

RESOLUTION OF THE CHIEF EXECUTIVE OFFICER

RESOLUTION NO. 05-27-20-04

TO AUTHORIZE DISTANCE LEARNING FOR DAYS/HOURS SCHOOL BUILDINGS ARE CLOSED TO STUDENTS THE 2019-2020 SCHOOL YEAR IN COMPLIANCE WITH THE ORDER(S) OF THE OHIO DIRECTOR OF HEALTH

April 1, 2020

WHEREAS, The Superintendent of Public Instruction, pursuant to Ohio Revised Code Section 3302.10, established an Academic Distress Commission for the Youngstown City School District, which Academic Distress Commission appointed a Chief Executive Officer ("CEO") to lead the District during the implementation of an Academic Recovery Plan; and

WHEREAS, the CEO has the responsibility and authority to act for the local board of education and superintendent of the District during the period of Academic Distress; and

WHEREAS, during this period of Academic Distress, where language in Ohio Revised Code Chapter 33 or any other provision of Ohio law refers to the "board of education" or "board" or "superintendent," the CEO shall have the authority to act, which authority shall remain with the CEO as long as the District remains under Academic Distress; and

WHEREAS, on March 14, 2020 the Director of the Ohio Department of Health's Order, "In Re: Order the Closure of All K-12 Schools in the State of Ohio" issued under section 3701.13 of the Revised Code, directed all school buildings that provide any kindergarten through grade twelve instruction to be closed to students beginning at 12:01 a.m. on March 17, 2020 and ending at 11:59 p.m. on April 3, 2020 to prevent the spread of COVID-19 into the State of Ohio; and

WHEREAS, on March 27, 2020 the Governor of the State of Ohio signed Am. Sub. H.B. 197 to provide relief to Ohioans during the COVID-19 pandemic, wherein Section 15(B) permits a local board of education to adopt a plan to make up days or hours schools were closed in the 2019-2020 school year due to the Director of Health's March 14, 2020 Order; or any local board of health order; or an extension of any order, which includes the March 30, 2020 extension issued by the Director of Health directing all such school buildings to be closed to students through 11:59 p.m. on May 1, 2020, and extended for the duration of the 2019-2020 school by announcement of the Governor on April 20, 2020; and

WHEREAS, Section 17(B)(2)(c) of Am. Sub. H.B. No. 197 also addresses academic distress commission under Section 3302.10 of the Revised Code and provides that a school district subject to an academic distress commission prior to March 27, 2020, shall be considered to be subject to an academic distress commission for the 2020-2021 school year and that nothing in Section 17 (B)(2)(c) shall be construed to limit the powers that the CEO exercised under Section 3302.10 of the Revised Code prior to the 2020-2021 school year; and

WHEREAS, pursuant to Section 3302.10 of the Revised Code, the CEO has the authority to act for the local board of education and desires that students be provided with learning opportunities during the time school buildings are closed to students in the 2019-2020 school year; and

WHEREAS, pursuant to Am. Sub. H.B. 197, the District is authorized to adopt a plan under section 3313.482 of the Revised Code to require students to access and complete classroom lessons posted on the District's or school's web site to provide for making up any number of hours schools were closed to students in the 2019-2020 school year in compliance with the Director's order, local board of health order, or an extension of an order.

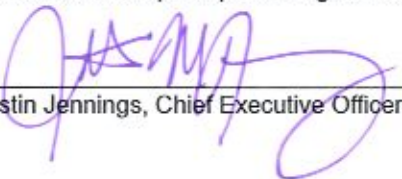
WHEREAS, the CEO believes that such a plan is in the best interest of District students and desires to continue to engage in instruction students kindergarten through grade twelve through facilitation of distance learning/online instruction to provide for making up any number of hours schools were closed in the 2019-2020 school year in compliance with the Director's order, local board of health order, or an extension of an order.

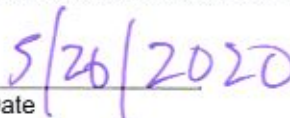
NOW, THEREFORE, BE IT RESOLVED that the District hereby adopts a plan and is otherwise authorized to use distance learning/online instruction to make up any number of hours schools were closed to students in the 2019-2020 school year pursuant to Am. Sub. H.B. 197 and section 3313.482 of the Revised Code, and in compliance with the Director's order, local board of health order, or an extension of an order as set forth in Exhibit A.

BE IT FURTHER RESOLVED, the CEO and/or his designee has the authority to modify and/or otherwise update the adopted distance learning plan pursuant to Am. Sub. H.B. 197 and in accordance with Ohio Revised Code 3313.482 and as otherwise directed by the Ohio Department of Education should additional guidance or directives be issued by the state legislature or Ohio Department of Education that impact the District's plan.

On April 1, 2020 this resolution was considered by the Chief Executive Officer.

This resolution is adopted upon the signature of the Chief Executive Officer on the date set forth below:


Justin Jennings, Chief Executive Officer


Date