "Memorandum Re: Meeting Protocol for Novel Coronavirus (COVID-19)" dated March 16, 2020 (hereinafter the: "Meeting Protocol"); and

**WHEREAS**, the Meeting Protocol requires "all Kentucky Boards and Commissions" to take proper health precautions to mitigate the spread of COVID-19 and accordingly, with respect to the public attendance at meetings of said bodies, states "[m]embers of the public will only be able to view video-teleconferenced meetings remotely;" and

**WHEREAS**, the same emergency public health considerations as described in the Meeting Protocol apply to Kentucky public school districts and their Boards of Education; and

**WHEREAS**, the Kentucky Cabinet for Health and Family Services and the Kentucky Department of Education have each advised that all Kentuckians practice "social distancing" during the state of emergency, including but not limited to keeping a distance of at least six (6) feet between individuals and the cancellation of large "community gatherings;" and

**WHEREAS**, the Kentucky Open Meetings Act at KRS 61.840 provides that "no condition other than those required for the maintenance of order shall apply to the attendance of any member of the public at any meeting of a public agency;" and

**WHEREAS**, due to the emergency conditions currently existing under the present state of emergency and the need to mitigate the spread of COVID-19 via person-to-person contact in large community gatherings of persons where social distancing is difficult, the conditions necessary at this time for the maintenance of order at meetings of district boards of education, which include the mitigation of the spread of disease during a public health pandemic, include limitations on meeting attendance by members of the public such as described in the Meeting Protocol; and

**WHEREAS**, in an Opinion issued on March 18, 2020, issued as OAG 20-05, the Kentucky Attorney General opined that at this time during the present state of emergency it is not "feasible" under KRS 61.840 to precisely identify and provide a primary physical location for a video teleconference under the Open Meetings Act at which the public may

attend and view a meeting held via video teleconference, and that various other technological means by which the public may view a meeting should be provided instead until the conclusion of the state of emergency;

- 1 With regard to Board of Education meetings held on and after the adoption of this resolution and until the conclusion of the current state of emergency, the Board shall conduct its meetings in conformity with the procedures set forth in KRS 61.826 for video teleconferencing of meetings and in conformity with the Opinion of the Attorney General, issued as OAG 20-05, which interpreted those provisions and other provisions of the Open Meetings Act in light of the exceptional circumstances of the current state of emergency.
- 2 Board members shall use their best efforts to avoid attending any board meeting in person and shall instead attend via video teleconference to the extent practicable, and shall observe any binding governmental directive or order that may be issued in the future that may prohibit such in person attendance.
- 3 The Superintendent shall arrange for resources and instructions necessary to allow board meetings to be conducted via video teleconferencing pursuant to KRS 61.826 and board policy, and pursuant to the Opinion of the Attorney General, issued as OAG 20-05.
- 4 Due to the circumstances previously described in this Resolution, in the Governor's declaration of a state of emergency, in the Meeting Protocol, and in OAG 20-05, and based upon the authority to impose conditions to maintain order under KRS 61.840 in these extraordinary and emergency circumstances, and further based upon the interpretation of the Attorney General issued as OAG 20-05, the requirement in KRS 61.826 that the Board provide a "primary location ... where the public may attend" is determined not to be feasible under KRS 61.840. Alternative measures for the public and media/press to observe the meeting remotely will be implemented.
- 5 Notices that regular or special meetings of the board are to be held as video teleconferences shall be provided to members of the Board, and media/press agencies entitled to receive such notice as provided in KRS 61.823. Notice shall be provided to the public that precisely identifies the technological means by which the public may access a video teleconference. Provision of such access shall not otherwise interfere with the conduct of the meeting. Absent emergency circumstances qualifying under KRS 61.823(5), these notices shall be provided at least 24 hours before the video teleconference meeting.
- 6 Should there be an interruption in the public video or audio broadcast of the meeting, the meeting shall be suspended until the full functionality is restored. If there is such an interruption for an individual board member attending the meeting via video teleconference, the meeting may continue after reasonable efforts to restore connections so long as a quorum is still participating.
- 7 In the case of any board meetings involving individual hearing matters, including but not limited to student expulsion hearings, consideration shall be made on a case-by-case basis for the holding of in-person meetings as deemed necessary and advisable and alternative arrangements to mitigate the spread of COVID-19 via person-to-person contact may be implemented.

On MOTION BY SMITH-MORROW AND SECONDED BY SHEFFEL the board adopted this resolution on this 25<sup>th</sup> day of March 2020.

1095 – MOTION CARRIED 5-0

**MINUTES OF FEBRUARY 26 (REGULAR AND SPECIAL MEETINGS), FEBRUARY 27, FEBRUARY 28,  
MARCH 2, MARCH 4, MARCH 10, AND MARCH 12, 2020 SPECIAL MEETINGS**

On MOTION BY SHEFFEL AND SECONDED BY SMITH-MORROW the minutes were approved as presented.

1096 - MOTION CARRIED 5-0

**TREASURERS REPORT**

On MOTION BY SMITH-MORROW AND SECONDED BY SHEFFEL the financial statement was accepted and will be filed for audit.

1097 – MOTION CARRIED 5-0

Board members spoke with Mr. Turner prior to the meeting regarding questions they had on the bills. All questions asked prior to the meeting were answered satisfactorily. Ms. Sheffel had one additional question regarding the number of phones/lines we still have with Cincinnati Bell.

On MOTION BY SMITH-MORROW AND SECONDED BY SHEFFEL the bills were approved for payment.

1098 – MOTION CARRIED 5-0

Mr. Turner's monthly report also covered credit card bills and receipts, the monthly administrator expense report, and YTD revenues and expense report.

Mr. Turner informed the board the finance department was set up to work from home. Everyone has the equipment needed to do most, if not all, duties from home. Ms. Malone asked about the security measures in place for at home use. Mr. Turner reassured her the same security measures are used at home as we use at the office. MUNIS is protected in the Cloud and each user has specific login information and rights.

**STUDENT LEARNING AND SUPPORT SERVICES**

Mr. Middleton's report covered:

- Update on daily operations under NTI and work restrictions:
- ONE CLEAR VOICE when using communication to staff, students, community:
- Daily updates from the Governor.
- Regular updates from Interim Commission, Kevin Brown. Continuous communication with NKCES and local superintendents, as well as state-wide.
- Food service update – as of Monday, 3/30, meals will go home in bulk on Monday's and Thursday's. This will greatly reduce contact amongst individuals.
- iPad distribution was set up for the primary school students.
- Calls coming into the district are being forwarded to appropriate personnel or to email so the correct person will receive messages and calls can be returned.
- Classified personnel are working on staggered schedules; many are working from home.
- Buildings are being cleaned. Clorox 360 machines are being utilized and the city also requested use of these machines.
- Kudos to the technology staff; they continue to pull off miracles daily.
- Working on video with Pat Crowley regarding FAQs.
- KDE has provided guidance on monitoring teacher and student work.
- Schools should prepare to return on April 20; may be closer to May 1 but still waiting on Governor for that decision.
- No KPREP testing this year. Not sure when IMPACT data will be released.
- Actively advertising NSOI for next year.

- Leaders are modeling virtual meetings, virtual ARCs are taking place, and teachers are conducting virtual PLCs.
- Shout out to Rachel Roberts for stopping by to tour our schools.

In the works:

- Bargaining contract.
- Section 7 requests.
- Guidance from KDE on evaluations and deadlines.
- Guidance from KDE for personnel letters and deadlines.
- Meetings with Tony Watts.
- Upcoming IRBs from the city.

The board also received written reports from Curriculum, Student Services, Facilities and Transportation, and Special Education.

Dr. Smith-Morrow asked about on-going construction projects. Currently we are still working on the water heaters at NIS and NPS, working in the high school library, and doing regular maintenance. She also commended the efforts of the special education department to continue to deliver services to our students. When asked about occupation and physical therapy via video conferencing Mr. Middleton said he would provide answers after talking to Lisa Swanson.

Ms. Sheffel asked how/if services were being delivered to students that were expelled with services? This information will be provided after talking to Colonel Wills.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

1. Personnel report;
2. Surplus old bike rack at the intermediate school.

On MOTION BY SMITH-MORROW AND SECONDED BY SHEFFEL the consent agenda was approved.

1099 – MOTION CARRIED 5-0

### **BOARD COMMENTS AND CONCERNS**

None

### **ADJOURNMENT**

There being no further business, on MOTION BY MILLER AND SECONDED BY COVINGTON the meeting adjourned. Time: 7:21 PM

1100 - MOTION CARRIED 5-0

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Chairman

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Secretary