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## Board of Education

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### Minutes

#### The Board of Education

A Called School Board Meeting of the Board of Education of Fort Smith Public Schools was held Thursday, August 12, 2021, beginning at 5:30 PM in the Sutton Elementary School Cafeteria, 5001 Kelley Highway, Fort Smith, Arkansas 72904.

Note that due to technical difficulties the meeting did not begin until 5:35 p.m.

Ms. McFerran, president, called the meeting to order. Other board members present were: Ms. Talicia Richardson, Mr. Dalton Person, Ms. Dee Blackwell, Mr. Matt Blaylock and Mr. Troy Eckelhoff and Ms. Yvonne Keaton-Martin. District administration 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. Darian Layes, Executive Director of Student Services; Mr. Vance Gregory, Executive Director of Technology; 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.

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

Dr. Morawski reported that Jimmy Casas, guest speaker for Launch for Learning was well received by staff earlier today.

Dr. Morawski thanked Mr. Mahan, Dr. Davis, Personnel Policy Committee and President Ryan Gray in helping get the Personnel Certified and Classified Policy committee members organized for a secret ballot vote. He expressed appreciation to staff for working quickly before school begins on Monday, August 16.

#### **CONSIDER EMERGENCY REGULATION ON WEARING MASKS AND FACE COVERINGS**

Dr. Morawski recapped that on August 9, board members approved a resolution regarding mask and litigation concerning Act 1002 for the 2021-2022 school year.

Mr. Ney provided an update to the Board regarding Judge Fox's temporary order blocking Act 1002 entered on Friday, August 6, which prevented the state from enforcing the law. Since the judge's decision, several school districts have imposed mask mandates. He stated that Attorney General Leslie Rutledge could appeal the judge's temporary order, but has not done so as of today.

Dr. Morawski stated that because this policy is brought before the board for approval after the July 1 date of current year contracts, it was necessary for both the Certified Personnel Policy Committee and Classified Policy Committee to vote on the mask policy. With the Certified and Classified PPCs bringing the vote to the board, the 10 day waiver was waived. A 10 day waiting period would have been

required from the Administration. Dr. Chris Davis was available for the Certified Committee and Mr. Mahan was available for the Classified Personnel Committee for any questions either committee might have while conducting the secret ballot vote.

Mr. Ryan Gray, President of the Certified Committee and Mr. Rick Menzies, President of the Classified Committee were in attendance.

Mr. Gray presented the following process leading up to the voting results by both committees.

Act 1002 ruling from Judge Fox

Board recommendation Monday 8-9-21

Discussions with administration

PPC meeting 8-11-22

Unanimous vote to advance to staff wide vote

Staff wide vote for 24 hours from 3pm-3pm

Paper ballots for those who need them

Mr. Gray provided the following voting results.

For: 59.6% (865)

Against: 40.4% (586)

Total votes

Certified 67%

Classified 33%

Approval percentages

Certified: 60.87%

Classified: 56.91%

Mr. Gray presented the following policy:

**EMERGENCY REGULATION ON WEARING MASKS AND FACE COVERINGS**

In consideration of the recommendations and guidance issued by the Centers for Disease Control and Prevention and the Arkansas Department of Health, all employees of the District shall follow such requirements of the Fort Smith School District's Board of Education regarding the wearing of masks as may be imposed when public health concerns arise.

Mr. Gray confirmed that the PPCs conducted the vote and that a member could only vote once. Mr. Davis was provided view access only.

Mr. Gray stated that 83 Percent of certified and 59% of classified staff voted.

Mr. Gray suggested two options: add the mask policy to existing PPE Policy 3.55 or a stand alone policy.

Mr. Ney recommended that the board approve it as a stand alone policy.

Ms. Blackwell made a motion, seconded by Ms. Richardson, to approve the Emergency Regulation on Wearing Masks and Face Coverings. The vote passed 6/1 with Mr. Eckelhoff opposing.

**BOARD MEMBERS FORUM**

Ms. Richardson expressed thanks to administrators and staff with hopes that staff will take this opportunity to be creative and innovative in the classroom while protecting the students physically and emotionally.

Ms. McFerran expressed appreciation to Mr. Gray and Mr. Menzies for their efforts with this voting process.

**ADJOURN**

There was no further business and this meeting was adjourned at 6:05 p.m.

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Susan McFerran, President

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Dee Blackwell, Secretary