

Minutes
Clark County School District
Special Meeting of the Board of School Trustees
Clark County Government Center, Commission Chambers
500 South Grand Central Parkway, Las Vegas, Nevada 89155

Thursday, September 1, 2021

5:13 p.m.

Roll Call: Members Present
Linda P. Cavazos, 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: Mary-Anne Miller, Board Counsel, District Attorney's Office; Luke Puschnig, General Counsel, Office of the General Counsel; Brenda Larsen-Mitchell, Deputy Superintendent, Office of the Deputy Superintendent; Fikisha Miller, Assistant General Counsel, Office of the General Counsel; Monica Cortez, Assistant Superintendent, Student Services Division; Cedric Cole, Executive Manager/Director II, Diversity and Affirmative Action Programs/ADA and Title IX Coordinator; Elizabeth Carrero, Executive Manager/Director II, Office of the Superintendent; Cindy Krohn, Director, Office of the Board of Trustees; Lisa Chrapcynski, Administrative Secretary II, Office of the Board of Trustees; Dr. Courtland Lohff, MD, Chief Medical Officer, Southern Nevada Health District; and Dr. Cassius Lockett, Director of Disease Surveillance and Control, Southern Nevada Health District

Flag Salute

Trustee Cavazos led the Pledge of Allegiance.

Adoption of the Agenda

Adopt agenda.

Motion: Brooks Second: Ford Vote: Unanimous

Dr. Jara read a statement in regards to keeping schools open and how the District and community are working together. He explained the Resolution that is on the agenda for this meeting.

Trustee Williams joined the meeting at 5:21 p.m.

Public Comment Period on Agendized Action Items

Marie Neisess, Clark County Education Association (CCEA), asked that the District meet with CCEA in regards to the vaccine mandate. She said educators are asking for a plan for the possible negative impact due to the amount of educators and staff who stated they will quit if the vaccine is mandated.

Public Comment Period on Agendized Action Items (continued)

Natalie Larson said she had signatures from numerous individuals stating they do not consent to a vaccine. She asked that the Board vote no.

Stacy Fink said the vaccine the District is mandating is experimental.

Autumn Medina said the vaccine is about personal medical beliefs. She asked that the Board not approve the mandate.

Patrick Dimasin said item 3.01 is a step in the right direction and urged the Board to pass the item.

Autumn Tampa feels mandating vaccines is the best way to keep children safe. She asked for an easy way for employees who have been exposed or having symptoms of Covid-19 to get tested. In addition, asked that the Board do what is right for the greater good.

Leslie Calianno does not agree with the vaccine.

Jennifer Terrano feels the vaccine does not prevent transmission or infection. She asked if the District is prepared if many teachers and staff walk off their job to protect themselves.

Michael English said many schools do not have enough special education staff to give the support and resources that are required in an Individual Education Plan (IEP). He expressed concern that many staff members will be fired over a vaccine and services will not be provided.

Anne Kendo said there is no evidence or long term studies for the vaccine and that it is an infringement on rights for people to have to take the vaccine.

David Hughes expressed his opposition to the vaccine.

Donnell Sablan said that mandating vaccines for anybody is tyranny and bullying. She said the Board is voting to set a precedence that will fundamentally impact teacher's personal decisions about their own health.

Jennifer Harris talked about her daughter who received the H1N1 shot at school and developed childhood rheumatoid arthritis. She also said she was removed from her school due to another staff member testing positive for Covid.

Sam Peters asked that the Board deny Dr. Jara the right and call for his resignation.

Tara Wolfley spoke about Covid issues in Israel. She said she has not been able to upload her antibody test to show she is part of the herd immunity. She feels her rights to make an informed decision is being taken away from her.

Amy Keller said she supports those who are vaccinated and those who are not. She said all have a right to choose and said many will leave the District.

Public Comment Period on Agendized Action Items (continued)

Laura Marquardt provided various web and media sites in regards to information about vaccines.

Jamie Sullard said she will remove her daughter from the Clark County School District (CCSD) if the Board continues with medical discrimination and will campaign against the Board until they are replaced.

Brandon Burns said he wants to live free of persecution and make his own choices. He said the media divides but feels everyone is more united than ever before. He asked for freedom choice.

Maddilyn Sullard said she had Covid but would still have to take a Covid test each week if she wants to play in sports or participate in a school activity.

Rochelle Rankin spoke about her daughter who has Long Covid. She asked that policies be implement to protect students.

Michael Moreo said if the vaccine does not prevent transmitting Covid to others what is the point of a vaccine mandate. He asked that the Board vote no.

Carole Moreo said she will not take the vaccine. She said it is egregious that CCSD would bully and coerced anyone in taking an experimental vaccine.

Randy Jones asked the Board to take their time in making a decision.

Jim Frazee said while CCEA wants to have safe classrooms they are concerned with the plan and unintended consequences of having no staff in the classroom. He said CCEA will be at the table to negotiate with the District and will protect people with medical conditions and religious obligations.

Renee Chaffe expressed concern with the vaccine mandate.

Nicolas Fedei feels the mandate only satisfies a political agenda. He asked if the Board mandates the vaccine, what is next.

Lucia Sloan feels the Board will act on the mandate as it align their personal feelings, opinions, and politics. She said she will stand with teachers and others who do not want the vaccine.

Dana English is against a vaccine mandate. She feels mandating the vaccine is taking away her freedoms.

Jasmin Maria said she has numerous concerns and that all have a right to choose and refuse something without penalty and personal injury.

Karl Byrd said his organization represents thousands and he cannot look at this mandate in black and white as there are gray areas. He asked that Dr. Jara sit at the table to look at the issue and not rush to judgment.

Vanessa Fullman said she will work until she is fired.

Public Comment Period on Agendized Action Items (continued)

Roger Bakke said he is grateful for the vaccine but wants a choice.

Meja Hammons would like the Board to wait and learn more prior to making a decision.

Morgan Brown feels it is personal choice for those who want to be vaccinated or not and prefers the Board wait to make a decision.

Julie Lee feels the Board is taking away employees' freedoms and choice.

Robin Maglicco read a letter from her doctor in regards to vaccine and her health issues.

Roxanne Szpyrika asked the Board to vote no on the mandate.

Tommy Henderson expressed his concerns with the vaccine mandate.

Sarah Comroe said she is pro-choice and would like to know the plan for the mandate. She would like to see everyone get tested weekly and not just those who have not had the vaccination.

Natalie Vargas read current vacancies at her school. She added that she will not get the vaccine.

Kenny Belknap is concerned about a plan if the vaccine is mandated and teachers leave the District.

Erin Leavitt asked for medical freedom of choice.

Emily Palmer is concerned there will not be enough teachers if they have to take the vaccine.

Ivy Brooks asked the Board to remember their vision and promise and said forcing injections would be an unforgivable mistake.

Jeff Horn, Clark County Association of School Administrators and Professional-technical Employees (CCASPE), understands the District must require a safe working and learning environment. He said passing this resolution without first preparing for unintentional outcomes could create an unsafe learning environment, including the possible loss of staff.

Mack Miller said voting yes on the mandate will violate several federal regulations including Title VII. He said people come to this country for freedom of choice.

Michelle Robinson read Covid statistics from the Southern Nevada Health District. She asked the Board to respect teacher's rights of my body my choice.

Mindy Robinson said the Board does not have the right to inject an experimental substance in someone's body against their will or have them lose their livelihood.

Brittany Sheehan asked that CCEA come to the table and represent their workers and their jobs.

Public Comment Period on Agendized Action Items (continued)

Bonnie Taylor said the Emergency Use Authorization (EUA) is not an approval. She said the mandate could mean the loss of 100s of employees. She mentioned a statewide walk out for the freedom to choose.

Donald Baum feels that giving one person the ability to make a decision is closer to a dictatorship of policy. He asked that the Board vote no.

Kristen Krusyna said teachers have given so much to teach children that they should not have to put their bodies at risk. She asked the Board not to mandate the vaccine.

Brieanna Tefft said the District is currently facing a teacher shortage. She asked what will happen when the mandate goes into effect and there are no teachers for the deaf and hard of hearing children.

Kathy Stephens said the Board is making personal medical decisions that are overtly public and political. She demands the Board respect individual freedoms and privacy and said this is an issue of medical choice.

Danny Price does not feel the District has the ability to roll out a vaccine plan. In addition, spoke about the recent opening of school and the shortage of staff.

Sharon Abile read the Trustees' Oath of Office and asked that they honor it.

Traci Drake asked that the Board not give Dr. Jara the authority to mandate the vaccine.

Michael Plemons urged the Board to vote no on the Resolution. He is concerned that the Resolution will give the Superintendent the ability to require students age 12 and above to get the vaccine.

Kristen Arsenault spoke about a discussion in her classroom when an administrator came in to tell the students they would need to be tested to participate in student council.

Kim Van Velkinburgh said she has the freedom to choose what medical procedure, product, and medicine are right for her body.

Stephanie Kingsley said the Board does not care about the health and well-being of others.

Angela Tortora said not to get the shot. In addition, said masks are harming children physically and mentally. She wants the freedom to choose.

Recess: 7:40 p.m.

Reconvened: 7:57 p.m.

Donna Samatulski spoke about an article in the Las Vegas Review Journal. She said she was in favor of a yes vote.

Public Comment Period on Agendized Action Items (continued)

Tareena Zake said being forced to inject something into her body as a condition of her employment is more than she is willing to sacrifice. She urged the Board to consider her rights to have control over her own body while still educating students.

Genia Wolfe supports those who choose to get the vaccine and those who do not, however, does not support having the vaccine mandated.

Kenneth Paul feels the mandate will have an impact on his community, school, staff, and students.

Anna Binder said the District needs to keep schools open in the safest way. She agrees that unions need to be met with to find out what more can be done before a mandate.

Mike O'Rourke stands firmly against a mandate.

Angela Salazar feels if the mandate is passed the District will lose staff and students. She asked if there is any money connected with the mandate.

Danielle Sarters-Webb asked to Board to say no to the mandatory vaccines for teachers.

J.C. thanked the Board for listening to the public. He asked the Board to follow the code of conduct and cited Board Policy.

Abby McCoy feels the mandate is an overreach for power and is political.

Porshaun Walker said the vaccine will not get rid of Covid. She said it is wrong to mandate a vaccine.

Brianna Martinsen feels the mandate will spread a false sense of security as vaccinated employees can still pass the virus on to students. She asked the Board vote no.

Analisa Kimball said she was at the meeting to advocate for her students.

Jean Lin stands with the CCSD teachers who do not want to get the vaccine.

Rafael Arroyo said that mandating a vaccine before consulting with a physician is wrong. He feels that no one should be forced to take the vaccine.

Donna Raagas spoke about the Covid data tracker.

Nate Boyack voiced his opposition of mandated vaccines. He asked why only unvaccinated employees have to take a weekly test. He also asked that the person make their own choice.

Rut Laureano urged the Board to vote no. She is concerned that children have to wear dirty masks all day.

Daphne Lee talked about other places where the vaccine and masks are not mandated.

Public Comment Period on Agendized Action Items (continued)

Jeffery Lightell spoke about a friend who had a stroke from the vaccine. He does not agree with the vaccine mandate.

Brian Davis said students are struggling both socially and mentally and need a connection with their teacher. He said if the District mandates the vaccine many teachers will not remain at the Clark County School District.

Melanie Danzeisen does not feel support from the Board. She asked if the Board is willing to have the experimental vaccine on their backs.

Ryan Carey urged the Board to vote no on the vaccine. He will not force the vaccine on his kids until they are ready to make the decision on their own.

Suzette Petillo does not feel Covid is dangerous. She cited the Nuremberg and asked the Board to vote no.

Vannessa Bonilla spoke about her health issues and the vaccine. She is fighting for herself and her students.

Christine Barrello feels the mandate is discriminatory. She asked the Board to vote no.

Julie Brandstetler spoke about her daughter. She said everyone should have the choice to take the medicine or not take it.

Chris Stone is against the mandated vaccinations. He also spoke about his wife who will need to make the choice of taking the vaccine or resign.

David Gomez opposes the vaccine mandate. He said he was here to support what is right.

Brittany Haynes said she does not agree with what is being mandated. She said she spoke with colleagues and they said they will leave if the vaccine is mandated.

Francisco Flores expressed concern there were no students speaking about this. He is willing to wear a mask all year and get vaccinated to have normal school year. He urged the Board to vote yes on the mandate.

Tiecha Ashcroft said a mandate does not provide a freedom of choice. She asked what the Board will do when 40% of the teachers have left the District. If the plan is approved, she asked if it would be brought back to the Board for approval.

Cyrus Hojjaty said the District needs to be broken up so there is choice.

Dawn Waid spoke about her son who attends a charter school. She asked that CCSD employee's be given the choice to choose. She added that children should not have to take the vaccine.

Public Comment Period on Agendized Action Items (continued)

Judi Lynn is pro-choice and does not like that people need to take the vaccine to keep their jobs. She said the Board is trying to supersede doctor's orders if the person is unable to or does not want the vaccine.

Tiffany Stapleton said the Resolution will allow the Superintendent to mandate whatever he feels fit. By mandating the vaccine many staff will move to a different system that values them and their freedom of choice.

Chris Foresta said the Center for Disease Control (CDC) is a corrupt organization. She said the freedom her veteran father defended is not the Board's to destroy. She asked that the Board vote no.

Kaiden Berchin said that item 3.01 must be enacted for the common good. He asked how much of a patriot are we if people reject masks and vaccines that save the lives of American people.

Chelsy Fischer said she and her children were vaccine injured. She said that masks do not work. She also feels it is unacceptable to force people to take the vaccine.

Julie Pang-Kee said mandating the masks and vaccine is medical fascism.

Jody Ludvigson spoke about a school district who mandated the vaccine and several employees left. She feels that mandates will effect rural schools.

Angela Crouch said if people want to get a vaccine that is their choice. She said the Board is making her chose her career and being able to support her family.

Janie Ortiz Lopez said CCSD does not have the right to strip employees of their right to make their own medical decisions.

Diana Drake cited a working list of adverse effects outcomes on the Food and Drug Administration (FDA).

Christina Dowler is in support of freedom of choice. She is concerned there will be a large shortage of staff and parents will pull their children of out CCSD.

Lyndsay Piazza does not want her freedom of choice removed.

Nadalie Reda feels that students are in the middle. She supports those who want to take the vaccine.

Ericka Fratianni is concerned she will lose her livelihood and benefits. She is concerned for the amount of staff who could leave the District. In addition, asked if the District is going to assume liability if someone gets ill from the vaccine.

Katherine Trask expressed her concerns with the vaccine. She asked that teachers and others be able to make up their own mind to take the vaccine or not.

Gabriela Muller spoke about vaccine injuries. She is concerned that the District is mandating vaccines and said all should be free to choose.

Public Comment Period on Agendized Action Items (continued)

Mike Mitchell understands that vaccines will be mandated for staff but not elected officials. He said the majority is not the authority.

Dyer Lawrence expressed concern that pharmaceutical companies do not have any liability but the District does. He said to do what is best for the kids.

Philip Osborn read the names of military personnel who recently lost their lives in Afghanistan.

Brian Davis told the Board he was fired from his job for not taking the vaccine.

Norma Skerlot spoke about potential side effects with the new Messenger Ribonucleic Acid (mRNA).

Daniel Mitchell regrets getting the vaccine. He asked the Board not to mandate the vaccine.

Approval of Resolution to Authorize Superintendent to Establish a Policy for Mandatory Vaccination of Employees for COVID-19

Approval of the Authorization of COVID-19 Vaccine Mandate for School District Employees, as recommended in Reference 3.01.

Dr. Courtland Lohff, MD, Chief Medical Officer, Southern Nevada Health District and Dr. Cassius Lockett, Director of Disease Surveillance and Control, Southern Nevada Health District were available to answer questions that Trustees had. Items discussed included effectiveness of vaccines, trials performed on the vaccine, breakthrough cases, booster vaccines, transmittal rates, antibodies and how the vaccine was evaluated.

Dr. Jara introduced Fikisha Miller, Assistant General Counsel, who spoke about potential labor implications.

Ms. Miller said what is being proposed would not be a mandate that would start immediately stating this does not stop the need to negotiate with the bargaining units. She said people will be protected by contract and federal law.

Trustee Cavazos asked what happens when an employee submits an exemption and how long would it take for the employee to be notified if it was approved or not approved.

Cedric Cole explained that a person would request the accommodation and his staff, along with the employee's supervisor, would try to facilitate their needs. He said that notification of approval or non-approval would depend on the individual's request.

Discussion took place in regards to the timeline of the Resolution.

Luke Puschnig, General Counsel, said the Resolution grants the Superintendent the authority to draft and implement a plan, however, in order to get to the plan, the Board will need to approve Memorandum of Agreements (MOAs) with the union partners.

Ms. Miller reviewed the process of negotiating.

Approval of Resolution to Authorize Superintendent to Establish a Policy for Mandatory Vaccination of Employees for COVID-19 (continued)

Trustee Ford asked if the District could move forward with the Resolution since it is a public health concern.

Ms. Miller said theoretically it could but said it is better to work with the union partners.

Trustee Garcia Morales asked Ms. Miller about legal obligations the District would have to provide the employees and students.

Ms. Miller explained that the responsibility of the District is to keep employees and students safe and added that the District is working with the bargaining units.

Trustee Garcia Morales expressed concern that public speakers felt they are being coerced into taking the vaccine or lose their job.

Ms. Miller said there will be no coercion and that the District and bargaining units are working together. She added that employees are working under contracts and have a representative agent.

Trustee Garcia Morales asked about the percentage of staff who have been tested.

Dr. Monica Cortez, Assistant Superintendent, Student Services Division, said based on Emocha, 67.14% of employee completed the workflow but not all have been verified, leaving 32.85% who have not completed the workflow or have decline to answer.

Trustee Guzmán asked why the plan would not be brought back to the Board as they have a fiduciary duty of care and oversight.

Mr. Puschnig said they were trying to make it where the Superintendent could implement the plan in a relatively quick manner and also to provide flexibility to the Trustees and Superintendent to address the public safety concern.

Trustee Guzmán asked, in regards to changing the focus from testing to vaccination, if there a plan to have pop up stations or if the District will work with the Southern Nevada Health District.

Dr. Cortez said they have been working with partners including the Southern Nevada Health District and the University of Nevada, Las Vegas on the vaccinations.

Trustee Cavazos said she would have liked more information for the Board and community prior to the Board meeting. She asked why the Board needs to approve the Resolution if it is operational and asked what would happen if the Resolution was not approved.

Dr. Jara said it was brought to a special board meeting to begin discussion so the Board and community is aware.

Approval of Resolution to Authorize Superintendent to Establish a Policy for Mandatory Vaccination of Employees for COVID-19 (continued)

Trustee Cavazos said the goal is public safety. She asked Mary Anne Miller, Board Counsel, if the Resolution could be amended.

Ms. Miller affirmed it could be amended.

Trustee Cavazos asked what would happen if it changed or didn't passed.

Dr. Jara said if it doesn't pass the schools will continue to remain open without any vaccine plan implementation.

Trustee Cavazos reiterated, that without the approval, the Board would only see the MOAs when they come to the Board.

Dr. Jara agreed, however, he would need direction from a majority of the board if that is were we are going.

Trustee Brooks said that the Superintendent is looking for the Board to take a stance on staff mandates for the vaccine so he knows the Board supports him. She trusts the scientific community and medical experts. She understands the anxiety people are feeling about the vaccine and said it is their responsibility to keep students and families safe and said vaccines are the best way to do that. She suggested that the Board rise to the moment; this requirement and keep the community safe and that it is the responsible decision.

Trustee Garcia Morales spoke about different perspectives she received from people to the meeting as well as public speakers at the meeting. She said this is a public safety concern and there is a need to protect students and the most vulnerable in our community.

Motion to adopt the Resolution to authorize the superintendent to develop and implement a Covid vaccine process for the school district employees.

Motion: Garcia Morales Second: Brooks

Trustee Brooks offered an amendment to ensure that staff and the Superintendent work with the legally recognized bargaining units to draft MOAs and bring them back to the Board.

Trustee Ford said teachers and administrative unions thought they should have had a seat at the table before the Resolution was brought to the Board. She is concerned that this decision is only with the Board and that it should be a county or state leadership decision. She said she would support this if there wasn't severe staff shortage stating if we hadn't paid the most experienced principals and department leaders to leave, if we had a way to rehire staff later, if we had incentivized, if we had communicated better, if we knew a mandate would make all the difference, if there was a clear contingency plan in case that plan failed, if previous badly COVID operations hadn't been badly implemented.

Trustee Cavazos asked Mary Anne Miller if this item can come back if you are on the prevailing majority that you can bring it back.

Ms. Miller said that it could come back under the Board's rules for reconsideration.

Approval of Resolution to Authorize Superintendent to Establish a Policy for Mandatory Vaccination of Employees for COVID-19 (continued)

Trustee Cavazos spoke about her concerns with transparency and employee shortage, however, she will put her faith into the experts and staff. She spoke about Covid numbers and dashboards that are not being updated. She said it would have been helpful if some of the questions that were brought up could have been answered before the meeting we could have done a better job at communicating

Trustee Guzman is concerned that the plan does not come back to the Board and asked President Cavazos that it does.

Trustee Cavazos agreed.

Trustee Cepeda said she would also like to see the plan come back and that the Board receive updates.

Dr. Jara said the plan will need to be negotiated with the bargaining units and he will continue to update the Board.

Trustee Garcia Morales accepted Trustee Brooks' amendment to the motion.

Vote on Trustee Garcia Morales' motion: Yesses – 5 (Brooks, Cavazos, Cepeda, Garcia Morales, Guzmán); No – 1 (Ford)

Trustee Williams was not present for the vote.

Upcoming Meeting of the Board of Trustees – Thursday, September 9, 2021, 5:00 p.m.

Trustee Cavazos announced the upcoming Board meeting.

Public Comment Period on Non-Agenda Items

Patrick Dimasin spoke about the anti-racism policy and how it is taking a long time to be implemented. He feels the Board doesn't care and pushed this off of their priority list. He also expressed concerned that Critical Race Theory is being left out.

Teicha Ashcroft was concerned there was no reference material for the Public Comment item during the work session earlier in the day. She also said it is the Board's job to provide a good education for the children and that safety falls under law enforcement and health falls under their doctors and not the Board.

Lydia R expressed concern with domestic violence and how masks could be covering up possible injuries. She is concerned that due to masks, teachers are unable to connect or read body language with the children.

Judy Lynn spoke about masks and how it could be harmful and dangerous for certain people.

Sarah Comroe said she is frustrated for the lack of information on the COVID dashboard. She asked for a different way to report vaccine status. In addition, said she is hopeful for the allocated funding that has become available.

Public Comment Period on Non-Agenda Items (continued)

David Gomez spoke about his faith. He said he helps many people who reach out to him.

Adjourn: 12:46 a.m., September 2, 2021