

Minutes
Clark County School District
Meeting of the Board of School Trustees
Las Vegas Academy of the Arts High School, Lowden Theater
875 East Clark Avenue
Las Vegas, Nevada 89101

Work Session

Wednesday, May 5, 2021

5:04 p.m.

Roll Call: Members Present
Linda P. Cavazos, President
Irene Cepeda, Vice President
Evelyn Garcia Morales, Clerk
Lola Brooks, Member
Danielle Ford, Member
Lisa Guzmán, Member
Katie Williams, Member

Jesus F. Jara, Ed.D., Superintendent of Schools

Also present were: Dr. Mike Barton, Chief College, Career, Equity and School Choice Officer, College, Career, Equity and School Choice Unit; Dr. Maria Marinch, Director, Academic Unit; Brandon Moeller, Director, Equity and Diversity Education Department, College, Career, Equity and School Choice Unit; and Cindy Krohn, Director, Board Office.

Adoption of the Agenda

Adopt agenda.

Motion: Ford Second: Guzmán Vote: Unanimous

Public Comment on Non-Agenda Items

In-person public comment:

Jim Frazee said the Teachers Health Trust (THT) is vital for educators, and there are issues with the THT that need to be addressed. He said he believes they can work together to solve these problems.

Marie Neisess shared concerns regarding the THT. She said the Clark County Education Association (CCEA) has been working to address the financial challenges of the THT and changes will be forthcoming. She said they cannot resolve these issues without the collaboration of the District.

Public Comment on Non-Agenda Items (continued)

Robert Hollowood thanked the District for working with CCEA to address the financial challenges the THT is experiencing. He shared some of the reasons for the challenges and said the THT is part of their benefits and good benefits are essential to attracting and retaining educators.

John Carlo said he would like to know where the District is ranked in education in the nation and how that is determined. He said he would like to see a change and he would like to see the military back in the schools and more radio public broadcasting for community members to hear about the District.

Anna Binder said it is concerning to hear of the issues with the THT for educators. She said she does not understand why Superintendent Jara is holding community engagement meetings through private venues and why the Trustees are not taking part in those. She said she has confirmation from the City of Henderson that CCSD never requested that spectators be allowed at swim meets, which has many parents upset. She said parents want to know where the money is coming from for the principal buyouts, and she asked about a discussion on the new Coronavirus Aid, Relief, and Economic Security (CARES) Act money.

Voice-recorded public comment:

Jacque Perlstein, a CCSD teacher, said she is very concerned with the direction the health care is headed in. She said her parents were educators, and they have always had good health care in the past, but it has gotten very bad over the last two years. She said she has reached out for help for bills she and her husband received and no one has helped.

A caller asked that principals and teachers be directed to allow and encourage their students to remove their masks when they are outside.

Mrs. Krohn provided a summary of the written comments submitted, as follows:

An educator feels that the mask mandates are psychological, social, and emotional abuse on children. They asked to stand up for what is scientifically peer-reviewed and best for our children or step down.

A teacher said they are in collections because bills are not being paid by THT. They contacted the THT multiple times, but the problem has not been resolved, and they said doctors' offices are declining to see patients who are insured with THT, as they are not being paid. Many teachers are terrified that they will get sick and be denied a doctor visit or have to pay hundreds to thousands of dollars to be seen by going to an emergency room.

The Northwest Area Residents Association said they have spent three years being professional and patient requesting guidance and information on resolving the Open Schools-Open Doors issue. They said R-3613 allows only those residential and civic organizations that can afford a million dollar liability insurance policy for school indoor facilities, non-District meeting use. They would like follow-up on the February 14, 2019, pilot program status.

Public Comment on Non-Agenda Items (continued)

The Northwest Area Residents Association said Superintendent Jara has offered zero response and that Clark County residents deserve professional CEO representation, accountability, and transparency. In addition, they said corporate, businesses, and the military do not condone or excuse this level of incompetency and neither should Clark County residents as stakeholders and ownership in school facility use.

Another teacher asked for a national insurance plan and not a health trust because it continues to fail year after year. They wrote about having unpaid medical bills and being fearful that providers will stop seeing their children and asked that their health insurance improve.

A teacher said they deserve quality health care which they can depend on.

A writer said many teachers have had their insurance lapse and are unable to get the correct medical care they need. In addition, they said having good insurance was an attraction for teachers to come from other places and asked if that is gone, how we bring good teachers to our state.

A teacher asked that something be done about the teachers' health care.

A teacher asked that they have health care without any lapses and said teachers deserve proper health care now more than ever.

A writer said that the THT is unable to pay its bills and said by not paying the full negotiated amount towards their health care, CCSD is in breach of contract.

A writer requested to change the decision to keep CCSD to the 50 percent or 250 for capacity and asked that athletes have the opportunity to have regionals at 80 percent and not 250 people at an outdoor event. They asked that parents, kids, coaches, schools, officials, workers and fans decide if they want to come or not.

A teacher wrote about concerns with the THT and asked for reliable health care. She questioned why a large district with many employees can never find a third viable option for insurance and asked that the issue be fixed.

A teacher said her doctor's office informed her that due to lack of payment from the THT, she will have to pay for her medical tests out of pocket because they have not been paid in over nine months. She asked that the insurance get straightened out because it is a matter of life and death.

Teachers said they are not interested in keeping THT afloat, bailing them out at their expense, increasing their health care premiums to balance the THT budget, forego their step increases, or have any personal economic impact to help balance the THT. They asked that there is serious negotiation with other health care providers.

Public Comment on Non-Agenda Items (continued)

A teacher is concerned that their health insurance, one of their contractual benefits, is failing. Some teachers are not able to see their doctor or get their prescriptions filled, and others have stopped taking their children to mental health appointments because those providers have not been paid in so long. In addition, they are concerned that the collective bargaining unit will only communicate information about the status of THT to their paying members. They said all should have access to information about the THT.

In-person public comment:

David Gomez said he has some concerns regarding who Trustees listen to, stating Ms. Lazos is informing the Board on what she believes, and he believes the Trustees are listening to her. He further stated that Ms. Lazos does not have correct or complete information.

Sylvia Lazos said she would be sending a letter through her lawyer to Mr. Gomez for defamation. She said she is very disappointed that the Board allows defamation to happen during public comment and said she would be writing to the attorney general regarding defamation being allowed during public comment.

Approval of the Minutes

Approval of the minutes of the special meeting of December 15, 2020, as recommended in Reference 3.01.

Motion to approve.

Motion: Williams Second: Cepeda Vote: Unanimous

Board Counsel Candidate Review

Initial review, discussion, and possible action of the three Board Counsel candidate applications.

In-person public comment:

Sylvia Lazos spoke about the value of an organization's attorney and said if the Board gets the right attorney, the Board will have the room it needs to do its job.

Anna Binder said the Board should think seriously about whether they want to hire a firm that employees a former CCSD attorney, which she said was a red flag for her. She said she liked the firm Weinberg Wheeler Hudgins Gunn and Dial (WWHGD) because of the work they are willing to provide for the fees they would charge the Board.

Mrs. Krohn provided a summary of the written comments submitted, as follows:

The Las Vegas Alliance of Black School Educators is in support of the Board Counsel Candidate Review to assist the Board of School Trustees towards moving in a positive direction that ensures equity, diversity, access, inclusion of all students and staff.

Board Counsel Candidate Review (continued)

A writer is concerned about the time it is taking to hire private counsel for the Board and urges that it move forward so a replacement is found as soon as possible.

Trustee Cavazos said her intention for this agenda item is for the Board to conduct an initial review of the three applicants.

Trustee Guzmán said she would like to inquire about the firms' experience in educational law.

Trustee Williams said she would like to know the extent of the firms' experience with CCSD.

Trustee Ford mentioned the timeline for hiring an attorney and allowing enough time for training before the current Board counsel leaves. She said she would like to know if there are any conflicts of interest. She said assuming there are no conflicts of interest, she likes WWHGD and is interested in learning more about that firm. She said she feels comfortable with Trustee Cavazos and Trustee Cepeda conducting the interviews.

Trustee Cepeda said she would not feel comfortable with only the Board President and Vice President conducting the interviews and said she would prefer a process that includes all Trustees. She said she would like to ask about the firms' commitment to diversity.

Trustee Williams agreed that all seven Trustees should be involved in the interview process.

Trustee Brooks agreed that the entire Board should be included in the process. She said she would like to ask about any previous or current relationships any members of the firm have had with CCSD, including any ongoing or previous litigation or employment and any direct experience providing support to boards bound by Nevada Open Meeting Law (OML) with examples of performance demonstrated. She said it is important for Mary-Anne Miller, Board Counsel, District Attorney's Office, to give the Board more of a scope of what they are asking of the attorney.

Trustee Garcia Morales said she would like to ask Ms. Miller how many hours on average per month she allocated to CCSD work. She said she would like to ask if the two firms that provided an hourly rate would be willing to provide a retainer amount and why or why not. She said she would like to know where the resources to pay for the Board attorney would be coming from.

Trustee Cavazos suggested they can agree on a process that involves all Trustees but that does not draw it out for an unreasonable amount of time.

In considering the process for hiring the Board attorney, the Board discussed the parameters the attorney would be operating under and what would be expected and the criteria that was included in the Request for Qualifications (RFQ), how they would go about narrowing down which of the three candidates would move forward in the process, Ms. Miller's continued involvement and assistance, and the timeline moving forward in terms of bringing this item back and creating a rubric to rank the applicants.

Board Counsel Candidate Review (continued)

The Board agreed to bring this item back to the May 20, 2021, Board meeting.

In-person public comment:

Sylvia Lazos said the most important factor is reputation, and the most important aspect of the relationship between an attorney and client is trust, and she said she is skeptical that the rubric would be able to determine whether the Board would have trust in the applicants. She suggested setting up a hypothetical or portfolio to see how they answer questions the Board might routinely have.

Anna Binder questioned the timeline and wondered if it would be pushed back further. She said she finds it odd that Ms. Miller was not present at this meeting.

No action was taken on this item.

Anti-Racism Community Input Meetings

Presentation, discussion, and possible action on community input received during April 2021 public forums on the development of the Anti-Racism Policy. The presentation includes information on the process followed for the development of the Clark County School District's Policy 5138.

In-person public comment:

Jenna Robertson asked the Board to write the anti-racist policy without unnecessary delay. She shared her experience during the process of creating the gender diverse policy and said she was surprised to hear that the Board thought that policy should be the model for creating the anti-racist policy.

Laura Hernandez spoke in support of implementing an anti-racist policy in CCSD. She spoke about how she was involved in the process for developing the gender diverse policy for CCSD and what that process was. She asked the Board to not let this process be slowed and muddied by those who oppose a policy.

Sylvia Lazos, representing the Nevada Immigrant Coalition (NIC), said to model the process for developing the anti-racist policy after the process for the gender diverse policy, where many people felt insulted and traumatized, is absurd. She disagreed with the proposed timeline and expressed concern that there is no leadership in CCSD to do this work.

David Gomez said the creation of this policy is going to take some time, and he said there are many people who are willing to help but sitting here talking about is not going to get anything done. He said Black people have seen a large gap in equal opportunities in the District.

Anti-Racism Community Input Meetings (continued)

Jshauntae Marshall stated that the proposed timeline is unacceptable and said they, as a community, demanded that the anti-racism policy be implemented by the beginning of the upcoming school year. She said no one has contacted consultants that were part of the CCSD Equity and Diversity Education Department to assist and the Board has been provided with several tools, resources, and contacts to help them. She said #1865 No Racism in Schools will be hosting a community working session on May 21, 2021, at 5:00 p.m. at an open venue and on Zoom, and the Trustees, with the exception of Trustee Williams, will receive an invitation to observe.

Anna Binder said the Board could have presented a draft policy for the public to see as part of the presentation. She disagreed with the proposed timeline to create and implement this policy. She said she cannot believe there needs to be a policy in place to ensure people do what is right.

Voice-recorded public comment:

Kamilah Bywaters, Las Vegas Alliance of Black School Educators, said there are apparent disparities and educational equity issues within the District, so they are hoping all Trustees and the Superintendent support this policy and that the community is involved.

Jon Archibald said he thinks it is commendable that the District is creating this policy but asked that no curriculum be purchased and no class time be devoted to this policy. He said 90 percent of class time should be spent on core subjects and the remaining 10 percent should be spent on the arts and physical education.

Mrs. Krohn provided a summary of the written comments submitted, as follows:

A writer asked if the CCSD or Board invited any organizations or speakers to present race and education program alternatives to what was proposed by the Nevada Immigration Coalition. They feel the proposal is divisive, that people will self-segregate for self-preservation and said the proposal promotes racism, specifically, anti-white. They said this is indoctrination over education and parents will withdraw students creating a negative impact on CCSD funding.

The Las Vegas Alliance of Black School Educators is in support of agenda item 3.03. They support the work of No Racism in Schools #1865. They wrote that a simple dictionary.com definition of antiracism is "a belief or doctrine that rejects the supremacy of one racial group over another and promotes racial equity in society." They said students, parents, and staff would love to see themselves represented in positive, decision-making opportunities within CCSD and want conducive classrooms which will foster safety and excellence. In addition, they said policies and practices in hiring and funding allocation that promote the supremacy of one group need to be evaluated.

A writer said dividing our children by race is racist and teaching victimhood suppresses potential.

Anti-Racism Community Input Meetings (continued)

The Ministers Alliance Association of Southern Nevada said the anti-racist policy for CCSD must include the history of the school district and communities the District serves, stating that if you do not know your history, you are doomed to repeat it. They recommend that the Board deal first with past legal filings by injured African American groups who had to seek legal intervention to rectify past day jury (de jure) discriminatory actions by the District. In addition, they provided historic information within their written comments.

The NIC said that the CCSD Board needs to bring together District's past work and set deadlines for completion of the policy that shows and demonstrates urgency and they feel that the presentation today does not. They ask that the Board consider the following: dealing first with its past day jury (de jure) discriminatory actions; Prime 6 Plan and SEOAC as a source of antiracist polices; Relational Formations of Race: understanding interactions of Black-White racism paradigm with immigrant Latinx and AAPI communities; and the timeline and communication with communities of color. Details for each of these categories were provided within their written comments.

A writer expressed concern with concepts like critical race theory and gender identity being taught to kids. They said it feels like those teachings are having the opposite effect in places where it has been taught where hate crimes have increased recently.

A teacher wrote about racism and disregard for student success they have experienced in and out of the classroom in Region 2.

A writer empathizes with groups of individuals who feel this is a necessary step within CCSD but has concern after hearing from other districts, teachers, states, and communities where critical race theory has been implement. They feel a policy or curriculum that targets one group as oppressor over another is not going to bring anything positive to the District. They said teaching children good moral characteristics, respecting others, having common curtesy, and things that everyone, no matter their skin color, can choose to do is what should be taught and what a policy should focus on.

A writer wrote about an incident that occurred at Las Vegas Academy where the name of a Black student was submitted for an award and the award went to a white student. In addition, the writer said that students of color feel discriminated against with casting policies and material selection. They asked that during discussion on anti-racism policies, the Board consider policies that apply to administrators in how they treat students and teachers who advocate for equity and equality within a school.

A teacher is happy to see this item; however, they feel that the next steps shown in the presentation is more difficult and longer than it needs to be. They have concerns with the formation of the taskforce and would like to see people apply for these positions rather than be appointed. They ask that a timeline be developed that will make this happen as soon as possible.

Anti-Racism Community Input Meetings (continued)

Dr. Barton, Dr. Marinich, and Mr. Moeller presented an overview of information and input gathered from the public input meetings thus far, review of the process used in developing the gender diverse policy, and staff recommendations regarding next steps, as shown in Reference 3.03.

The Board had discussion and asked questions related to lessons learned during the process in the development of the gender diverse policy, including community groups and organizations in the process for creating the anti-racism policy, possibly modifying or shortening the timeline, including past pertinent lawsuits and historical knowledge in the taskforce meeting discussions, including a crosswalk of other policies for efficiency, the role of the CCSD internal team and the community team once the policy is in place, creating a safe space for staff and community members in the community input meetings, how the taskforce would be established, how the facilitator would be selected, and what the Board wants this policy to address.

Trustee Cepeda requested that the Board be provided with the names of the individuals selected for the taskforce.

Trustee Brooks suggested involving the facilitator at the beginning of this process. She suggested that the community input meetings not be structured like the public comment period during Board meetings, but instead be structured to have a two-way dialogue in working groups.

Trustee Ford suggested that a staff member attend the #1865 No Racism in Schools' community working session on May 21, 2021. She talked about rearranging the next steps and placing them in two categories with two separate goals in mind, one to create the policy, and one to oversee implement the policy.

Trustee Garcia Morales suggested identifying affinity groups that will allow for safe, honest conversations around the policy. She suggested that the Trustees ground themselves in values as they proceed through this process, and that they identify what they hope to accomplish through this policy.

Trustee Cavazos said she is interested in knowing who will be part of the CCSD internal group and their role after the policy is in place. She expressed concern with ensuring accountability once the policy is implemented.

Superintendent Jara suggested having a recurring item on the Board's agenda to provide updates to the Board and community regularly.

Dr. Barton confirmed that the next step would be that staff would identify the third-party facilitator.

Anti-Racism Community Input Meetings (continued)

In-person public comment:

Jshauntae Marshall stated that the Equity and Diversity Education Department, if properly staffed, would serve as the internal CCSD Anti-racism, Equity, and Inclusion Leadership Team. She said with regard to the third-party facilitator, no one has reached out to Dr. Greta Peay, who has an understanding of the framework of the District and the community. She addressed the need for accountability at all levels throughout the District.

Upcoming Meeting of the Board of Trustees – Thursday, May 13, 2021, 5:00 p.m.

Trustee Cavazos announced that the May 13, 2021, Board meeting would be held in the Board room.

Public Comment on Non-Agenda Items

In-person public comment:

John Carlo said with regard to hiring a Board attorney, he would suggest that the Trustees start learning educational law and said he liked Trustee Ford's plan of action. He agreed with Trustee Brooks' suggestion regarding the public input meetings for the anti-racism policy.

David Gomez said racism is a topic everyone should be concerned with and said he witnesses racism taught to children every day in the schools. He shared incidents in which his children were physically attacked.

Adjourn: 8:44 p.m.

Motion: Ford Second: Garcia Morales Vote: Unanimous