



AMENDED RESOLUTION: Pandemic Response and Emergency Suspension of Policy

WHEREAS, Iowa Code Ch. 279.8 authorizes local school boards to govern their respective districts, including adopting policies for their own governance; and

WHEREAS the board may, by formal action, suspend or rescind board policy as deemed necessary, appropriate, or in the best interests of the district; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a national state of emergency and on March 15, 2020, Iowa Governor Kim Reynolds recommended closure of all public and private K-12 schools in Iowa until April 13, 2020, to contain the spread of COVID-19; and

WHEREAS, on March 17, 2020, Iowa Governor Kim Reynolds declared a State of Public Health Disaster Emergency under the authority granted through Iowa Constitution, Art. IV, §§ 1, 8, and Iowa Code §§ 29C.6(1), 135.140(6), and 135.144, and directed implementation of the Iowa Department of Homeland Security and Emergency Management's Iowa Emergency Response Plan in response to the novel coronavirus (COVID-19); and

WHEREAS, most hourly, non-exempt employees will be unable to report to work due to the district's closure and certified contract employees may be asked to work at remote locations to help provide continuity in educational services; and

WHEREAS, it fulfills a public purpose to continue to pay district hourly, non-exempt employees during this closure to prevent or contain the spread of COVID-19, to promote morale, and to help retain current employees following the closure; and

WHEREAS, on March 17, 2020, the Iowa Legislature passed and the Governor signed SF 2408, granting waiver of the instructional time requirements in Iowa Code Ch. 279.10 for all public school districts closing before April 12, 2020, in order to prevent or contain the spread of COVID-19; and granting Governor Reynolds the ability to waive instructional time requirements for any public school district which closes on or after April 12, 2020, to prevent or contain the spread of COVID-19; and

WHEREAS, the Iowa Department of Education, which has the authority to establish and interpret graduation requirements and to oversee other crucial aspects of public education is providing written guidance to Iowa school districts on issues related to COVID-19, including but not limited to: student attendance, distance/online learning, high school credit, meal distribution, and other issues; and

WHEREAS, on April 2, 2020, Governor Reynolds ordered the closure of all school districts be extended through April 30, 2020;

WHEREAS, on April 17, 2020, Governor Reynolds ordered the extended closure of all school districts through the end of the 2019-20 school year;

NOW, THEREFORE BE IT RESOLVED, that the Linn-Mar Community School District school board hereby suspends provisions of its board policies and/or whole policies, as identified by the district superintendent [or designee], if such suspension is necessary to implement written guidance from state or federal agencies relating to containing COVID-19 for the duration identified in the Governor's State of Public Health Emergency declaration of March 17, 2020, or as otherwise determined by the board.

BE IT FURTHER RESOLVED, that the district superintendent will consult with and report to the board as feasible and appropriate regarding the emergency closure and efforts to implement written guidance from health and government agencies.

BE IT FURTHER RESOLVED, that the district superintendent is authorized to close any school facility without further action by the Board of Directors. Such closure shall continue during the emergency created by the COVID-19 pandemic, until such time as the superintendent, in consultation with appropriate health and government authorities, deems it in the best interests of the district and its students to open schools.

BE IT FURTHER RESOLVED, that the district superintendent is authorized, based upon the needs of the district and guidance from health and government agencies, to direct staff assignments during district closures, including but not limited to, essential employees who must report to work, employees who may be reassigned, and employees whose services are not needed.

BE IT FURTHER RESOLVED, that access to public school grounds and public school buildings of the district may be limited as directed by the superintendent during district closures.

BE IT FURTHER RESOLVED, that certified, exempt employees will remain employed during the school closure and until the number of days expressed on the contract have been fulfilled, unless otherwise approved by the board. Days that contracted employees do not report for duty onsite or from a remote location, due to closure, do not constitute a fulfilled contract day except to the extent those days are forgiven by the district.

BE IT FURTHER RESOLVED, that in light of this additional extension of the district-wide emergency closure, the board authorizes the district superintendent to place hourly, non-exempt employees on paid administrative leave and to continue to pay them per their contracted terms of employment through the end of the 2019-20 fiscal year; which is June 30, 2020.

BE IT FURTHER RESOLVED, that in the interest of public health and/or to comply with federal or state health department recommendations or guidance, the board may limit the number of people who can physically attend board meetings and may, instead, encourage the public to view all minutes and exhibits on the school board/policy website. The board may also limit public comments to written comments.

BE IT FURTHER RESOLVED, that the board reserves the right to adjust board meeting dates, times, and locations during the district-wide emergency closure in a manner consistent with the Open Meetings law, and notes that any or all board members may attend board meetings electronically, as permitted by law.

BE IT FURTHER RESOLVED, that execution of this Resolution is conclusive evidence of the board's approval of this action and of the authority granted herein. The board warrants that it has, and at the time of this action had, full power and lawful authority to adopt this instrument. This resolution will remain in full force and effect until it is rescinded or amended by subsequent action of the board.

Amended, adopted, and approved this 20th day of April 2020.

By: 

Sondra Nelson, President, Linn-Mar Board of Directors

Attest: 

JT Anderson, Secretary/Treasurer/Linn-Mar Board of Directors