

**Rescue Union School District
2390 Bass Lake Road, Rescue, California 95672**

**BOARD OF TRUSTEES
SPECIAL MEETING MINUTES**

**Wednesday, January 20, 2021 – 4:00 P.M.
Rescue District Office Board Room**

In response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which temporarily suspends provisions of the Brown Act relating to public meetings.

The Public’s health and well-being are the top priority for the Board of Trustees of the Rescue Union School District and you are urged to take all appropriate health safety precautions. To facilitate this process, the meeting of the Board was held via Zoom.

DISTRICT MISSION

Rescue Union School District, in partnership with families and the community, is dedicated to the success of every student by providing a challenging, comprehensive, and quality education in a safe environment in which all individuals are respected, valued, connected, and supported.

| ITEM | ITEM DESCRIPTION |
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| CALL TO ORDER: | Board president called the meeting to order at 4:07 p.m. |
| ROLL CALL: | <ul style="list-style-type: none"> ✓ Nancy Brownell, President ✓ Michael Gordon, Vice President ✓ Suzanna George, Clerk ✓ Tagg Neal, Member ✓ Kim White, Member ✓ Cheryl Olson, Superintendent and Board Secretary ✓ Dave Scroggins, Assistant Superintendent of Curriculum and Instruction ✓ Sean Martin, Assistant Superintendent of Business Services |
| OPEN SESSION: | The meeting commenced in open session via Zoom. |
| Welcome | The Board president provided an introduction to Board meeting proceedings. |
| 1. Adoption of Agenda (Consideration for Action) | <p>Trustee George moved to re-order the agenda, Item 2 will be presented prior to taking public comments allowing the community to hear the information and then proceed with comments/questions. Trustee White seconded and the motion passed 5-0.</p> <p>Roll Call Vote: Ayes: Trustee Gordon, White, Neal, George and Brownell.</p> |
| GENERAL | |
| 2. California Department of Public Health School Reopening Directives (Supplement) (Consideration for Action) Superintendent | <p>The Board discussed and reviewed the updated California Department of Public Health School Reopening Guidance, and how it relates to the Phase 2 timeline for Rescue Union SD.</p> <p>Superintendent Olson shared how her heart aches for our families and our staff as we face challenge after challenge, having heard many, many stories of hardship, agony, frustration, and worries faced by our families and staff who are trying to juggle work, school, children, family, health, and life in general. Many of our staff and administration have children too, and are facing the same struggles. Our staff has worked very hard to provide in person learning opportunities as well as online learning opportunities, and</p> |

our Unions continue working alongside district administration and the Board to have as much, face-to-face interaction with our students as possible. We are all working together in this regard.

Superintendent Olson stated that it is also important for our families to understand that our Board has no recourse and no authority to ignore the directives put forth by California Department of Public Health (CDPH) on January 14th. It is entirely out of our Board's hands. CDPH has been given executive authority to make emergency orders to protect the health and safety of the people and that is what they have done. We must function within those parameters and operate in alignment with these mandates. Mrs. Olson stated we also know that the intention of the Safe Schools for All was to support districts and help districts reopen, but unfortunately, most districts are still closed in complete distance learning. While this document will actually help those districts open to a hybrid status, we, on the other hand, have had the incredible ability and opportunity to be open for in person learning since August. These directives unintentionally hurt our opportunity to open more fully for now. The main issue for us is the 4-foot mandate. It is impossible to maintain 4 feet distance between every chair with a full classroom of students. Mrs. Olson reported that we literally measured classrooms to see if we could. Could this document change? YES. Do we know a timeframe for a revision? NO. She stated that there are numerous advocacy groups, working hard with Governor Newsom, legislators, State Board of Education (SBE), and CDPH, including our own county leaders and public health officer to revise the document so that the directives support all districts instead of just some.

Superintendent Olson went to say that we all have the same end goal, we all want our students back full time. Our Board desperately desires that as well as our administrators and staff. We know beyond a shadow of a doubt our families do too. But, we have to go about this in the right way, reaching out to the Governor, SBE, CDPH to help these agencies understand what our needs are and why we should be able to return to a more full time model.

At this point Superintendent Olson shared a brief presentation. She began by providing an overview of the key points regarding the new COVID -19 guidance affecting the opening of our schools.

- All TK-12 students must wear a face covering at all times unless exempted, schools must exclude students from campus if they are not exempt from wearing a face covering under CDPH guidelines and refuse to wear one
- Physical distancing in classrooms – “Under no circumstances should distance between students chairs be less than 4 feet.”
- Band and choir may only be held outdoors

This new guidance affects ALL schools, public, and private. Schools are also required to post a compliant COVID-19 Safety Plan by February 1st. Fortunately, since we have been open for hybrid, we have already worked through that plan (with unions, parents, and staff). It will just require us to make updates with these latest mandates.

Superintendent Olson went on to report on our response and recourse. She indicated we had heard a new document was coming out and that it would be more restrictive, but we had no idea the implications would be so severe. Upon receipt of the latest directives, we immediately visited classrooms to measure to see if we could remove all extra furniture, bookcases, computer storage, shelves, loose cabinets, and the teacher desks, this only provided room for 17 students. We also considered trying to hire a large number of additional teachers so that we could split up the classes and house them in the gym and multipurpose rooms in quadrants. We decided that would not be a good plan as students would be removed from their current teachers. In addition, we would have to hire a great number of teachers to do this, and we cannot even find teachers to hire for intervention. No one seems to be

applying for jobs right now especially the number we would need for such an endeavor.

Many advocacy groups are reaching out to Governor Newsom, CDPH, and SBE in support of districts currently navigating in-person instruction successfully, and how these directives are actually inhibiting our return to full time in-person instruction. This document is helping those districts who are still completely in distance learning, but it is hindering the districts that are already in a hybrid model and desiring to move to full time in-person learning. This is completely unintentional. The Safe Schools for All document was intended to support the opening of schools. It may take time, but legislature groups are meeting this week and next to discuss this and hopefully begin revising the directives so that they help all districts not just some.

Mrs. Olson shared the diagrams of the classroom layouts, with approximately 25' by 20' of usable space, allowing for about 17 students. Superintendent Olson concluded by saying that at the regularly scheduled board meeting on January 26, 2021, the Board of Trustees will discuss and subsequently approve a district calendar that will be in place for the duration of this extended time in Phase 1, our Hybrid model.

At this point in the meeting, Trustee Brownell called for public comments. *(Responses from the community are listed under the next section, public comments, as well as administrations answers to questions)*

Trustee George shared that for the EDH area their Assemblyman is Kevin Kiley, but for families on the other end of the district there is also Assemblyman Frank Bigelow as well as Senator Brian Dahle. She stated that in addition, Kim White is on the education committee for Assemblyman Kiley and that she is part of the legislative committee for CSBA. The Board does do a lot of work behind the scenes advocating for our schools and families.

Trustee Neal commented that he appreciated the courage it takes for everyone to state their opinions and it is important that the community know this is devastating to the Board, the district, to all of us. He stated there was originally a gray area that permitted RUSD to go back when we could and we did a great job, in a sense we were mavericks. However, there is a difference between being a maverick and going rogue. Our hands are completely tied and there are liability issues for the district. He stated our greatest hope is that this can be revised and although this was not intended to hinder districts who are already offering some form of in person instruction, this should be vetted quickly to move forward with the progress of local control. He stated that in looking at some creative ideas, chairs don't really support collaboration and perhaps tables with benches, and plexiglass, may be an option as the language specifically mentions chairs. Mr. Neal also expressed his disappointment regarding band. He concluded by saying this is very disheartening as a parent and a Board member.

Trustee Gordon stated he tends to use the coach approach, he hates to lose more than he likes to win. He indicated after last week's meeting he was very proud of the Board and the commitment to opening up our schools and regaining the 600 lost minutes of instruction. He said he felt we walked away from our previous meeting victorious. He shared he was just as frustrated as the community, as a teacher and a parent, to have that stripped away by the new mandate.

He went on to say like families in our district he too was thinking about how to get around these mandates. He did thank the administration, at this point, for compiling the information he requested at the last minute regarding the legal perspective of and ramifications of choosing not to abide by the mandates for the benefit our children. He went on to say by ignoring these mandates, we are subject to lawsuits, and we have the potential, should we

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| | <p>lose the lawsuits, to in fact fall into bankruptcy. Once in bankruptcy the district would be taken over by the state, in which the mandates will definitely be followed. Mr. Gordon said as much as he was considering that option, it made it clear the outcome would be far worse. He agreed with Trustee Neal regarding chairs for students and would be interested in exploring those types of options. He concluded by saying when it comes to pushing back there is the willingness to push back with minimal or great risk. He expressed his frustration and sadness and he will continue to fight to get our kids back in classrooms full time for educational, and physical and mental growth, we are all striving for them to achieve.</p> <p>Trustee White stated there are almost no words, she is devastated and feels like the rug has been pulled out from under us. We have spent hours, deciding amongst our Board and administration what is best for our families and kids, we have worked hard, it has taken a lot of information, and push and pull to determine we would return to full time on January 25. She commented that at the last meeting she mentioned the only way this direction could change, would be if a decision was made above us. She indicated that perhaps she jinxed the plan as that is exactly what happened. Ms. White stated she reviewed the information and the language is a mandate. Continuing forward could create liability issues for the district, it would be short lived and we could even lose the ability to provide our Hybrid model. She expressed her frustration with the state, as we are supposed to have local control. She stated she has been communicating with Kevin Kiley, Tom McClintock, James Gallagher and has also spoke to the CSU Chancellor's office. She concluded by saying she is not giving up and we will get our kids back to full time. We all need to continue to advocate and she is continuing to think of ways to do that.</p> <p>Trustee George added that through CSBA, Region 6, that includes Placer, Alpine, El Dorado and Mono counties, they are setting up Zoom meetings with legislators and pushing those out to the Governor as well and will continue to work on it from that angle</p> <p>Trustee Brownell agreed that the timing and expectation that the path we were on for opening was clearly defined as the collaboration has continued across our community for the last 10 months. The CDPH mandates are difficult for all of us in leadership roles, for staff, and for principals because we have so carefully tried to move forward on behalf of the goal of getting students back in school as soon and as much as possible. The disappointment we all feel obviously is reflected in many of the comments from the community. Both individually as board members and collectively with the organizations we belong to, we will continue to push on changing and refining the recommendations on mandates so we can make the local decisions that best meet the needs of our community. Trustee Brownell stated that given the timing of this, the Board felt compelled that there needed to be an opportunity for discussion of this item prior to our original plan to open up next week. She stated that the item is listed as consideration for action, and asked Superintendent Olson if indeed there was action required. Mrs. Olson responded, not at this time, the initial thought was that updated calendars would be presented for approval, however, those will be brought to the January 26, Regular Board meeting for consideration.</p> |
| <p>PUBLIC COMMENTS:</p> | <p>Public comment will be heard on agenda items. All other public comments can be made at the January 26, 2021 Regular Board Meeting.</p> <p><i>(Re-sequenced during adoption, and moved after Item 2.)</i></p> <p>Public Comments:</p> |

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| | Jeff Barbieri Parent | Appreciated the great explanation and asked the Board – What recourse from the state would there be should the Board choose a different direction? Do we know what that is and is this a consideration? |
| | Haycox Parent | Regarding face coverings, do we have a definition? Mask or shield and does the directive address this, is there any wiggle room? |
| | Sean Bechta Parent | No good deed goes unpunished, particularly in CA. More class time in school the better, very disappointed. Willing to help with anything, if the district decides not to comply, would support that as well. For kids that have band as an elective, what happens during that class time if band is not permissible? |
| | Sean Gunther Parent | What happens if we decide not to comply with directives? Nowhere does it say mandate, so guidance or mandate? Indicated that he does not feel we have been following the guidelines so why will we follow them now. Also concerned about the time of the meeting (4:00 p.m.) parents are still working and unable to attend. Hiding the issues from many parents, trying not to hear what they have to say. |
| | Scott Herman Parent | Stuck with CA again making one size fits all decisions. Is the district taking a stand against this? He doesn't agree that science supports these measures. Asked for more explanation regarding the various groups who are reaching out, is the district being proactive? |
| | Ashely Douglas Parent | She asked if the Board has looked at having outside classrooms? Did something occur within the district that requires the stricter 4-foot mandate? Desks are currently closer than 4 feet and students are working in groups. We have not been doing this so why now? Shared that she feels her children are struggling and not getting the education that they need. The Board has the opportunity to allow these kids to go back to school and are not doing it. Concerned that the Board is cowering down, should be standing up to the state on behalf of children. |
| | Rebecca Gebro Parent | Thank you to the Board, for all you are doing. We are the role model for the county. Very disappointing with new guidelines, is there a way to align with other districts to push back? With enough push back they will need to reconsider. |
| | Kelly Bunch Parent | If all desks have shields and kids are wearing masks does the 4 foot rule still apply? Is there some other work around that still meets safety standards? Many friends in other counties, who look to us to push forward. We have been great leaders in getting other district to move forward. Encourages the Board to look outside the box, explore other options/solutions. |
| | Ben Glickman Parent | Echoed compliments to the Board, and the district as a whole through this pandemic. He stated he was taken aback by some of the comments and expressed simply ignoring state orders is not a viable option. If the |

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| | | district did proceed, there is a risk of losing all the positive associations the district has built over the years, including through this pandemic, and should there be an outbreak, the district might never recover. He encouraged the district to leverage resources, parents, and try to work within the system to find solutions. The solution is not to ignore the guidance; the solution is to try to find a way to change the guidance. |
| | Patrick O'Brian Parent | He stated how disappointing it is that there are opinions like that out there. So much burden has already been put on parents/children and now we assign more. Middle class families rely on public schools so parents can work, kids can get an education and develop socially. You are not there for us anymore. 100% behind the district if they ignore the mandates and mask wearing for younger children. Defy the guidance, open school fully and you know you will have the majority of parents support it. |
| | Sean Scollard Parent | Reiterated some of the comments regarding guidance. He does not see it as defying mandates, but rather interpreting it with the best interest of students in RUSD. It was indicated this was not intentional, to hurt us but to make it better for those districts trying to open. Again, not defying directives but we on the forefront and should not have to lower our standards for the state. Is this a guideline or mandate, very different definitions? A lot of work has gone in to getting us where we are and would hate to go backward. This document does not consider mental health of children. Thanked Trustee White for her acknowledgment and making great points regarding mental health for students. |
| | Kim Betcha Parent | Agrees kids need to be in school. On CDPH website, summary of why kids don't get COVID as often and how low transmission rates are in schools. She express we should be using that to help us get back to school in talks with the state. Offered assistance to the district if tents were used, to move supplies or in whatever capacity it is needed. Also, felt that other parents would be willing to help to get kids back in school. |
| | Tyson Bunch Parent | He indicated that the Board and District are in a difficult situation. However, looked up to the Board as being trail blazers and if we listened to the guidelines we would have never reopened back in August. To see the Board give up and not fight for the kids is disheartening. Does not seem like the kids welfare is of any importance. Thanked Trustee White for her comments regarding student mental health. Has lost a lot of respect for the Board. Also concerned regarding the time set for the Special Meeting, while parents are working, shady and uncalled for. |
| | Kate Monier Bus Driver | Thanked everyone for what we are doing keeping the district as open as you can. As an employee, sees that folks are working hard to keep kids safe. Opening without |

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| | regard for mandates could also cause undue stress for those on front lines trying to work hard to do their best for our district. |
| Lana Masters Parent | Appreciates what the district is doing. She indicated she did not think we should break the rules, they are set by the state and the Board has no control over them. We are doing the best we can do. It is not an ideal situation, and it does require parents to spend more time helping their kids. Teachers are doing the best they can and should not be held accountable for everything. Appreciative of efforts to keep students safe, and we need to consider kids are not the only ones on campus. At least we are in the hybrid, many other districts don't even have that option. |
| Carol Wahl | Asked what the Board, administration and the district as a whole are doing to be the voice of our students at the state level. She heard mentioned different advocacy groups, but did not hear what the district is doing. Many of you are in professional organizations that have influence at the state level. Bureaucrats make rules because they don't know better about what works in reality. |

Superintendent Olson answered some of the questions asked during the public comments.

What would happen if we did not adhere to guidelines?

Before the language was somewhat looser, stating may, could, or should, more along the lines of recommendations, not hard and fast directives. This document states: *This guidance is a public health directive that applies to all public and private schools operating in CA. Under operative executive orders and provisions of the California Health and Safety Code, schools must comply with orders and guidance issued by the CDPH and relevant local health departments to limit the spread of COVID-19 and protect public health.*

What about the 4 foot guideline?

Again, in the past, language stated as practical or may. New document: *Under no circumstances should student chairs be less than 4 feet.*

What would happen if we ignored the directive?

The district reached out to Dr. Nancy Williams, El Dorado County Public Health and County Superintendent Dr. Ed Manansala. Dr. Williams reported that we need to follow the guidelines as written, however she will help to advocate for changes as many districts have had success with reopening. Schools Insurance Authority (SIA) corroborated, as well as our attorneys, requiring us to follow the mandates as written or there will be legal ramifications, liability for district and/or Board members (personal liability), and negligence.

What about using tents?

Assistant Superintendent of Business Services, Sean Martin responded to this question. He indicated that we would need to double our current classroom capacity so potentially 150 additional classroom would be needed. Even with tents or other options, we would still not have enough teachers. There is not capacity for either facilities or staffing. Mr. Martin went on to explain that this is mandate from the state and as a government agency we are required to follow the directives. This is not a situation where we have the flexibility to do something differently. We have

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| | <p>worked with ACSA, CSBA, SSDA, CASBO and they have drafted communications to the Governor. We have contacted our county supervisors, and those in neighboring counties, as well as public health officials. Advocacy is going to be huge as a parent.</p> <p>Face coverings? Guidance states: <i>Students in all grade levels are required to wear face coverings at all times, unless exempted, cloth or shield may be removed for meals, and participants in sports, even with exertion as tolerated. Exemptions must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge.</i></p> <p>What about band? Activities where there is an increased likelihood for transmission from contaminated exhaled aerosols such as band and choir practice and performances are permitted outdoors only. Pertaining to wind instrument, however, percussion, string or keyboards would be acceptable. Teachers will be providing alternatives such as music appreciation, percussion, or rhythm lessons.</p> <p>Superintendent Olson addressed the timing of the Special meeting. She apologized for the 4:00 p.m. meeting time, and stated just like our community our Board members also have jobs/commitments. With the new guidance just coming out this week there was not much time to get this meeting scheduled. We did want to give families an opportunity to prepare for our pivot, as we continue in the hybrid model.</p> <p>Mrs. Olson also commented that we did reach out to Rocklin and they indicated they planned to reopen fully by April 1st if the guidance is changed. She stated we do ALL need to band together to advocate for our schools.</p> |
| ADJOURNMENT: | Trustee Neal moved to adjourn the meeting at 5:26 p.m. |

Suzanna George, Clerk

Date

Nancy Brownell, President

Date

Board Approved February 9, 2021