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## Board of Education

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### Minutes

#### The Board of Education

A Called Board Meeting of the Board of Education of Fort Smith Public Schools was held Monday, January 10, 2022, beginning at 5:30 PM in the Service Center, Bldg. B, Auditorium, 3205 Jenny Lind, P.O. Box 1948, Fort Smith, AR 72901.

#### **CALL TO ORDER**

Ms. McFerran, president, called the meeting to order. Other board members present were: Ms. Talicia Richardson, Mr. Dalton Person, Ms. Dee Blackwell, Ms. Yvonne Keaton-Martin, and Mr. Troy Eckelhoff. Mr. Matt Blaylock was absent. District administrators present included: Dr. Terry Morawski, Superintendent; Mr. Martin Mahan, Deputy Superintendent; Dr. Chris Davis, Assistant Superintendent of Human Resources and Campus Support; Dr. Tiffany Bone, Assistant Superintendent of Curriculum and Instruction; Mr. Charles Warren, Chief Financial Officer, Mr. Darian Layes, Executive Director of Student Services; Ms. Zena Featherston Marshall, Executive Director of Communication and Community Partnerships; and Ms. Nadine Brooks, Office Manager to the Superintendent. Mr. Marshall Ney, of Friday, Eldridge and Clark, District Attorney was also in attendance.

A moment of silence was followed by the pledge of allegiance and mission statement.

#### **SUPERINTENDENT'S REPORT**

Dr. Morawski reported that two presentations had been removed from the agenda due to Mr. Shaffer not being able to attend the meeting. The ESSER Facilities Plan and Capital Improvements updates will be presented at the January 24 meeting.

#### **CITIZENS PARTICIPATION**

Ms. McFerran stated that although Citizens Participation is not typically on the agenda for a called board meeting, with concern from several citizens, the board would hear from those that had completed a citizen participation form. Two minutes were allowed per speaker.

Ms. Lacey McCain, Mr. Matthew Graham, Ms. Rebekah Travis and Ms. Tara Mendoza spoke in support of not reinstating a mask mandate.

Ms. Leslie Higgins spoke in support of wearing masks.

#### **CONSIDER ACCEPTING THE 2020-2021 AUDIT UPDATE**

Mr. Warren introduced Mr. Marc Lux of Przybysz & Associates to present the 2020-2021 Audit for the fiscal year ending June 30, 2021. Mr. Lux summarized the financial conditions that are part of the audit. Mr. Lux stated that this year's audit resulted in an unmodified opinion on the regulatory basis of accounting. The regulatory basis of accounting is what the Arkansas

Department of Education and Legislative Audit requires for Arkansas school districts. Mr. Lux reviewed balance sheets, the fund balance report, General Fund, Special Revenue and other Aggregates.

Mr. Warren added that this report included footnotes with a narrative of different detailed information.

Ms. Richardson asked when the audit would be submitted. Mr. Lux stated that it would be submitted in the next week or shortly after. He added that it is submitted to the Legislative Audit, Arkansas Department of Education, Department of Human Services, Federal Audit Clearinghouse, and Stephens Inc. in Little Rock because of outstanding bonds. Mr. Lux added that the Fort Smith School District is one of the first to submit.

Ms. Richardson made a motion, seconded by Ms. Keaton-Martin, to accept the 2020-2021 Audit as presented. The vote passed 6/0.

#### **CONSIDER APPROVING ETHICS DISCLOSURE RESOLUTION**

Mr. Warren presented a resolution for a new vendor. Sanders, Inc. is owned by Employee Angel Sanders. Therefore, the employee now has a direct financial interest in a vendor requested to be used by the District. The District desires to contract with this vendor as necessary.

The administration recommended that the board consider approving the ethics disclosure and resolution as presented.

Ms. Keaton-Martin made a motion, seconded by Ms. Blackwell, to approve the ethics disclosure resolution. The vote passed 6/0.

#### **COVID UPDATE & RELATED PROCEDURES**

Mr. Mahan provided an update of COVID related numbers at the District and State level.

He reviewed the ACHI Daily COVID cases in Arkansas dating back to October 2020 through January 1, 2022. He provided a color-coded state map that showed which areas had the most cases per 10,000 population, a comparison of area schools and the increase in cases from December 13, 2021 through January 8, 2022, and District percentages of COVID positives and close contacts of staff and students. He provided data that reflected the rising increase in quarantines among students and staff.

Ms. Kerri Tucker provided new quarantine and isolation protocols. Ms. Tucker stated that the Arkansas Department of Education had recently adopted the CDC guidelines for schools in Arkansas.

Students and staff are now required to stay five days at home instead of 10 when positive and can return after five days if masking and no symptoms or symptoms are resolving regardless of vaccination status.

Students and staff that have been boosted and are exposed to someone with COVID, and have completed the primary series of Pfizer or Moderna vaccine in the last 6 months or completed the primary series of J&J vaccine within last 2 months should wear a mask around others for 10 days. Test on day 5 if possible.

Students and staff that completed the Pfizer or Moderna vaccine over 6 months ago and are not boosted, or completed the primary series of J&J over 2 months ago and are not boosted, or are unvaccinated should stay home for 5 days and continue to wear a mask around others for an additional 5 days. Test on day 5 if possible.

Mr. Mahan reviewed staffing concerns regarding absences due to COVID.

Mr. Mahan and Dr. Davis provided substitution considerations and substitute fill rates with incentive pay for substitutes, for both certified and classified.

Mr. Mahan reported that Technology provided chrome books for students to take home should the District have to pivot to virtual. Mr. Mahan stated that 200 to 300 hot spots were available for students that needed them.

Dr. Morawski thanked Mr. Mahan and Ms. Featherston Marshall and their staff for work in getting this report for the board to review.

Dr. Morawski reported that there is concern with staffing and absences if the variant continues to trend. He stated that it is possible that a school or the District could go virtual at some point. Dr. Morawski stated that masks are major consideration of the quarantining criteria. He stated it is important to keep schools open.

Dr. Morawski provided potential responses to current conditions that included 1) no action, masks optional 2) mask mandate for a period of time (30 days, 60 days) 3) mask in place when ACHI reached certain threshold (Red, Orange).

Dr. Morawski provided a sample resolution as requested by board members should the board choose to consider action.

Dr. Morawski stated that Mr. Ney and Ms. Tucker were available if board members had questions.

Mr. Mahan added that the District does not have the same flexibility as last year if the District has to pivot to virtual school. The District is now under the Alternative Method of Instruction (AMI) with 10 days available. Any school days missed beyond those 10 days would be required to be made up past the end of the school year.

Mr. Person stated that virtual should be a last resort. He asked if requiring masks would reduce the number of quarantines. Ms. Tucker explained that although most positives cases were from

outside the District, because a person can be infectious 48 hours prior to having symptoms, that person is on campus and if others unmasked are exposed for more than 15 minutes, that person has to quarantine as well.

Mr. Person asked if the board instituted a mask requirement is there a chance that could reduce the likelihood to pivot to virtual. Dr. Morawski stated that it is hard to determine but it could be possible to have a reduction in the number of staff members quarantined.

Mr. Eckelhoff asked how many of the absentees were due to close contact during school hours. Ms. Tucker stated that she didn't have that information available but could get it.

Mr. Person agreed that information would be helpful in making this decision.

Ms. Tucker and Dr. Morawski reviewed data from December 13 through December 19 and determined that 122 students were quarantined from school contact and 133 from community contact.

Dr. Morawski stated that as an example this past week, four of the 27 staff and 232 of the 569 students were quarantined due to school exposure.

Mr. Person stated that although he did not like making this decision for parents, he would be supportive of a very short-term mask requirement to keep kids in school since wearing the mask reduces the quarantines.

Ms. Blackwell stated that it was very important to keep the schools open and services available. She stated concern for how fast cases were rising. Ms. Blackwell asked that teachers have all the sanitation supplies that they needed. Ms. Blackwell stated that she had received many emails regarding masks.

Ms. Richardson thanked Mr. Person for his thoughtful questions. She stated that she began to receive emails prior to Christmas from parents and teachers about how the school year would be beginning the new 2022 year. Ms. Richardson referenced Mr. Person's recommendation that the ACHI model reviewed previously by the board when at that time the board opted a different method. Ms. Richardson stated that in spite of a global pandemic and controversy, all district staff were still functioning in their roles.

Ms. Richardson made a motion, seconded by Ms. Keaton-Martin, to institute a 30 day mask mandate for the District.

Mr. Eckelhoff stated that students and teachers had only been back a week and most cases were from the holiday break. He thought it was too soon to require a mask mandate. He thought masks should be optional.

Mr. Person asked Ms. Richardson to consider amending her motion to include the ACHI model that would allow the superintendent to remove the mask mandate if the model reached orange (49 or less) Mr. Person referenced the sample resolution.

Ms. Richardson was in agreement.

Mr. Person made a motion, seconded by Ms. Richardson, to amend the motion for the 30 day mask requirement to coincide with the resolution as presented. With the exception that if during those 30 days, the case numbers per 10,000 according to the ACHI Model would dip below 50 or enter into the orange category, the superintendent would have the authority to end the mask mandate.

Dr. Morawski asked Mr. Ney if any clarification was needed.

Mr. Ney stated that based on Ms. Richardson having the motion, and second, Ms. Richardson should be the one to amend the motion and could do so based on Mr. Person's comments if she chose to. Mr. Person agreed.

Ms. Richardson stated that she would like to amend her motion to reflect a 30 day mask mandate based on the criteria that has been placed forth by ACHI that the superintendent and/or his designated staff has the ability to change that mandate.

Mr. Eckelhoff questioned whether 30 days of ACHI data was sufficient.

Dr. Morawski stated that data was based on the previous two weeks.

Mr. Ney suggested that he could make edits to page 2, first paragraph, No. 1, to insert "last the shorter of 30 days, further action by the Board or the reversal of Judge Fox's Final Judgment". Mr. Ney referenced item # 3 with changes to reflection "when the number of new infections is 49 or below (orange level or below)". Mr. Ney stated that if that was the intent of the discussion, Ms. Richardson could amend her motion to approve the resolution as stated.

Mr. Person and Ms. Richardson were in agreement.

Ms. Richardson made a motion, seconded by Ms. Blackwell, to institute the resolution that has been provided by the District as written. The vote passed 4/2 with Ms. McFerran and Mr. Eckelhoff opposing.

Mr. Person asked that the District provided N95 masks to as many as possible.

#### **BOARD MEMBERS FORUM**

Ms. Blackwell asked that the administration provide as much support and relief to the Point of Contacts and Nursing staff as possible.

Dr. Morawski stated that he had reached out to the Commissioner's Office about the strain that staff are under with all the requirements and challenges to comply.

**ADJOURN**

There was no further business and the meeting adjourned at 6:55 p.m.

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Susan McFerran, President

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Dee Blackwell, Secretary