

Board of Education Special Meeting
Template
Wednesday, March 25, 2020 5:00 PM

District Office 410 South St. Seward, NE
68434
410 South St
Seward, NE 68434

Agenda

1. Preliminary Procedures
 1. Call meeting to order & announce Open Meetings Act is Posted
 2. Public Notice as publicized per board policy
 3. Roll Call
 1. Action to excuse board members if necessary
2. Public Forum: (The Board President reserves the right to place time limits on individuals and topics.)
 1. Public Forum on Agenda Items: This is your opportunity to speak to items on the agenda. If you are not a part of the presentation of the agenda item you need to speak now. Thank you for your participation.
 2. Public Forum on Any Topic: This is your opportunity to speak to any topic concerning the school district. Since it is not an agenda item the board cannot discuss or take action at this time on the matter. Future discussion can be requested as an agenda item. Thank you for your participation.
3. Discussion Items
 1. COVID-19
4. Possible Action Items
 1. Emergency Response Resolution
 2. Addendum to Negotiated Agreement
 3. Rescind Resignation of Craig Frederick
5. Adjournment

RESOLUTION REGARDING CORONAVIRUS PLANS

**EMERGENCY RESPONSE RESOLUTION OF THE BOARD OF EDUCATION OF
SEWARD COUNTY SCHOOL DISTRICT 09, A/K/A SEWARD PUBLIC SCHOOL
DISTRICT #80-0009, REGARDING THE CORONAVIRUS**

BE IT RESOLVED THAT:

WHEREAS, the World Health Organization designated the COVID-19 (coronavirus) outbreak as a global pandemic; and

WHEREAS, on March 13, 2020, President Trump declared a national emergency over the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, Governor Ricketts declared a state emergency over the COVID-19 pandemic; and

WHEREAS, the Board of Education of Seward County School District 80-0009, a/k/a Seward Public Schools in the interest of public health and safety hereby finds, determines and declares that, effective as of this date, that an epidemic sickness, disaster and emergency conditions prevail and exist within the boundaries of the District as defined in Neb. Rev. Stat. § 81-829.39 which is part of Neb. Rev. Stat. §§ 81-829.36 to 81-829.75, known as the Emergency Management Act (the “Act”) and other Nebraska laws; and

WHEREAS, these conditions are continually emerging and constitute a rapidly evolving situation which are a danger to the public health and safety, and to district students, staff, families and community partners; and

WHEREAS, as it is necessary for the District to react to the evolving situation and take significant actions that impact students, staff, community partners and programs operated out of District buildings and facilities or otherwise on little notice or in order to provide or implement a plans for continued operations, work and educational services when formal board meetings are unachievable; and

WHEREAS, in order to facilitate the ability to implement response actions plans and prompt reactions to the evolving situation, the Board of Education of the District hereby ratifies and approves all response actions to date and hereby finds and determines it is necessary and appropriate to suspend and waive existing all existing policies inconsistent with or that impede response implementation and further 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 remote learning as deemed appropriate,

RESOLUTION REGARDING CORONAVIRUS PLANS

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 and that this delegation of authority is to continue in effect until the emergency has been dealt with to the extent that the conditions no longer exist or the Board of Education ends this resolution; and

WHEREAS, the Seward County Emergency Management Director, Gary Petersen, has issued the attached certificate under the provisions of Neb. Rev. Stat. § 81-829.50; and

WHEREAS, pursuant to Neb. Rev. Stat. § 81-829.50, and other applicable laws, before any expenditure, contract, or obligation is undertaken will be in excess of or in violation of existing statutory limitations or requirements, such expenditure, contract or obligation must be approved by a vote of the Board of Education.

NOW, THEREFORE, the Board of Education hereby approves and adopts the above stated facts, findings and determinations and further approves the following actions:

- A.** 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 remote 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.
- B.** 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.
- C.** 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.

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The above Resolution having been read in its entirety, Member _____ moved for its passage and adoption, Member _____ seconded the same. After discussion and on roll call vote, the following members voted in favor of the passage and adoption of the above Resolution: _____

The following members voted against the same: _____

The following members were absent or not voting: _____

The above Resolution having been consented to by a majority of the quorum of the School Board of this School District was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska open meetings law.

DATED this 25 day of March, 2020.

**SEWARD COUNTY SCHOOL
DISTRICT 80-0009, A/K/A Seward
Public Schools,**

BY: _____
President or Other Officer

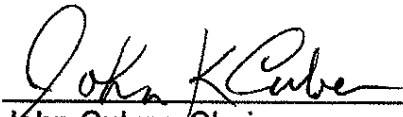
ATTEST: _____
Secretary

Seward County Commissioners

P.O. Box 190
Seward, NE 68434
402-643-2883
402-643-2228 Fax
Email: sschweitzer@co.seward.ne.us

The County of Seward has suffered from a Pandemic Health Event/COVID-19 that occurred on January 31st, 2020. It continues to indefinitely cause disruption of services and a strain on the abilities of the local government to meet and respond to the needs of the citizens, to protect the health and safety of the citizens of Seward County. This includes the communities of Beaver Crossing, Bee, Cordova, Garland, Goehner, Milford, Pleasant Dale, Seward, Staplehurst and Utica. It also includes businesses, schools, colleges, University, healthcare and first responders within the County and communities.

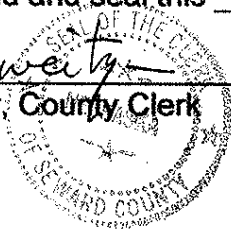
Therefore, the Chair of the Board of Seward County has declared a state of emergency authorized under Nebraska State Statute R.R.S. 81-829.50 on behalf Seward County, and will execute for and on behalf of Seward County, the expenditure of emergency funds from all available sources, the invoking of mutual aid agreements, and the applying to the State of Nebraska for assistance from the Governor's Emergency Fund and any other resources he/she deems necessary in the fulfillment of his/her duties.



John Culver, Chairman
Seward County Board of Commissioners

Date: 3/19/2020

WITNESS my hand and seal this 19th day of March, 2020.


Sherry Schweitzer, County Clerk

ADDENDUM TO NEGOTIATED AGREEMENT

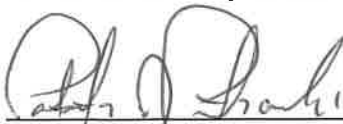
This Addendum to Negotiated Agreement is entered into by and between the Board of Education of School District No. 9 of Seward County, Nebraska, a/k/a Seward Public Schools, a political subdivision of the State of Nebraska, and the Seward Education Association.

WHEREAS, the parties entered into a Negotiated Agreement setting forth certain terms and conditions of employment for the 2019-2020 contract year, and

WHEREAS, said Negotiated Agreement provides for the provision and use of paid sick leave under the terms and conditions set forth therein and/or Board policy, and WHEREAS, as the result of the introduction of the COVID-19 virus into the Nebraska population and the interest of the parties to minimize its transmission, protect students and the public and encourage school employees to stay home if ill, the parties agree as follows:

1. Effective immediately, employees experiencing symptoms of a virus infection are strongly encouraged to stay home and seek medical attention as appropriate.
2. Employees experiencing symptoms of a virus infection or who are otherwise unable to attend to their duties for any health related reason must first use sick leave provided by the Negotiated Agreement, including unspecified or PTO leave intended to be used for illness; if an employee has no accumulated paid sick leave or has insufficient accumulated paid sick leave to cover the absence, the employee shall be granted paid medical leave until such time as it is determined that they are able to resume their duties without exposing others to the introduction or spread of any contagious or infectious disease or condition.
3. Employees who take leave pursuant to this agreement and who also qualify for FMLA leave are subject to the requirements of the school district's FMLA policy and federal law.
4. Staff who desire to take the medical leave provided under this agreement must comply with all of the district's procedural requirements to request and be granted leave.
5. It remains an act of unprofessional conduct, insubordination, neglect of duty and a breach of contract to knowingly misuse any paid leave, including the medical leave provided pursuant to paragraphs 1 and 2 of this agreement. Employees who do so will be subject to disciplinary action up to and including the non-renewal, termination and/or cancellation of their employment contracts.
6. The terms of this Addendum shall remain in effect until the sooner of: (a) the conclusion of the 2019-2020 contract year; or (b) the school district receives notification from the Nebraska Commissioner of Education COVID-19 transmission no longer poses a public health risk to the school district' population.

Dated this March day of 15, 2020.

By: 
Pat Piskorski President SEA,

By: 
Ryne Seaman President Board of Education