

**MINUTES**  
**VSWEA BOARD OF DIRECTORS**  
**EMERGENCY MEETING**  
**WEDNESDAY, September 18, 2021**  
**VIA [Zoom](#)**

**MEMBERS PRESENT:**

Gregory Schneider (GS) – President

John Tanner (JT)

April Sauer (AS) – Secretary

Nellie Grossenbacher (NG)

Dan Franks (DF) – Treasurer

Kerstin Kubina (KK)

Danielle Martinez (DM)

**MEMBERS ABSENT:**

The President, Treasurer and Secretary were present, and a quorum was reached.

**GUESTS**

Invitees of the Board:

Frank Mirizio (FM)

Michelle Kratzer (MK)

Members of the public present via Zoom/Registration through Google Forms:

- Roxana Elixavide
- Sergio Elixavide
- Andrew Darian
- Scott Edwards
- Dannie Oconner
- Deb
- Blayne Goodman
- Jamie
- Cynthia

10.06.21 Approved

- Lesters
- Elisabeth Moore
- Helena Moriarty
- Gina Limesand
- Andrew
- Angelica Leon
- Jena Falconburg
- Nick Casura
- Tom Budzak
- Mia Diaz
- Natalie BonDurant
- Kimberly Merrill
- Orelene Carlos
- A Trakas
- Jennifer Cody
- Alison Easter
- Shelly Rothgeb
- Benjamin Wilson
- Dave Larson
- Elodyyy
- Tammy
- Sandra Mateo Quintana
- Debbie Allen
- Jess Salyers
- Kelly Osowski
- Sabrina
- Felicity
- Brad Young
- Laura Heaney
- Gerardo Sowell
- JJ
- Heather Welch
- Jen Wheeler
- Cigdem Koroglu
- Lynn
- Vincent Slayton-Garcia
- Susan Kerr
- WS
- Kayla Barnes
- Sugata
- Nicole Goodman
- Erica
- Kate Packer
- Kristen
- M Gardner
- Teresa Frakes
- Tanya Dehmer
- Nick Rosso
- Katie Sovic
- Sophie McCurley
- Myriah Mhoon
- Tommy Cedillo
- Shannon

## **OPENING VERSE / INTRODUCTIONS**

Meeting was called to order at 9:10am. GS welcomed the public to the meeting and read the opening verse.

## **COVID-19**

### **Instructional Time Model Approval**

FM I was able to speak to Mrs. Hannah who's on the state board of education. She sent FM to the proper form to fill out to allow us to teach virtually when needed. The form asks for basic information about the school, what a school day will look like, including direct instruction so we don't disrupt teaching. This form is valid through May. We shared how we'll take attendance through logging on and reporting to the front office. He added a synopsis of why we want to use this type of learning—due to an outbreak of Covid on campus. For health and safety reasons, we'll need to use this format so we don't miss learning time. If you'd like me to make changes, please let me know. The vote today will allow us to begin online on Monday.

GS Thank you, FM. Questions for FM regarding those form questions? Okay, in light of yesterday's events, FM and Deb Pawlo and teachers and staff's hard work in a difficult situation, I want to start by saying thank you. Yesterday was not an easy day for anyone, so thank you for your hard work and coming up with this solution in less than 24 hours.

GS Moved to approve the instructional time model sent to the board by Mr. Frank Mirizio. JT second. No further discussion. Unanimous votes in Favor: GS, AS, JT, DF, NG, KK, DM.

**Motion passes.**

FM I see there are a lot of people attending the meeting wanting to know more. I want to make sure everyone understands. I too want to thank staff and everyone involved for the hard work they put in. The feedback I'm getting is all over the place. I have families saying, "We told you this was coming; we're not masking enough." And I have families saying, "What are you doing? We shouldn't be sending kids home." This is not a win-win decision. We are split on this. We, the board, staff, and myself have to think of safety first. I don't know how else to say this. We can't convince each other. I'm trying to make sure everyone listening understand that this is not an easy decision.

DM With this ITM, were you able to discuss that with the faculty? Are they on board?

FM The faculty understands. They're waiting for an email from me based on the board's vote. We had an emergency faculty meeting yesterday, and we're prepared to move forward.

GS One more thing to speak to is the context of our coordination with the Maricopa County Health Department.

FM My conversations with the department of health and the state board for charters--Deb has done an excellent job speaking to the health department to get the exact rules. It's in writing. It includes information about testing and quarantining. GS and I spoke yesterday and I talked with Hannah. I asked if we could go to remote. She said that the board just needs to have a meeting and vote. My second question was, I have teachers married to other teachers who teach elsewhere, and they were telling me my spouse's school has a nurse who pulls kids and puts them in their online program, which big districts already have that, that student is removed and the rest of the class continues on. Staff is asking me why can't we do that? She said, "FM, I cannot tell your board do this or don't do this. I can tell you that as a charter you face larger complications if you don't follow the AZ Health Department Rules. The fines are large, and they're something a charter school couldn't handle. Larger districts can sustain that. As a member of the AZ Charter School's Board, I highly recommend charters follow the AZ Dept of Health's protocols because you face larger financial woes if they call you on it." She did say most charters who call her, go ahead and follow those rules. We couldn't handle a large fine. That's not the only reason to do it. But it's my recommendation to follow the protocols so we don't get in a bind financially.

DM Have any schools been fined? I haven't seen any research on that.

FM I didn't ask her, so I don't know the answer to that.

Covid-19 Mitigation Protocols

GS That leads us well into the second part of our agenda regarding our own covid protocols. I don't want to get into a debate, but I do want to talk about the health guidelines that we are subject to. If you are utilizing universal indoor masking, and someone has a positive case, you don't have to quarantine. I know there are a lot of significant feelings about whether or not masks are appropriate or if students should quarantine, but given the framework we're working with it makes sense to follow the guidelines by the health department to keep students in their classrooms with their teachers. I'll open it up for discussion before we take any type of action.

NG My question is for FM. How many enrolled students are positive right now?

FM 5 or 6. I think one is past the time of their quarantine. Their parent kept them at home, but I think it's 6.

NG And those are 6 students that go across the board in many grades? I just want to make sure that the students were positive.

FM Yes, that's correct. The parent was positive first and they tested their children and their children were positive.

NG Are they believed to have been at school while positive?

FM 5 of the 6 were in school, which is why we had to quarantine the classes. The 6<sup>th</sup> student stayed home the entire time and didn't expose anyone at school.

NG There are many discussions that need to be had. I know that as FM said we're split down the middle. I've heard from numerous parents that want to continue to uphold their religious exemptions, and we've had emails from parents asking if they can choose to stay in school aware of the risk. Another parent emailed and said their child had a heightened level of fear because they didn't know what was going on yesterday. So I've heard from many people, and I will stand where I've stayed in the last few board meetings. I'd like masks optional, or religious exemptions kept in place.

DM Are we also considering more outdoor opportunities?

FM Several classes are already doing that when the weather is nicer. But on hotter days, we've had kids who get overheated and have to be sent home. I think with weather cooling we will see more of that. I don't want to mandate that, but teachers have the opportunity to do that.

DM Have we discussed classes alternating days?

10.06.21 Approved

FM We haven't discussed that. We've talked about going remote for the 5 days. Deb talked with the health department, and we could be back in the classroom on Friday with students who test negative.

DM GS, can I get clarification on what decision we're trying to make?

GS Under the health guidelines there's an exception to the quarantine guidelines. If all students are wearing masks indoors and a student tests positive, the students within 6 feet of that positive student are not considered close contact and do not have to quarantine. One of the logistical things for FM and the teachers is how to keep the teacher 6 feet away from the students a majority of the class time because a close contact is within 6 feet of a positive person for 15 minutes.

Dm Will we still be notifying parents?

FM Yes, we'd notify but we don't have to quarantine.

DM Can you please repeat that, GS?

GS According to the health guidelines, ordinarily, regardless of wearing a mask or not and if you're in 6 feet of a positive person you have to quarantine. For students in a k-12 setting, if everyone is wearing a mask and there's a positive student, they do not have to quarantine. What I'm proposing doing is to be a lot stricter about indoor masking and take away the religious exemption. There's no requirement for that. There's a medical exemption. The federal government and interstate travel and international travel, there are no religious exemptions for masking.

NG What about religious exemptions for bodily autonomy?

GS I can't really answer that, NG. I can tell you at least as far as the federal government is concerned, that is not a federal constitutional right to not wear a mask.

DM We already know of schools with mask mandates who are still getting cases and still getting put in quarantine.

GS The other piece of the puzzle is the state law that prohibits masking starting 9/29. That law is being challenged. The court said they'd issue a ruling before that law goes into effect. What we as a board need to do so that we don't have to continually meet, is decide what to do now or see if we want to wait and see.

NG I understand that we're all in a tricky situation right now, and we're dealing with the community at large. FM, what's the percentage of members with religious exemptions?

FM We have 91 students on a religious exemption and 2 on a medical exemption.

10.06.21 Approved

NG Four weeks ago, they were afforded the right to have a religious exemptions, and this puts us in a tough spot. I understand there might not be a guideline, but if you're going to say that if you have a serious religious exemption then we need to adhere to that. That's a large number of students, and it's a thin line. Having five students positive for covid, puts us in the low transmission according to their guidelines.

GS I don't think that's correct. You look at it as a community basis, not a school basis, and Maricopa County is in high transmission.

DM Our family has a medical exemption, but my daughter wears a mask because of how she was treated without a mask. Can we all remember to be kind?

Gs Thank you for sharing that. I'm sorry about that, DM. We all need to be kind.

JT I want to publicly thank Deb Pawlo for her work yesterday. She kept a cool head, and she acted professionally. I'm grateful to her for the work she did yesterday. I'm really grateful for her abilities yesterday. That said, I think there are some other things we can be doing as a school for this situation. For example, we used to have a day porter to wipe things down early in the day. It does say on the document that went around last night that wiping surfaces down does help. I'm wondering if that's something we should take a look at. In FM's statement, he mentioned about a nurse. We don't have a nurse. I don't want to put so much pressure on Deb Pawlo. She's having to make a lot of decisions. I don't know how healthy that is for one person. She's done a fabulous job, but there are some other things that could be done by us that can alleviate some of the situation that's happening here. GS, I get prickly when I hear about civil rights being broken. There are a lot of rabbit holes here, and I want to abide by the CDC. I agree that that's where we need to be. It gets a little bit much when our civil rights get eroded. We need to be careful about surrendering civil rights.

NG Shared a quote from Benjamin Franklin.

GS I hear you, JT, and I'm not looking to get into a fight with the governor or the health department. And currently those guidelines say that if you have universal indoor masking for kids then a lot of quarantining is not required. That allows us to keep the vast majority of kids at school. I hear you on the civil liberties front, but I want to work within the legal framework we have.

FM We do have day porter, but they're hired from 1-4pm. Steve Pawlo and I meet with Plan B soon. Our custodian is very sick, and that's why we've lacked the cleaning we had last year. We're meeting on Monday to make sure someone is here at 1pm wiping down high contact areas, throwing out garbage, and cleaning the bathrooms. That will be addressed on Monday.

KK For me, I feel like we're a community. This isn't civil rights; this isn't me beating my drum. We tried it with exemptions, but right now our kids from DMS are at home sick. If you feel that's a civil rights thing, that's how you feel. For me, I'm in favor of being stricter on masks. I don't want to go back to virtual. I would rather be safer and have more kids on campus and only take out those few with positive Covid cases. That's my two cents on it.

10.06.21 Approved

DM It would be nice if we're not on screens, but even if we decide to be stricter on masks there are still kids who will still quarantine.

GS Thank you, DM. JT, did you have one last thought?

JT We haven't established that these children got sick at Desert Marigold. They got sick from their parents at home.

DM Yes, that's true.

JT So we can't trace transmission at school.

KK But what's it going to look like in two weeks?

GS Regardless of where the transmission came from, the quarantine guidelines remain the same.

DM This is going to continue to happen, and we'll need to address different types of education for those who need to quarantine.

GS I think FM and Dr. Darian will hear you out on that.

GS moved that DMS follow the CDC and AZ Department of Health and Maricopa County Department of Health guidelines including indoor masking requirements as long as following those guidelines is legally permissible under AZ and federal law. Following the guidelines means that exemptions for mask requirements will be given only on a medical basis. This policy will be effective immediately. AS second. The following discussion took place:

NG I know we're in a tough spot. I know that my thoughts aren't respected by some. To echo what JT said, we allowed religious exemptions, and we're walking a fine line. What happens when we walk in on Monday and we have 91 medical exemptions?

GS I think we'll have to deal with that when we get there.

NG There are states that have taken away religious exemptions. It wasn't pretty. We shouldn't remove a constitutional religious right.

GS There's not a constitutional right to have religious exemption to not wear a mask.

NG According to the parent bill of rights: It's the parent's right to make medical decisions for their children.

GS As a lawyer I know that there are no absolute rights.

NG I just want to be heard.

GS Thank you. I agree.

NG That's' the beauty of this.

GS Any other discussion?

NG Is there any opportunity to poll the community before we make this decision?

GS Our obligation is to make decisions based on the law.

FM Is this for staff and students, and is this indoors?

GS Staff and students, everyone on campus, and it's indoors.

NG Can we come up with some outdoor learning spaces?

FM I'm not going to mandate that. Teachers have the opportunity to do that.

NG So if I show up with tents on Monday, my teacher can teach outside?

FM No, not parents, teachers need to come to me. It's up to the teacher.

NG I understand. I see numerous Waldorf schools teaching outdoors. I will contact my teacher to tell them I have equipment, and if they'd like it, they can take it.

JT Will you repeat that GS? The motion and who it includes?

GS AS can reread that, but it includes the entire school indoors.

JT So any person who is indoors--faculty, parent, guest—they will be required to wear a mask indoors.

GS Yes, unless they have a medical exemption. Did you still want AS to read the motion?

JT No, sir. You clarified things.

Votes in favor: KK, GS, AS, DF. Opposed: JT, NG, DM. **Motion passes.**

DM GS, I have to excuse myself. Thank you.

GS Thank you, DM.

FM Is this past the governor's ruling?

GS This motion addresses that—as long as it's legally permissible then we're going to do it. So if the court says the statute is fine and it goes into effect then we will not require masking on 9/29. But if the court says the statute is not constitutional then we will continue to have a masking requirement indoors. We will do that as long as the health department guidelines say



10.06.21 Approved

that. So if the health department says you no longer need to do that then will change. One other point worth discussing is the upper part of the middle school and high school, those who are vaccinated there's a similar quarantine exemption. If you're exposed and a close contact and you're fully vaccinated, you do not have to quarantine. Current guidelines are if you are vaccinated and you're a close contact and symptom free, you don't have to quarantine.

FM Would we be requiring proof of vaccination?

Gs We are permitted to ask, but we are not permitted to ask for proof.

Fm Again, that's just to remain on campus. That has nothing to do with masks?

GS Yes, that's correct. So as we're navigating this, I imagine there may be some students who are vaccinated and symptom free who want to be back at school. I don't know the answer to how that will be—maybe a hybrid situation?

FM We're talking four days. Teachers do not want hybrid. It's not good for anyone. For four days, can't we just do remote? I understand parents might want their kids at school, but maybe we can prepare for hybrid at a later date. For Monday, that will be quite a challenge.

GS My personal opinion is yes, take the four days and do remote, then we'll return to a more normal situation. With masking, we shouldn't be put in as tough of a position as we're in now. If this universal masking holds and health guidelines hold.

FM I will be talking to a parent to work through this. Half students at home and half on campus would be a challenge. But I just wanted you to know that I will be talking about that with parents.

GS I think that's a fair plan for this very short amount of time. We have to do the best we can with our limited resources and the situation we're in. Anything else we need to address in terms of quarantine protocols, instructional methodology?

NG I have one more thing, it was a little hectic yesterday. I appreciate all the efforts, but I want you aware that my girls were afraid. They thought there was an active shooter on campus. If this happens again, if we could put a communication out to all the students, I think that would help.

FM I certainly understand how some people who didn't get the detail of Covid would think it's something else, but I'd also say that there are also students who are scared that it's Covid.

NG I'm not saying it's not, but it has to be relayed to students. We need some kind of verbiage to get the message out in a calm, clear way. This is what's going on, etc. My children thought there was a gun on campus, and that was heartbreaking.

FM Sure, I understand. I can do that differently if there's a next time.

NG I agree, but we need a broad message across campus.

FM I hear you.

JT moved to allocate funds to hire the day porter to come in during the day and that we hire a school nurse. GS second. The following discussion took place:

KK What would the nurse be doing? Administer covid tests and pull kids out?

JJ Well, we have kids who get hurt all day long, and we have to make calls. As I said earlier, blessings on Ms. Pawlo. She's doing fabulous work. And it's putting pressure on her and FM to make those decisions and calls. They might want to have someone else to help make those decisions. Bonnie is trying to run the office, and it's been an issue for many years. If we want to do something, we should take a look at that.

GS FM, I know we have some ESSER funds, and we could use them for this exact type of Covid situation. How much do we have left, and could we cover this?

FM The day porter is already in. I don't remember that a school nurse can be covered by ESSER funds, and our budget only had a 40k carry over, and a nurse is an expensive job. A nurse's salary would be higher than anyone else on campus. Maybe if we can hire someone part time without benefits. I'll do that if that's what you want, but please know that this changes the plans we've already made.

JT I wanted to thank FM for everything he's done for the school. It's been tremendously stressful, and he's done a fabulous job I don't want to get into a debate about the day porter, but I want to add that the day porter is coming in at 1pm, and I think they should come at 10am. Our day porter was amazing and I'm sad that she's ill, but I was hoping that the day porter could be backed up a bit. They wiped up desks after main lesson, they were cleaning bathrooms, and other common areas with high touch surfaces.

GS All right, other thoughts?

Votes in favor: AS, JT, NG, KK, DF. Opposed: GS. **Motion passes.**

GS The motion is pretty vague, so unless you'd like to clarify that JT, I believe that would be up to FM how you'd handle those.

JT Yes, it is general and requires some exploratory work on the part of FM.

FM Can I ask a question? You mentioned 10am. What if I have them here before lunch? That way they can do that cleaning during lunch?

JT I'm all for compromise there, but I think it needs to be before 12pm.

FM I meet with them Monday morning, so that's what I will request.

GS Anything else on covid protocols, mitigation strategies? Okay, we've covered everything. I want to thank everyone for a thorough and respectful discussion. I appreciate everyone being thoughtful and taking the time to articulate things that are uncomfortable. I'd like to thank the 50

10.06.21 Approved

plus attendees who are here this morning on such short notice. It was a significant meeting, and I ask that everyone carry the respect shown here into the next weeks. Everyone is trying to do the best for the kids and the school as best we can even though we disagree on the method to do that. We can be the light in the community, but it's up to us to do that.

GS moved to adjourn today's meeting. JT second. No further discussion. Unanimous vote in favor: GS, JT, AS, NG, DF, KK. **Motion passes.**

### **CLOSING VERSE**

GS read the closing verse.

Meeting was adjourned at 10:27am.

Prepared by AS on 09.18.2021.