

Minutes
Clark County School District
Meeting of the Board of School Trustees

Work Session

TELECONFERENCE ONLY

Wednesday, February 3, 2021

4:01 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: Mary-Anne Miller, Board Counsel, District Attorney's Office; Joe Caruso, Special Assistant to the Superintendent/Liaison to the Board of Trustees, Community Services Department, Office of the Superintendent; Cindy Krohn, Director, Board Office; and Dr. Thomas Alsbury, Balanced Governance Solutions™.

Adoption of the Agenda

Adopt agenda, except note reference material provided for Item 3.01.

Motion: Cepeda Second: Guzmán Vote: Unanimous

Trustee Ford was not present for the vote.

Board Member Arrives

Trustee Ford arrived at the Board meeting at 4:02 p.m.

Public Comment on Agenda Items

Voice-recorded public comments:

Sarah Comroe spoke on Item 3.01 and said Superintendent Jara's contract should not be renewed. She cited reasons including strained relationships he has created in the legislature; his reactive, rather than proactive, response to the pandemic; and his lack of communication to District employees and to the community.

Public Comment on Agenda Items (continued)

Hugh Anderson spoke on Item 3.06. He expressed concerns around the timing and the ramifications of this item, stating if this item passed, it would have a negative impact on the role of superintendent at a time when strong and steady leadership is needed. He spoke about the positive work and efforts of the Superintendent since being at CCSD and during this challenging time and said now is not the time to make changes.

Autumn Tampa spoke on Item 3.02, stating Superintendent Jara has not fulfilled promises made to the community or to the Board. She said there is mistrust among employees and parents, which makes it difficult to move forward in a positive and productive way. She expressed concern with contradictory information being shared in the media concerning reopening schools. She named areas in the Superintendent's employment agreement that she said were not followed.

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

Item 3.01

The Ministers Alliance Association of Southern Nevada said they are committed to helping to make the education system harmonious for all students, especially African American students and all staff that work with in the CCSD. They said the leadership in the CCSD by Dr. Jara does not respect these issues of equity or them and asked that the Superintendent's contract not be renewed.

Item 3.02

The Ministers Alliance Association of Southern Nevada asked that the Trustees get their own Board counsel who respects and plays fair to what is just and equal for all cultures and communities.

Board Counsel

Discussion and possible action on solicitation of individual applications or proposals from law firms for the provision of general counsel services to the Board of School Trustees.

Ms. Miller explained that the District Attorney's Office would likely be reorganizing this summer, and the current model would no longer be in place to provide staffing to the CCSD Board of Trustees. She said she wanted to be of assistance with the transition to new Board counsel and wanted to bring this forward now so the Board would have time to make decisions.

The Board discussed preferred experience; the process for finding Board counsel; options to consider, including the option of having a CCSD staff member serve in the role of chief negotiator and Board counsel, as discussed in 2018, and retaining an outside law firm; and financial impact to the District.

Trustee Ford suggested utilizing the Council of School Attorneys (COSA) through the National School Boards Association (NSBA) for support for school boards and their attorneys.

Board Counsel (continued)

Trustee Brooks stated that she would like to have this brought back with the options more clearly mapped out.

Trustee Ford asked that cost estimates be brought back with this item.

Trustee Brooks said she would like this to come back to a Board work session.

Trustees agreed that this item would come back to a work session.

No action was taken on this item.

Approve Superintendent Employment Contract

Approval by the Board to give notice to the Superintendent that his employment contract will not be automatically renewed under Paragraph 2(a) "Term of Service" of his employment contract and direct the Board Counsel to give such notice pursuant to Paragraph 11 of that contract.

Ms. Miller explained that this is a procedural technicality and in no way affects the status of the Superintendent's contract. She said she placed this on the agenda so that if the Board wanted to add additional terms to the contract, it would be done by affirmative action of the Board at a duly noticed meeting, rather than a failure of action, as provided for in provision 2.a. of the Superintendent's contract.

Ms. Miller stated that this is a technical contract issue and not a performance issue. She said she is asking for direction from the Board for her to give formal notice to the Superintendent that the automatic renewal of his contract will not be activated this year.

Motion that the Board give notice to the Superintendent that his employment contract will not be automatically renewed under paragraph 2.a., Term of Service, of his employment contract and direct the Board counsel to give such notice pursuant to paragraph 11 of that contract for this term.

Motion: Ford Second: Cepeda Vote: Unanimous

Board Review of the Clark County School District Board of Trustees' Governance Policy GP-9: Meeting Planning

Discussion and possible action regarding suggestions for future modifications, additions, language changes, and deletions to, GP-9: Meeting Planning, is requested. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Dr. Alsbury gave an overview of the format and process of today's policy review.

Mr. Caruso provided a background of the timeline and progress in the development of the policy drafts before the Board.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
GP-9: Meeting Planning (continued)**

Trustee Cepeda asked if Number 2, Reference 3.03, allows for review of the District Mission, Vision, and Strategic Goals, and Annual Plan goals.

Dr. Alsbury said he believes a district should come to the board of trustees to ask for their input proactively in developing any strategic plans, visions, or goals, and he said in the process, those plans would come back to the Board for review and then eventually to be finalized. He said the language in the policy could be adjusted to reflect that process.

Trustee Cepeda said she would support modifying the language in Number 2 of the policy.

Trustee Ford said she was confused about where they are in this process and unsure about some for the language in these draft policies. She asked to present a slideshow she made of the process of the development of these draft policies and some questions she had.

Ms. Miller said she did not have any legal concerns about the information in the slideshow as described by Trustee Ford.

Dr. Alsbury, Trustee Brooks, and Mr. Caruso gave input and information related to the process and timeline of the development of these draft policies.

Trustee Ford agreed to present her information after the policies have been reviewed.

Trustee Cavazos asked if the "Board and Superintendent Communication" item could be placed back on the agenda.

Dr. Alsbury said some efficient and effective boards do have a "Superintendent Report" item on their agenda, and it is effective when used in a very specific and structured way. He said the item is often removed because it becomes another recognition item. He said on the other hand, in the case of an emergency or tragic event, it could be helpful for the Superintendent to have some space on an agenda to be able to share that information with the Board. He recommended that if the Board chose to place a Superintendent Report item on the agenda, it be made clear that it is specifically for that type of information and that the language would include that the Superintendent would be fully involved in the decision to bring a report forward at a public meeting with the Board President and the Board Vice President.

Trustee Garcia Morales stated that she was not in favor of bringing forth material that was submitted late. She said as members of the Board, they are expected to come to the meetings prepared, so she has a concern about seeing any material that has not been presented beforehand.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
GP-9: Meeting Planning (continued)**

Trustee Brooks said she would not be in favor of adding a Superintendent Report item to the Board's agenda at this time. She said adding an open-ended item like Superintendent Report could be problematic. She said she does not feel the Board is in a functional place to have that in practice at this time.

Dr. Alsbury said that is why he would recommend that if the Board chose to utilize that item, it would not be a standing item but would be optional and only brought forward for a very specific reason and as determined by the Superintendent, Board President, and Board Vice President.

Trustee Brooks asked what the difference was between a business item for information and a superintendent report item.

Dr. Alsbury said a communication from the Superintendent that would come under the Superintendent Report item could easily be placed under the category of "Business Items" as shown in 3.B.v, Reference 3.03, and then not require the Board to have it listed as a "report."

Trustee Ford noted that during the earlier discussion on December 2, 2020, the items listed under 3.B.v and 3.B.vi were different than the ones presented here, and she expressed frustration that they had been changed and she did not know how that came about.

After some discussion regarding whether or not Trustee Ford should present her slideshow, Trustee Cavazos proposed that they schedule a meeting at a later time with herself, Trustee Ford, and Trustee Cepeda to go over Trustee Ford's information and questions.

Trustee Ford said she would be amenable to that but she would not be supportive of agreeing to the draft policy without having the full context of how the language was changed.

Trustee Williams suggested waiting until the very end of the meeting to go through Trustee Ford's slideshow or schedule another work session for Trustee Ford, Trustee Cavazos, Trustee Cepeda, and Dr. Alsbury to have a discussion.

Trustee Cavazos asked if there was any opposition to including a Superintendent Report item as described by Dr. Alsbury.

Trustee Ford opposed including the item, stating there is no procedure in place to determine the reports to ensure processes are being followed.

There was Board consensus to accept the Superintendent Report item as described by Dr. Alsbury.

No action was taken on this item.

Board Member Leaves

Trustee Ford left the Board meeting at 6:13 p.m.

Board Review of the Clark County School District Board of Trustees' Governance Policy GP-10: Construction of the Agenda

Discussion and possible action regarding suggestions for future modifications, additions, language changes, and deletions to, GP-10: Construction of the Agenda, is requested. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Trustee Brooks referred to page 4, under Creating and Posting an Agenda. She said she would like to see language that says the compiled draft of the agenda is sent to the full Board after the items are included. She suggested that the Superintendent should be added to Number 3 along with the Board Officers. She stated that part of the agenda review process should include that at the end of the agenda review, that agenda is a final agenda, and no one should be allowed to edit the agenda in a way that the group has not agreed upon.

Trustee Cavazos noted comments from Ms. Miller that an individual Trustee cannot take action outside of the meeting; under the Open Meeting Law (OML), a group of Trustees cannot act outside a posted agenda; and if the Board wants to put items on regarding the Superintendent's contract, for example, you do not want the Superintendent to have veto power on that.

Dr. Alsbury asked if there was consensus from the Board regarding Trustee Brooks' suggestions.

Trustee Cavazos noted comments from Ms. Miller regarding the requirement of 14 business days on page 3 of 5 and giving sufficient flexibility for time-sensitive items. She suggested 10 business days instead.

Dr. Alsbury explained the reason for the timeframe and said 10 business would be fine. He said giving as much time as possible would be better. He said there are some instances that an emergency item comes forward, and there should be language that allows for those time-sensitive items.

Superintendent Jara said the 14-day timeline is an internal timeline for staff processing.

Trustee Guzmán asked for clarification of item 1.e. on page 5 of 5.

Dr. Alsbury explained that the intent of this item is to say if no previous notice had been given and a Trustee pulls an item, the Board would vote on whether or not the item would be pulled without extensive discussion on that item. He said the language could be changed for clarity.

Ms. Miller expressed some concern regarding the constraints on pulling consent agenda items because of the general precepts of the Nevada OML as it relates to public comment.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
GP-10: Construction of the Agenda (continued)**

After further discussion, Superintendent Jara suggested that Board counsel review the policies with Mr. Caruso to make sure she is comfortable with the language.

Dr. Alsbury suggested that Superintendent Jara be included in that process as well.

Trustee Cavazos said she would like to be included in the process also.

No action was taken on this item.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
B/SL-2: Unity of Control**

Discussion and possible action regarding suggestions for future modifications, additions, language changes, and deletions to, B/SL-2: Unity of Control, is requested. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Trustee Cavazos referred to the Recommended Focus of Requests, page 1 of 4, and asked how a Trustee could request information that had already been shared and is available and would not pull staff away from their work.

Superintendent Jara recommended coordinating with the Board Liaison for such requests.

Dr. Alsbury asked if language could be added to this policy to reflect that and said that would allow a Trustee to submit a simple question to Mr. Caruso that could quickly be answered without having to fill out and submit the form.

Superintendent Jara said that is currently happening, that the critical piece here is that if the information is readily available, they get that information to the Trustees.

No action was taken on this item.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
B/SE-1: Board and Superintendent Evaluation Methodology**

Discussion and possible action regarding suggestions for future modifications, additions, language changes, and deletions to, B/SE-1: Board and Superintendent Evaluation Methodology, is requested. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
B/SE-1: Board and Superintendent Evaluation Methodology (continued)**

Trustee Brooks asked what next steps would be and what the timeline would be as they are transitioning to this new policy.

Dr. Alsbury recommended that the Board modify the timeline and adjust the dates for this year and then get back on track with the earlier dates in the evaluation cycle in the future. He suggested that the Superintendent and the Board President and Vice President discuss how they would modify the dates.

Dr. Alsbury pointed out that the fifth sentence on page 5 of 9, under Process of Evaluation, would have to be modified to remove “closed session” since having discussion regarding a superintendent’s evaluation in a closed session is not allowed under Nevada law.

Board Member Returns

Trustee Ford returned to the Board meeting at 8:07 p.m.

**Board Review of the Clark County School District Board of Trustees' Governance Policy
B/SE-1: Board and Superintendent Evaluation Methodology (continued)**

Trustee Ford presented her slideshow to discuss and ask questions regarding this process of how changes were made to the policies, as shown in Reference 3.04 (A). She said she believes this warrants a much deeper discussion and she would be happy to do that with the Board President and Dr. Alsbury or during a Board retreat.

Trustee Cavazos asked Dr. Alsbury if he would be amenable to meeting at a later time to go over the information presented and answer Trustee Ford’s questions.

Dr. Alsbury said he would be more than happy to do that and give this the time that it needs to be able to answer the various questions.

No action was taken on this item.

Upcoming Meeting of the Board of Trustees – Thursday, February 11, 2021, 5:00 p.m.

Public Comment on Non-Agenda Items

Voice-recorded public comments:

Dennis Goughnour (phonetic) expressed concern as a parent that the students are not allowed to participate in activities, which he said could be done in a hybrid model, distance learning, or face-to-face. He said there is data to show that it is being done safely.

Diana Walker (phonetic) expressed concern that the students are not involved in any type of sports or after-school activities. She suggested it could be done safely in small groups.

Public Comment on Non-Agenda Items (continued)

Laurie Douglas (phonetic) asked that the Board add an agenda item to the February 11, 2021, Board meeting to allow all CCSD students to participate in sports activities.

Rochelle Rankin called regarding getting students in grades 4 through 12 back in school, back in sports, and back in after-school activities. She said students and teachers are struggling.

Steve Staheli requested that the Board add an agenda item to the February 11, 2021, Board meeting to allow all CCSD students to participate in sports activities and to have students return to in-person learning.

Dr. Candice Tung (phonetic) expressed concerns that CCSD is not allowing even safe, non-contact sports to be played. She said she does not see any reason why the students cannot be permitted to play non-contact sports, such as tennis and golf. She said the Nevada Interscholastic Activities Association (NIAA) has protocols and has approved of non-contact sports.

Laura (inaudible) asked that the Board add an agenda item to the February 3 or February 11, 2021, Board meeting to allow all CCSD students to participate in all sports and activities.

Derek Sutherland (phonetic) asked that the Board add an agenda item to the February 11, 2021, Board meeting to address sports and activities for all CCSD students. He said if coaches and parents are willing to allow their students to participate in activities, it is an opportunity for those children to socialize and exercise.

Jason Douglas (phonetic) asked that the Board add an agenda item to the February 11, 2021, Board meeting to allow all CCSD students to participate in sports and activities. He expressed concern that his son, who plays basketball, will miss out on his senior season as he did his junior season.

Adam Schweitzer asked that the Board add an item to their agenda to allow sports and activities for all CCSD students to continue to include both in-person and remote learning students. He said there is too much at stake considering the mental health of students and their futures in terms of scholarships.

Katie Rose (phonetic) requested that the Board add an agenda item to the February 11, 2021, Board meeting to allow all CCSD students to participate in sports activities. She expressed concern that the lack of sports in school has impacted the mental health and motivation for those students who previously participated in sports.

Amy Rosinski spoke in support of an agenda item to resume sports activities for all CCSD students effective immediately. She said the mental health ramifications and lack of socialization is more detrimental to the students than any Covid-19 exposure risk. She said teachers need to be forced back to school.

Public Comment on Non-Agenda Items (continued)

Sarah Comroe expressed frustration with comments in the media that Superintendent Jara stated the hybrid model was approved at the January 14, 2021, Board meeting, which it was not. She said the majority of teachers will not have the opportunity to be fully vaccinated before the date set forth to return to school because the rollout of the vaccinations was not better organized.

Nikki Staheli asked that the Board add an agenda item to the February 11, 2021, Board meeting to allow all sports and activities for all CCSD students in school and in distance learning.

Danielle Strong asked that the Board add an agenda item to the February 11, 2021, Board meeting for all sports and activities for all CCSD students to resume. She said all students should be able to return to their sports and activities following the appropriate protocols in place by the NIAA and state legislature.

Bethany Hudson asked that the Board add an agenda item to the February 11, 2021, Board meeting regarding letting students play sports. She said she does not see why being in distance learning should prevent students from being allowed to participate in sports. She said allowing students to play also gives them the opportunity to be able to talk to their coaches.

Kyle (inaudible) requested that the Board add an agenda item to the February 11, 2021, Board meeting for discussion and vote regarding students returning to playing sports activities and all extra-curricular activities for all students, whether they are participating in in-person learning or distance learning.

Ryan Wheeler asked that the Board let the students play sports. He asked that the Board do what is right for future generations. He said he understands the Board wants to be cautious but said he is confident that their team could make this happen within a seven-day timeline.

Sylvia Mirza (phonetic) asked that the Board add an agenda item to the February 11, 2021, Board meeting for all sports and activities for all CCSD students.

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

Writers forwarded letters that were sent to Governor Sisolak, Superintendent Jara, and others in regards to suicides and the cancellation of 2020 fall sports.

A writer asked that students be able to participate in school sports. They went on to say that club sports are allowed in Nevada with health and social distancing guidelines being followed.

A person said students with good attendance while attending school, in person, and maintaining at least a 2.0 GPA, can play sports, and they asked if the same standards could be applied to online schooling.

Public Comment on Non-Agenda Items (continued)

Writers expressed their concerns with recent suicides.

A teacher said many of her students are doing phenomenal during this time and said she has built relationships with her students and families and feels it is best to continue online. She said there are a few students who are struggling online and provided recommendations on how to help them.

The Las Vegas Alliance of Black School Educators stated that as schools reopen, it is imperative that issues of inequality are addressed. They said the plan has to be well thought out and include input from teachers, staff, and students who will occupy the buildings.

Several comments were received asking that sports resume. Some provided suggestions that included following Governor Sisolak's directive 34, following Center for Disease Control and Prevention (CDC) safety guidelines, not allowing parents to watch unless they had been vaccinated, and have no indoor physical activities.

Comments were received asking that an item be placed on the February 11, 2021, agenda to allow all CCSD students who are currently participating in in-person, hybrid, and distancing learning be allowed to participate in sports and extracurricular activities.

Adjourn: 8:54 p.m.

Motion: Williams Second: Guzmán Vote: Unanimous