

Mark Avery: Present  
Doug Cast: Present  
Jodi Cast: Present  
Wayne Heine: Present  
Jason Richters: Present  
Doug Tonniges: Present  
Present: 6.

1. MEETING CALL TO ORDER

1. Reading of Public Meeting Notice
2. Open Meetings Act
3. Roll Call
4. Introduction of Guests; Public Comment

2. OLD BUSINESS

1. Consider approval of Policy 4062 Locker Room Supervision  
Motion to approve Policy 4062 as presented. This motion, made by Doug Tonniges and seconded by Mark Avery, Passed.  
Mark Avery: Yea, Doug Cast: Yea, Jodi Cast: Yea, Wayne Heine: Yea, Jason Richters: Yea, Doug Tonniges: Yea  
Yea: 6, Nay: 0
2. Consider approval of Policy 6021, District Criteria for Selecting Evaluators to be used for Special Education Evaluation and Verification and Independent Educational Evaluations  
Motion to approve Policy 6021 as presented. This motion, made by Wayne Heine and seconded by Jodi Cast, Passed.  
Mark Avery: Yea, Doug Cast: Yea, Jodi Cast: Yea, Wayne Heine: Yea, Jason Richters: Yea, Doug Tonniges: Yea  
Yea: 6, Nay: 0

3. NEW BUSINESS

1. Review, Discuss, and Take All Necessary Action RE: 2020-2021 School Re-Opening Resolution  
Motion to approve 2020-2021 School Re-Opening Resolution as presented. This motion, made by Doug Tonniges and seconded by Doug Cast, Passed.  
Mark Avery: Yea, Doug Cast: Yea, Jodi Cast: Yea, Wayne Heine: Yea, Jason Richters: Yea, Doug Tonniges: Yea  
Yea: 6, Nay: 0
2. Review, Discuss, and Take Action to change the 'Signer' of the Southern Nebraska Conference account at Cornerstone Bank to the Treasurer of the Centennial Board of Education.  
Motion to approve Doug Cast, Treasurer of the Centennial Board of Education as 'Signer' of the Southern Nebraska Conference account at Cornerstone Bank. This motion, made by Wayne Heine and seconded by Mark Avery, Passed.

Mark Avery: Yea, Doug Cast: Yea, Jodi Cast: Yea, Wayne Heine: Yea, Jason Richters: Yea, Doug Tonniges: Yea  
Yea: 6, Nay: 0

3. Review, Discuss, and Take Action regarding the termination of an interlocal agreement with David City Public for the sharing of a school psychologist, including the payment of an early termination fee.

4. Board Member Reports

5. Administrator Reports

4. ADJOURN

## **4062 Locker Room Supervision**

Staff members, coaches, sponsors, and students must comply with the requirements of this policy while using locker rooms at the school district or at other locations.

Staff members, coaches, and sponsors must appropriately supervise students in locker rooms and other locations where students dress, change, or engage in similar activities. This supervision will occur during curricular and extracurricular activities and includes, but is not limited to, the following:

- Entering and walking through the entire locker room at regular and irregular intervals to provide direct supervision and to assess student behavior.
- Maintaining an orderly locker room free from “horseplay” and other prohibited conduct.
- Having a visual presence.
- Adequately addressing any misbehaviors.
- When necessary, escort students to and from the locker room and the activity or instructional area.
- If necessary, locker rooms will be locked when not in use or unoccupied.
- Searching the locker room to determine that all students have exited the locker room before locking it.
- If necessary, ensure that the locker room remains locked during any activity.

If a student is found missing during an activity, the staff member, coach, or sponsor or adult designee shall check the locker room for the missing student.

Only students whose team or activity is currently playing or are in-season or who are involved in a school-sponsored activity that requires or allows presence in the locker room are allowed access to the locker room before or after the regular school day.

If the staff member, coach, or sponsor is the opposite sex of the students, he or she may designate another adult of the same sex as the students to provide the required locker room supervision. This delegation does not remove ultimate responsibility from the staff member, coach, or sponsor who is subject to the obligations under this policy to ensure that such obligations are met. By allowing their students to participate in an activity with a cross-gender coach, parents/guardians consent to the entry of the staff member or his or her designee into the locker room at any time as necessary to maintain student safety and order.

Staff members, coaches, and sponsors must remain with students until they are picked up by the parent, guardian, or other authorized person or the student leaves in his or her own transportation. Students must never be left unattended after a game, practice, or other school-sponsored activity. In other words, the staff member, coach, or sponsor should be the first one to arrive at the activity and the last one to leave.

Cell phones and other devices with visual or auditory recording capability may not be used in the locker room at any time or for any reason.

Under no circumstance may a staff member, coach, or sponsor delegate any responsibility under this policy to a student or other minor.

School administrators or their designees may make random checks to assess policy compliance.

Adopted on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

Amended on: \_\_\_\_\_

## **6021**

### **District Criteria for Selecting Evaluators to be Used for Special Education Evaluation and Verification and Independent Educational Evaluations**

The following criteria shall be used for selecting evaluators according to 92 Nebraska Administrative Code 51-006.07B:

1. Those in-state service agencies that have approved rates for the current year established by the Nebraska Department of Education. A list of service agencies with approved rates, including state agencies, individual providers, and in-state providers may be found at <https://www.education.ne.gov/sped/service-agencies/>.
2. Those Nebraska providers located within 100 miles of the building of the district where the child attends when driving by ordinary public roadways.
3. Evaluations must consider the educational, health, or other student records of the student provided by the district. The parents, guardians, or age-appropriate student must provide any required consent to the disclosure of these records unless disclosure is already authorized by state and federal law.
4. Evaluations must be provided to the district, including all educational, health, student, or other records created as part of or relied upon to complete the evaluation. The parents, guardians, or age-appropriate student must provide any required consent to the disclosure of these records unless disclosure is already authorized by state and federal law.
5. Evaluations must be conducted by a provider that is authorized, available, and willing to discuss, confer, or otherwise cooperate with the district regarding the evaluation, its results, or any other information related to the evaluation. Such cooperation may include reasonable participation in, or the submission of additional reports or information to, an IEP, MDT, or SAT team. The parents, guardians, or age-appropriate student must provide any required consent to the disclosure of these records or information unless disclosure is already authorized by state and federal law.
6. Evaluations must be sufficiently comprehensive for the evaluator to submit to the district a report that specifically details whether the student should be considered eligible for special education and related services, the nature of special education and related services

recommended to accommodate the student's suspected disability, and the particular facts or findings underlying the evaluator's conclusions. This report must be submitted to the district within 45 days after the conclusion of the evaluation.

7. Evaluations must meet the then-current state standards for reliability, research-based processes, and educational or professional best practices.
8. Reimbursement to any evaluator chosen in conformance with this policy shall not exceed the cost that would be charged by the school district's contracted providers for the same or substantially similar evaluation.

All special education evaluations, including those independently obtained at the district's expense, must be obtained in a manner consistent with the criteria set forth above, unless state or federal law requires waiver of one or more criteria in order to accommodate unique circumstances.

Adopted on: \_\_\_\_\_

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

KAREN A. HAASE  
STEVE WILLIAMS  
BOBBY TRUHE



COADY H. PRUETT  
JORDAN JOHNSON  
TYLER COVERDALE  
SHARI RUSSELL, Paralegal

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## M E M O R A N D U M

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To: KSB School Law Client

FROM: KSB School law

DATE: July 10, 2020

RE: Board Resolution re School Re-Opening after COVID-19 Closures

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Schools are beginning to make preparations for reopening for in-person instruction to start the 2020-21 school year. As part of this process, boards of education will need to make a series of decisions about what "school" will look like this fall. The Nebraska Rural Community Schools Association has released an extremely valuable [guidance document](#) that discusses many of the issues that school districts will have to consider as they plan to re-open. The Nebraska Department of Education also continues to update its [Launch Nebraska website](#) with guidance and suggestions for local school districts. However, in the final analysis, most decisions about how your school will operate this fall will be left in the hands of local education officials. We think it is important that boards of education decide several key policy issues and questions related to staff and students, and that boards then direct the school's administrative team to implement those policy decisions.

We have drafted a resolution that outlines the board's range of choices on what we believe to be the key issues that will affect the rest of your administration's reopening plans. Please note, this resolution is not intended to substitute for solid reopening plans. Rather, it is intended to provide clear direction to your administration on critical issues when finalizing those plans. The list of issues and options we have included are not exhaustive, and if

there are other items that you want to consider or address, you certainly should. Likewise, the fact that we have identified an issue for a decision does not necessarily mean that we are recommending that you choose a specific approach. You have the discretion -- and should exercise it -- to make the best decision for your school district based on your community and the information available to you. Nevertheless, the draft resolution and this memorandum will walk through some of the issues that we believe are important to consider, providing wording we believe to support each decision in a lawful manner.

### **Site for Instruction**

The first decision you are going to have to make is whether you will offer in-person instruction only, remote learning only, or what we have been calling a "dual track" or "hybrid system" of allowing parents to choose for themselves between remote and in-person instruction. All of these options are lawful, but each comes with pros and cons.

It seems universally accepted and agreed that in-person instruction is the best option for students' educational achievement as well as for their social and emotional well being. That is in addition to the related benefits for each community and the state at large. The question is how to weigh the risks that a potential COVID-19 infection poses against those benefits from in-person instruction. Obviously state and national leaders are strongly encouraging boards to have in-person instruction this fall. School boards may lawfully say that all student instruction will occur in-person. If the board selects this option, students with disabilities (both students with IEPs and with 504 plans) will be accommodated through the school's special education and/or Section 504 process. Those laws are in place to address the circumstances of students with disabilities. Families who are uncomfortable with having students attend in person for reasons other than the student's disability can apply to homeschool for the 2020-21 school year. If the board selects this option, the administration will be tasked with working with your county attorney to review and possibly revise your attendance policy and practices.

It will be very tempting to allow parents the choice of having their children attend school in person or remotely. This allows for families with unique situations -- a parent who is ill, a grandparent who lives with the student, or

a parent who is highly risk averse -- to choose for themselves whether to have a student enter the school building to receive instruction. Unfortunately, we believe there are *significant* legal challenges to this sort of system. First, running a dual system of both in-person and remote learning will create a significant additional workload for your teachers. In addition to all of their duties in the classroom (including cleaning desks and maintaining social distancing and who knows what else), teachers would be required to *also* make sure that students attending remotely are hooked up to Zoom or some other videoconferencing platform and that the students are attending to the lesson being presented. Second, it will be almost impossible to use tools like DIBELS or MAP testing to benchmark and assess student learning in the remote location. Third, and most significantly, if schools allow all students to select between in-person and remote learning, they will have to include those options for students with disabilities. However, as we learned this spring, it is almost impossible to provide full special education services to many students on a remote platform. Families of special education students then could sue schools for failing to provide a free, appropriate public education (FAPE) *even though* the parents were the ones to opt for remote instruction. We are fearful that schools will be in a no-win situation in those cases and that these decisions are best left to students' education teams, of which parents are a part. Still, this is a lawful option if done correctly and certainly may help with political difficulties.

The final option is remote learning only. This is also not very attractive because the Nebraska Department of Education has not suspended the requirement that schools offer 1,080 hours of in-person "seat time" instruction annually. While the Department did grant waivers to all schools for the 2019-20 school year, we cannot be 100% assured that NDE will grant similar waivers in 2020-21. The Declaratory Order issued by the State Board of Education last month said waivers will be available in areas where the school, *with reasonable efforts*, could not meet requirements.

## **Masks**

### Staff masking

Boards of education undoubtedly have the authority to require all district teachers, staff, employees, and volunteers to wear masks at all times while they are on duty. We do not believe that staff will be able to claim a First

Amendment right to not wear a mask. We do believe that boards who require staff members to mask should include an exception for employees who have a disability that prevents them from masking. We also believe you should include wording noting that there may be times where the nature of the instruction or other activity makes face covering unsafe or impossible.

Boards who do not want to require employees to wear masks do not have to adopt such a requirement. Instead you can say that staff and volunteers are strongly encouraged to do so and let them decide on an individual basis.

### Student masking

The issue of student mask requirements is turning into one of the most hyper-political questions of the new school year. That is the bad news. The good news is that we are confident that we will be able to defend you against legal challenges regardless of what you decide to do about student mask wearing.

A board of education does have the authority to require students to wear face coverings at all times. We interpret the Nebraska Student Fees Act to say that if you require masks, you must provide them to students (although you may ask families to "donate" their students' masks--*i.e.*, provide their own--just as you do with school supplies). If your board decides to require students to wear masks, you will need to make exceptions for students with disabilities whose IEP team or 504 committee have determined that it is inappropriate for a particular student to wear a mask. You will also need to be prepared for individual challenges based on the First Amendment. Families across the country have already sued educational entities claiming that a universal masking requirement violates their religious freedom and/or their freedom of speech. We think that ultimately schools will win these challenges, but you should definitely call your school attorney if a family claims their student has a First Amendment right not to wear a mask, or to wear a particular mask (such as one with a political statement on it). Finally, if your board is going to require students to wear masks, you will need to consider how you will enforce this rule. The Nebraska Student Discipline Act will allow you to emergency exclude students who refuse to wear a mask. Refusals may also be grounds to suspend or expel students for "repeated violations of school rules" (assuming that you provide written notice to students and parents and meet the other requirements to have an

enforceable school rule). If your board selects this option, you will not need to have parents sign any separate form. However, you should include a handbook, policy, or other written notice provision of this board "rule" to parents and students, confirming their receipt.

A second option for student masking is what we are calling an "opt-out system." Basically this would be a system under which parents who do not want their students to wear masks would be permitted to sign a form opting their students out of the requirement. The benefits of this system is that you will be able to side-step a lot of the enforcement and discipline issues: if a student refuses to wear the mask the parent can either sign the opt-out or they will need to support the school's discipline of the student. We think this system will also allow you to provide the health department with a list of students who were not required to wear masks if one of their classmates is diagnosed with COVID for contact tracing and quarantine directive purposes. Most health departments have indicated that students who are not masked will be required to quarantine if a classmate is diagnosed, while students who are consistently masked may not be required to quarantine. The downside of this system is that it will require a lot of effort to keep track of the opt-out forms, and families may change their minds as health, political, or other circumstances change. You will also need to provide students with masks under this system, since the default rule will be that masks are required. [Here is a sample of the opt-out form you might use if this is the system you elect.](#)

A third option is an "opt-in" system. If you have this approach you say that students will be encouraged to wear masks, but that staff will not discipline students who do not wear masks and will not force the issue *unless* the parent has opted into mandatory mask wearing. This has a lot of the same pros and cons as the opt-out system, with the default rule being "masks aren't required unless parents want them to be." You would not need to provide masks under this system, however, because you are not requiring them as a condition of being in school. [Here is a sample of the opt-in form you might use if this is the system you elect.](#)

The last option is a completely voluntary system. Under this approach, the board would say that student masking is strongly encouraged but that it will not be required. The benefits of this approach should be clear: you will not have the disciplinary and administrative headaches that accompany the

other approaches. However, the downside is that local health departments have indicated that they will be much more aggressive in mandating quarantines of students when one of their peers or a staff member has tested positive. In many smaller school buildings that could functionally result in whole grade levels and possibly full buildings being quarantined. If your board selects this option, you will not need to have parents sign any separate form.

We are aware that many boards are interested in the effect of some of these choices on the school district's potential liability. If you would like more information on this, we would be happy to provide you with a legal memo that explains the reasons why we believe a plaintiff would have an uphill battle in a negligence claim against a school district. To be clear, however, we believe that there are arguments that support each of these options. Similarly, we do not believe that picking one of these options will automatically make the district liable in response to a lawsuit arising from or related to the decision to require masks (or not).

### **Employee Leave/Attendance**

Employees have the potential to qualify for a variety of leave *that already exists*. Federal laws such as the Americans with Disabilities Act, the Family and Medical Leave Act, and the Families First Coronavirus Relief Act provide some protection for certain employees, including protection specific to COVID-19. We will be preparing materials for school administrators to use to quickly determine whether a specific employee may be protected by one or more of these laws and, if so, how to apply it.

Additionally, you have likely provided paid leave and unpaid leave to employees via contracts and collective bargaining. Although that is not included in the resolution, the board may want to discuss whether to expand the use of those leaves, such as sick leave, for reasons related to COVID-19. To be clear, we do not believe this is required. Your local teachers' union may approach the board asking for expanded use of sick leave due to fear of COVID-19, as an example. If your practice is to require an actual illness or illness of a family member to use sick leave, then you have no obligation to expand the use of sick leave to employees fearful of COVID-19.

We point out these considerations because there will inevitably be a number of employees who do not fall with the protections of any of these laws, but for one reason or another are uncomfortable coming to work at school in person. For example, employees who are in their 60's and in good health may be leery of working in the school building because age is a risk factor of severe illness from COVID-19. However, there is no law which requires employers to give additional leave or any other sort of accommodation for employees based solely on their age. In fact, the Equal Employment Opportunity Commission has warned employers against telling older employees that they should not come to work during the pandemic because that could be unlawful age discrimination. We anticipate that many teachers in this position will ask to be allowed to teach remotely. Classified staff in this position may ask for extended leave of one sort or another. The board will have to decide whether it will allow employees who are not "disabled" under the ADA, but who do fall within the CDC's categories of individuals who are at increased risk from COVID, to have some sort of additional paid or unpaid leave--or work remotely.

Please note that the CDC "at-risk" categories shown in the draft resolution are separated because that is how the CDC is currently separating them--between conditions that **make** people at risk and conditions that **may make** people at risk. Your board doesn't necessarily need to include both sets, separate them out, or even list the conditions explicitly. But, if you pick and choose between the at-risk categories, we believe that you will need to articulate an objective basis why you want to include one condition and exclude another. As an alternative, you could also simply reference the CDC at-risk conditions (without naming each and every one) and then if/when the CDC updates them, those updates would automatically be current in your resolution. We are happy to discuss these options with you, but we also wanted to get all of these details in there so that you are aware of them as you discuss your choices at your meeting.

### **A Few Other Details in the Resolution...**

Based on the board's decisions in this resolution, the superintendent will have to take some steps to implement them. For example, if the board decides to require all general education students to come to school, the superintendent will have to confer with the county attorney about whether he/she will prosecute a family for truancy if they flatly refuse to attend and

that attendance is not excused by law. A decision to have a “hybrid” attendance model may also require revisions to the district’s attendance policy, as an example. This resolution authorizes the superintendent to take all reasonable and necessary action to implement this resolution without further action of the Board. That doesn’t mean that the superintendent shouldn’t keep the board informed, but it does allow the administration to move forward without the necessity of a special meeting, unless further board actions are specifically required by law.

We also have struggled to devise a system that won’t require boards to revise a bunch of policies to deal with COVID-19 and then change them back next school year when the pandemic is (hopefully) over. This resolution states that if there is any conflict between it and any provision of Board policy or of staff or student handbooks, the terms of the resolution control. You will need to provide families with a copy of the resolution or some other communication that gives them written notice of the new rules, once adopted.

Finally, we have set the resolution to automatically expire at the end of the 2020-21 school year. Again, we are trying to avoid the necessity of boards circling back to rescind the resolution next year (unless there is a cure discovered in October and you *want* to rescind it yet this school year). With that said, the resolution also makes clear that the board may modify it at any point based on changes in public health requirements and local circumstances.

[If you would like a simple agenda item for your meeting, we have drafted one here.](#)

### **Conclusion**

We continue to believe that local school officials are in the best position to make decisions about how to reopen school this fall. There inevitably will be differences between schools in how they respond to the challenge of COVID-19. We will work to provide school leaders with as many lawful choices as possible. That means we will try to find a way to support you in implementing whatever options your school board selects. [We have also posted a recording of our webinar from Wednesday, July 8 here](#) -- you’ll see that we separated the recordings out to let you watch only the topic that you want to hear us discuss.

These issues are complicated and constantly evolving. We'll try to provide you with the information you need as it becomes available. In the meantime, please let one of the KSB attorneys know if you have any questions or concerns on these issues.

## 2020–2021 SCHOOL RE-OPENING RESOLUTION

WHEREAS, the school district was closed during a portion of the 2019–2020 school year based on the statewide outbreak of COVID-19; and

WHEREAS, the President and the Governor have declared a state of emergency; and

WHEREAS, the State of Nebraska and [INSERT LOCAL COUNTY HEALTH DEPARTMENT NAME] have issued various directed health measures in response to the novel coronavirus and the COVID-19 pandemic; and

WHEREAS, the directed health measures currently in place allow the school facilities to be reopened to in-person student attendance; and

WHEREAS, the Board of Education wishes to support student learning while taking reasonable precautions to keep students, staff, and administrators safe; and

WHEREAS, the school district is also completing reopening plans with contingencies for changes in circumstances, but for the time being, the Board of Education believes it is important to address these critical issues to assist the administration in preparing for plans when school resumes;

NOW, THEREFORE, be it resolved that the Board of Education has determined as follows:

### **Site for Instruction**

Student instruction will occur in-person in the classroom unless otherwise required by law. All students who are enrolled in the school district must attend school on all days when school is open for in-person instruction unless the student's illness makes attendance impossible or impractical or is otherwise excused by board policy.

Students are expected to attend school in person. If parents believe that it is unsafe for their students to attend school in person, parents may keep their students at home where students will be provided with the opportunity to engage in distance learning and are expected to complete all assigned coursework remotely.

Instruction will occur exclusively via remote learning. No students will attend school in person unless required to access services.

[IEP and 504 plans will likely trump these options for affected students.]

[Related issues:

Attendance policies?

Consistency in assessments? Grades? Credits?]

**Masks**

All district teachers, staff, employees, and volunteers:

- Must wear face coverings at all times unless the nature of the instruction or other activity makes face covering unsafe or impossible. Employees who suffer from a disabling condition that necessitates a reasonable accommodation to this requirement must notify their supervising administrator immediately of the employee's physical or mental impairment and the accommodation the employee seeks.
  
- Will not be required to wear face coverings at all times, but are strongly encouraged to do so.

All students

- Must wear face coverings at all times, unless one of the following exception applies:
  - o The student has a disability and a reasonable accommodation excuses the student from wearing a mask for some or all of the school day;
  - o The student's Individualized Education Program (IEP) team has determined that wearing a mask for some or all of the school day would interfere with the student's ability to receive a free, appropriate public education and that determination is documented in the student's IEP;
  - o The student's Section 504 committee has determined that wearing a mask for some or all of the school day would interfere with the student's ability to receive a free, appropriate public education and that determination is documented in the student's Section 504 Plan; OR
  - o Another legally valid reason exists to excuse the student from the face covering requirement and such reason has been approved in writing by the building Principal.

Must wear face coverings at all times, unless their parent or guardian has opted their student out of being required to wear a mask by executing a written document and such document is on file in the office of the Principal at the time at issue.

Must wear face coverings in all common areas (hallways, media center, etc.) but may opt to remove the face covering while the student is seated at his/her desk in a classroom which allows for at least 6 feet of social distancing from others.

Will not be required to wear face coverings at all times, but will be strongly encouraged to do so

### **Leave / Staff Attendance**

Employees will be permitted to take leave (paid or otherwise) provided by the terms of employment (staff contract, negotiated agreement, etc.) and as provided by law (e.g., ADA, FMLA, FFCRA, etc.).

In addition to leave required by law, policy, or contract, the district will allow employees that satisfy the COVID-19 Qualifying Criteria below to take up to        days of leave (paid or unpaid, or some combination of the same) in addition to all of forms of leave provided by the terms of employment (e.g., staff contract, negotiated agreement, etc.):

#### COVID-19 Qualifying Criteria

- o Employee has one of the following conditions that the Centers for Disease Control (CDC) has identified to ***put Employee at increased risk*** of severe illness from COVID-19:
  - Chronic kidney disease
  - COPD (chronic obstructive pulmonary disease)
  - Immunocompromised state (weakened immune system) from solid organ transplant
  - Obesity (body mass index [BMI] of 30 or higher)
  - Serious heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies
  - Sickle cell disease
  - Type 2 diabetes mellitus
  
- o Employee has one of the following conditions that the Centers for Disease Control (CDC) has identified to ***maybe put Employee at increased risk*** of severe illness from COVID-19:

- Asthma (moderate-to-severe)
  - Cerebrovascular disease (affects blood vessels and blood supply to the brain)
  - Cystic fibrosis
  - Hypertension or high blood pressure
  - Immunocompromised state (weakened immune system) from blood or bone marrow transplant, immune deficiencies, HIV, use of corticosteroids, or use of other immune weakening medicines
  - Neurologic conditions, such as dementia
  - Liver disease
  - Pregnancy
  - Pulmonary fibrosis (having damaged or scarred lung tissues)
  - Smoking
  - Thalassemia (a type of blood disorder)
  - Type 1 diabetes mellitus
- o A member of Employee's residence has one of the conditions (listed above) that the CDC has identified to put or possibly put that member of Employee's residence at increased risk of severe illness from COVID-19.
  - o [Other reasons for additional leave?]

[Think about whether to require exhaustion of all paid leave first before accessing this additional leave.]

[Additional leave for teachers will require negotiating with the teachers' union.]

The superintendent is authorized to take all reasonable and necessary action to implement this resolution without further action of the Board.

If there is any conflict between this resolution and any provision of Board policy or of staff or student handbooks, the terms in this resolution shall control.

NOW, THEREFORE, be it finally resolved that this resolution will expire upon the sooner of action taken by the Board to rescind it or the expiration of the 2020-2021 school year.

Approved by the Board on \_\_\_\_\_, 2020.

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Board President