

**MINUTES OF THE BOARD OF EDUCATION MEETING  
JULY 27, 2020  
5:30 P.M.**

The Board of Education of Unified School District 234, Fort Scott, Kansas, met in special session at the Fort Scott Middle School, 1105 E 12<sup>th</sup> St. at 5:30 p.m.

PRESENT: Jamie Armstrong, Kellye Barrows, Gary Billionis, Danny Brown, Lynette Jackson, David Stewart, James Wood

ALSO PRESENT: Martin Altieri, Brandon Boyd, David Brown, Ted Hessong, Robyn Kelso, Andrea Scott, Gina Shelton, Dalaina Smith, Amber Toth, Stephanie Witt

OTHERS PRESENT: Joe Allen, Connie Billionis, Stephanie George, Krista Gorman, Brenda Hill, Angie Kemmerer, Daniel Koppa, Stephen Mitchell, Jason Silvers, Trisha Whitehead

**OPEN THE MEETING – 5:30 P.M.**

President Stewart opened the meeting at 5:30 p.m.

**FLAG SALUTE**

**BUDGET WORKSHOP**

Gina Shelton, Business Manager, presented information on the budget for 2020-21.

**CONSIDER 2020-21 NEGOTIATED AGREEMENT**

It was moved by Mr. Wood, seconded by Mrs. Armstrong, and carried by unanimous vote that the board approve the 2020-21 negotiated agreement.

**CONSIDER CORONAVIRUS RELIEF FUND MEMORANDUM OF UNDERSTANDING**

It was moved by Mrs. Armstrong, seconded by Mr. Billionis, and carried by unanimous vote that the board approve the following memorandum of understanding:

**Coronavirus Relief Fund Memorandum of Understanding**

**WHEREAS**, securing the health, safety, and economic well-being of students, staff, and our community is Unified School District 234's top priority;

**WHEREAS**, the state of Kansas is facing both a public health and economic crisis – the pandemic and public health emergency of COVID-19 – which has resulted in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens locally;

**WHEREAS**, the World Health Organization declared a pandemic on March 11, 2020;

**WHEREAS**, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

**WHEREAS**, as of this date, in Bourbon County there have been 61 reported positive cases of COVID-19, including 1 deaths with a likely second wave of COVID-19 cases expected in the Fall;

**WHEREAS**, Unified School District 234 must remain flexible to account for the evolving nature and scope of the unprecedented public health emergency posed by COVID-19, while also simultaneously beginning the process of safely, strategically, and incrementally reopening business and facilitating economic recovery and revitalization;

**WHEREAS**, for the aforementioned and other reasons, and in recognition and furtherance of my responsibility to provide for and ensure the health, safety, security, and welfare of the people of the community, Unified School District 234 has determined that the evolving public health and economic threats posed by COVID-19 require a proactive approach to provide immediate financial relief and long-term economic investment in the community;

**WHEREAS**, in these challenging times, Unified School District 234 will do whatever it can to avoid immediate dangers to the health, safety, and welfare of our constituents and prepare for future waves of COVID-19;

**WHEREAS**, on June 16, 2020 the State Finance Council approved the Strengthening People and Revitalizing Kansas (SPARK) Taskforce's proposal to distribute money to Bourbon County help address the health and economic challenges inflicted by COVID-19 based on Bourbon County's population and impact from COVID-19 with funds provided for reimbursement of COVID-19 related costs and as direct aid unless otherwise approved by the SPARK Taskforce.

**WHEREAS**, to ensure that all educational and municipal entities within counties receive Coronavirus Relief Funds to meet their respective health and economic challenges, the SPARK Taskforce Executive Committee passed a motion on June 2, 2020, to direct counties to allocate and share Coronavirus Relief Funds with public educational and municipal entities

within their counties.

**WHEREAS**, Bourbon County adopted a Resolution to accept and distribute funds to cities and other entities within Bourbon County.

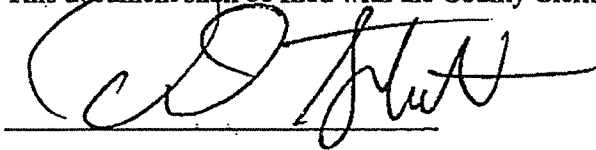
**THEREFORE**, pursuant to the authority vested in Unified School District 234's School Board, in order to begin the process of safely, strategically, and proactively providing the resources the community needs to both mitigate the spread of COVID-19 and invest in long-term economic recovery, Unified School District 234's School Board accepts any funds appropriated to Unified School District 234 by the State of Kansas through the State's Coronavirus Relief Fund and distributed by Bourbon County pursuant to the following terms designed to ensure the lawful use of funds and transparency, equity, and accountability:

1. Section 5001 of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act, as codified in 42 U.S.C. § 801, provides the eligible purposes for which Coronavirus Relief Fund ("CRF") payments may be used. Under 42 U.S.C. § 801(d) funds may be used for:
  - a. necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);
  - b. not accounted for in the budget most recently approved for the county as of March 27, 2020; and
  - c. incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.
2. The following are examples of public health expenditures allowed pursuant to paragraph 1.a. above and 42 U.S.C. § 801(d):
  - COVID-19 related expenses of public hospitals or clinics
  - COVID-19 testing and quarantine costs
  - Payroll of employees substantially dedicated to COVID-19 mitigation or response
  - Expenses for establishing and operating public telemedicine capabilities
  - Technological improvements to facilitate distance learning
  - Improving telework capabilities
  - Grants to small businesses to reimburse the costs of business interruption caused by required closures
  - Government payroll support program
  - Unemployment insurance costs related to COVID-19

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3. The following are examples of public health expenditures NOT allowed pursuant to paragraph 1.a. above and 42 U.S.C. § 801(d):
- Damages covered by insurance
  - Payroll or benefits for employees not substantially dedicated to mitigating or responding to COVID-19
  - Expenses that will be reimbursed under any federal program
  - Reimbursement to donors for donating items or services
  - Workforce bonuses other than hazard pay or overtime
  - Severance pay
  - Legal settlements
4. Additionally, as outlined in guidance issued by the Congressional Research Service on April 14, 2020, "Coronavirus Relief Fund payments may not be used to directly account for revenue shortfalls related to the COVID-19 outbreak. Such funds, however, may indirectly assist with revenue shortfalls in cases where expenses paid for by the Coronavirus Relief Fund would otherwise widen the gap between government outlays and receipts."
5. To ensure effective and timely oversight of local spending, Unified School District 234 will comply with reporting requirements established by Bourbon County.
6. To ensure transparency and accountability in the deliberation, expenditure, and oversight processes associated with CRF funds, Unified School District 234, will comply with all applicable requirements of the Kansas Open Meetings Act and Bourbon County.
7. The COVID-19 pandemic has disproportionally impacted racial minorities within the State of Kansas, illustrating long-standing health disparities for African-American, Latino, and other racial minority populations in the United States. Accordingly, Unified School District 234 will consider and incorporate efforts to address such disproportionate impacts on racial minorities in its proposed plan.
8. As provided in 42 U.S.C. § 801(f), the Inspector General of the Department of the Treasury determines whether CRF payments have been used for eligible purposes. Fund payments that are deemed to have been used for ineligible purposes are treated as a debt owed by the implementing government to Treasury. This Memorandum of Understanding signifies that, upon approval, Unified School District 234 agrees to cooperate with any audits or inquiries by the Department of the Treasury concerning CRF funds and agrees to pay any debt incurred to the Department of the Treasury due to ineligible expenditures of appropriated CRF funds.

9. Unified School District 234 understands that the United States Department of the Treasury or the Governor's Office of Recovery may issue guidance regarding the transfer, expenditure, reimbursement, or other use of CRF funds.
10. Unified School District 234 understands and agrees that any unspent funds must be returned to the State for recoupment. Unified School District 234 understands that Bourbon County must return all unspent funds no later than December 30, 2020 and will make any unspent funds available for return prior to December 30, 2020. All reconciliation documents submitted to the SPARK Taskforce will be made publicly available by the Governor's Office of Recovery, including supporting documentation submitted by Unified School District 234 to Bourbon County.

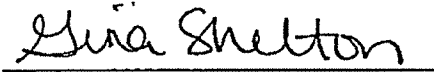
This document shall be filed with the County Clerk. It shall become effective as of July 27, 2020.



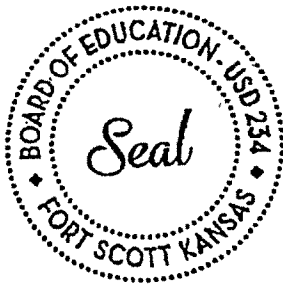
Board President



Superintendent



Attest: Board Clerk



Seal of Unified School District 234

## **EXECUTIVE SESSION – 6:10 P.M.**

It was moved by Mr. Stewart, seconded by Mrs. Armstrong, and carried by unanimous vote that the board go into executive session to discuss the employment of personnel for the 2019-20 and 2020-21 school years pursuant to the non-elected personnel exception under KOMA and for the open meeting to resume in the middle school commons at 6:20 p.m.

The executive session was required to protect the privacy rights of an identifiable individual.

The board invited Superintendent Hessong and Gina Shelton, Business Manager/Board Clerk, to attend the executive session.

## **OPEN SESSION – 6:20 P.M.**

### **CONSIDER EMPLOYMENT**

It was moved by Mr. Billionis, seconded by Mr. Brown, and carried by unanimous vote that the board approve the following employment matters:

- A. Resignation of Jessica Reichard, Winfield Scott paraprofessional, effective at the end of the 2019-20 school year
- B. Employment of Hannah Dunn as central office accounts payable/secretary for the 2020-21 school year

### **DISCUSSION OF THE 2020-21 SCHOOL YEAR**

Dalaina Smith, Director of Academics; building administrators representing each school; and Superintendent Hessong discussed the beginning date of the 2020-21 school year and presented options for learning plans for 2020-21 school year. Board members discussed the school year.

It was moved by Mr. Billionis, seconded by Mrs. Barrows, and carried by unanimous vote that the board approve moving the start of the 2020-21 school year to September 9, 2020, or later if necessary, with faculty returning on August 14, 2020, and classified staff returning at the date assigned by the Superintendent and for the Superintendent to work with the Fort Scott KNEA to come to an agreement on the calendar.

## **ADJOURN – 8:11 P.M.**

### **ATTEST:**

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Board President

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Board Clerk