

APPROVED 8/12/2020

<https://us02web.zoom.us/j/89934709732?pwd=Y3R3eU44TXEzSC9VMURBYkk0cFFFdz09>

**MINUTES
VSWEA BOARD OF DIRECTORS
REGULAR MEETING
WEDNESDAY JULY 29, 2020
VIA ZOOM**

MEMBERS PRESENT:

Matthew Walker – President (M.W.)	John Tanner (J.T.)
John Elling – Treasurer (J.E.)	April Sauer (A.S.)
Gregory Schneider – Secretary (G.S.)	Nathaniel Allen (N.A.)

MEMBERS ABSENT: None

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

GUESTS

Invitees of the Board:

- Christie Kriegsfeld (C.K.)

Members of the public present via Zoom/Registration through Google

Forms: ● Adeline Carrera

- Alison Easter
- Anna
- Barb Cunningham
- Becky King
- Cat Quigley
- Colleen Pope
- Dan Franks
- Danielle Martinez
- Deborrah Allen
- Heather Sullivan
- Hilary Cutright
- Jennifer Walker
- Joelle Reiling
- Juli Curtin
- Kari Frech
- Laura Alvarado Coady
- Laura H
- Laura Slayton-Garcia
- Michelle Kratzer
- Sami Rank
- Sandra Sabbatini Lovelady
- Shannon Quigley

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- Susan Kerr

OPENING VERSE

Meeting was called to order at 6:36 p.m.

INTRODUCTIONS

Board Members introduced themselves and review of meeting procedure occurred. M.W. provided a brief synopsis of the agenda for the evening and the need for flexibility as the school adapts to changes necessary to the ongoing pandemic. M.W. also stressed the importance of information from the school itself being the best source of information regarding the school's response to the pandemic.

M.W. explained the nature of governing Board meetings.

BOARD PROCEDURES

Approval of Minutes

M.W. moved to approve minutes of 7/15/2020 meeting; A.S. second. No further discussion. Yea: M.W., J.E., J.T., N.A., A.S. / No: -- / Abstain: G.S. **Motion passes.**

COVID-19

M.W. invited C.K. into the meeting. M.W. thanked C.K. and the faculty of the school for their work in preparing the school's response to the pandemic for the coming school year.

M.W. explained that there would be a presentation that would explain the data points and facts the Board was considering in making its decision, and that the decision would not be based merely on personal thoughts and opinions. M.W. invited other statements from board members.

G.S. commented that the Board has been placed in an extremely unusual position in having to make a public health decision and that the Board is simply trying to do the best it can.

A.S. noted that the Board has spent work reading source materials including executive orders and the requirements for the decision-making tonight.

M.W. noted he had also spent time looking at data on the pandemic and statistical information and trying to understand it as best as possible.

M.W. presented a slideshow presentation laying out the framework for the Board's decision, including:

- Guiding principles for today's discussion:
 - We recognize and ideally want teachers and students to be together, in person, learning and growing at DMS's wonderful campus.
 - We must also ensure that we are creating and offering an experience that is safe and healthy for the entire community – teachers, staff, students, and their families at home.

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- There are a variety of legal obligations and expectations to consider, as well as possible financial implications.

- To the extent possible, we will use data and verifiable information to inform our decisions.
 - Covid-19 is still a relatively new disease and the long-term effects of the virus, if any, are unknown.
 - DMS students come from the entire Valley, which is not a small geographic footprint but nor is it the entire state of AZ.
 - DMS is required to offer teacher-led distance learning starting August 17 – what we will decide tonight is whether/when DMS can be open for in-person learning. ○ We are not deciding what people can do, or not do, outside of school/campus. ○ We must make the best possible decision for VSWEA and DMS, regardless of whether it is a popular decision.
- Governor Ducey’s EO 2020-51 requires DMS to offer teacher-led distance learning. ○ Governor’s website clarifies that “regardless of when regular in-person classroom learning begins, each school district and charter school needs to begin teacher-led distance learning by the first day of their traditional instructional calendar.” ○ M.W. clarified that this means “in-person only” instruction is not an option.
- Criteria and Data
 - Categories of relevant data and information:
 - Covid-19 cases and trending
 - Parent and faculty survey results
 - DMS’s “readiness”
 - Other relevant criteria
 - Sources of information
 - Governor Ducey Executive Orders
 - Arizona Department of Health Services (AZDHS)
 - Arizona Department of Education (ADE)
 - Centers for Disease Control and Prevention (CDC)
 - Maricopa County
 - DMS
- M.W. explained that the state has not provided a ton of guidance on how to make a decision tonight, or what specifically to consider. Closest we have seen is a press release from Superintendent Kathy Hoffman:
 - “School leaders should be empowered to work with local public health officials to examine data and determine when it’s safe to reopen for in-person learning, rather than relying solely on dates. Metrics, including but not limited to those listed below, will provide communities with clear targets for mitigating COVID-19:
 - A downward trajectory of confirmed new cases of COVID-19.
 - A decrease in positivity rates for COVID-19 testing.
 - The widespread availability of testing with timely results.”
 - Governor Ducey has directed AZDHS to develop additional recommendations by August 7, 2020 (which may require the Board to again discuss these topics).

- M.W. explained we are not waiting for that data because the timeline would be too close to the start of school for the Board and the school to react in time. ○ A.S.

noted that at a charter board meeting Superintendent Hoffman indicated she would be providing more guidance in the coming days.

- A screenshot of current COVID-19 case load from Maricopa County showed the history of cases through the middle of July. It shows, at least as of mid-July, the new daily cases are leveling off.
 - N.A. asked why this data source was selected.
 - M.W. explained that it was chosen because it is the closest data point we have to our community since we are in Maricopa County.
- A summary of current information regarding COVID-19 test positivity rates was presented.
 - AZ total – 12.7% positive
 - AZ’s PCR rate is 14.6% positive
 - Johns Hopkins University data shows AZ’s 7-day moving average to be 20.7% positive test results, as of 7/29/2020
 - Dr. Cara Christ, Director of AZDHS, has referenced the WHO’s target of 5% positive test rate as a target for reopening schools.
 - NY State indicated it would allow schools to reopen when its daily infection rate remained below 5% for a rolling 14-day period.
 - N.A. asked whether the 5% target was a combined PCR/Serology or only one?
 - J.E. noted that it should not include the serology.
- A slide showing the number of testing locations for COVID-19 was presented. ○ It appears that there are many testing sites in Maricopa County. But it’s not clear how this relates to Superintendent Hoffman’s criteria of “widespread” availability of testing.
 - But there is still an issue with the timeliness of getting test results. The average time to get test results is 7.5 days.
 - N.A. noted that a new, novel PCR test will take significantly longer to perform and get results given the technology being used. He does not expect the results to get much better than 3-5 days even if the testing materials become even more highly available.
 - M.W. noted that the state has not provided guidance on what “fast” testing results looks like.
- A slide showing number of cases by zip code from AZDHS was presented. ○ M.W. noted that this is only a snapshot, does not show the trend of cases over time.
- School survey results.
 - As of 7/10/2020 – Parents responded to the question, “With the information I have today, I am leaning toward:”

- 51.1% – Utilizing the remote learning option
- 48.9% – Sending my child(ren) back to campus for live instruction ○ M.W. noted that the Board has also received a lot of correspondence from parents on this issue

- and the positions appear to be quite polarized at times, with both sides appearing to not understand how anyone could be on the other side. ○
 - M.W. further noted that the state has strongly recommended that synchronous learning occur wherever possible. That means if we have both in-person and remote learning, it could cause a lot more work for our teachers.
 - N.A. asked for clarification regarding the definition of synchronous learning. ▪ J.T.
 - Sees it more as a content issue. His children go to a local high school who has the resources to have an online teaching staff. They may not get the same teacher, but they get the same material. But that would be much more difficult to achieve at DMS because of its small size.
 - C.K. – Agreed one of the challenges of DMS is that we don’t have teachers who can do “only online” and another set who can do “only in person.” We are working on a way to deliver the same class content simultaneously to students who can log-in remotely and view it live. There will also be a recorded version, but it will only be available for a certain amount of time. We also are required to log attendance for remote learning. This is an accountability aspect that the state is requiring.
 - N.A. – Is there an expectation about location for teachers when they are teaching the synchronous part?
 - C.K. – If we are fully remote, it would be feasible for the teacher to go to the classroom and teach (alone). But there may be some teachers who are uncomfortable coming to campus even for that purpose.
 - J.T. – But whatever, and wherever, the presentation occurs, it should be as professional and polished as it can be.
 - As of 7/16/2020 – Faculty and Staff responded to the question, “If you had to choose, what method of instruction would you prefer to start the school year?” ▪ 51.6% – Remote instruction
 - 48.4% – Live instruction
- DMS’s “readiness” for in-person learning
 - DMS’s “mitigation plan,” as indicated by paragraph 1(b) of the Governor’s EO 2020-51, is written and documented.
 - Re-opening plan has been communicated to teachers and parents, via posting on DMS website and offering town halls.
 - DMS has drafted a policy regarding the use of face coverings for all staff and students over the age of 5. The EO requires that it also be “approved.” ▪ C.K. noted there are still some minor revisions underway and the Board will need to approve it.
 - 100% of staff is currently, or could by August 17, be trained on in-person and health/safety procedures.
 - C.K. agreed that 100% of the staff will be trained by August 17.
 - DMS has retained an enhanced cleaning and janitorial service.

- C.K. explained that they have been doing deep cleaning on all the spaces in the school and will finish by the end of this week so that teachers are able to return to their classrooms and setup for instruction.

- DMS has stocked PPE supplies and will be provided in all rooms that faculty, staff, and students will be occupying. It includes face masks, shields, disinfectant, cleaning equipment.
 - Health and Safety nursing student – we have relationship with ASU and GCU schools to secure someone once we decide to start in-person learning.
 - M.W. asked if this relates to the mandate to provide a space for children to go during school hours.
 - C.K. clarified that this is a separate requirement. But the school is ready for that, and on the parent survey that will go out there will be a way for parents to indicate that they need a place for the child to go.
 - Technology tools have been procured to enable synchronous distance learning. ▪ C.K. explained that orders are ready to be placed for this equipment and they will be ready to go by August 17. She thanked N.A. for help selecting the equipment for these tools.
- M.W. thanked C.K. and the faculty for working hard to be so prepared for the coming school year.
 - A.S. noted that Heather Sullivan had concrete examples of how the early childhood was going to handle remote learning and that it was not going to be the same as last quarter of where we were in emergency mode trying to figure out remote learning.
 - C.K. agreed and noted that she is very excited about the creativity the teachers are putting into remote learning.
- Other relevant information
 - Is the State allowing school campuses to be open for in-person learning? Yes, they can open starting 8/17
 - Are establishments such as gyms, theaters, water parks, and bars allowed to be open? No, they remain closed for now – but many businesses and establishments are open (with health requirements)
 - Has the State established a protocol for reporting new Covid cases at schools akin to what's in place for diseases like chicken pox and measles? No, not yet. ▪ C.K. explained the way reporting requirements work for certain diseases. ▪ N.A. asked whether the current reporting requirements include cold/flu, and C.K. responded that it did not.
 - Other legal and financial implications
 - M.W. explained that the State is providing guaranteed funding if the school does certain things.
 - C.K. explained that we would need to provide a space for students to be, or coordinate with third-party organizations like the Boys and Girls Club (but potentially could be covered by grant funds related to COVID, although currently those funds are limited to \$50,000)

- M.W. also noted that there are liability risks. Potentially if anyone gets sick at the school (and could prove it happened there) could give rise to liability.
- C.K. noted the optional consumable fees are especially important this year in light

of the additional costs of providing both remote and in-person instruction. For instance, we have received questions about art supplies and movement supplies. For example, we don't have the funding to buy jump ropes for every student to use one during remote instruction. We will need help from outside sources – including parents and other donors.

- What are other schools in our geographic area doing?
 - Roosevelt School Dist. – Distance learning only until 10/12
 - Paradise Valley Unified – Distance learning only until Labor Day
 - Phoenix Elementary School Dist. #1 – Distance learning only until 10/12
 - Phoenix Union HS – Distance learning only until end of first quarter
 - Kyrene – Offering choice of distance or in-person learning
 - Tempe Elementary – Distance learning only until 10/13
 - Tempe Union HS – Offering choice of distance or in-person learning
 - AZ School for the Arts – Distance learning only until 10/17
 - Keystone Montessori – Distance learning only for students aged > 6, indefinitely, offering in-person learning for students < 6 years old.

- Key question for the Board: The Board must decide whether DMS should be open or closed for in-person instruction.
 - If DMS may be open for in-person learning, the school will proceed according to its “Reopening Plan” that was published on 6/30/2020, as that Plan may be updated from time to time.

 - If DMS is to be closed to in-person learning, then the Board should determine the length of that closure (note that the Executive Director has recommended, if the Board determines such, that the length of the closure be at least through the end of the first school quarter).

- M.W. asked C.K. how logistically it would work if the school was open for in-person learning and there was a confirmed or suspected case at the school. What would trigger the school to close again?
 - C.K. explained that there is a plan for dealing with that situation. But we are lacking a specific protocol or requirement from AZDHS. There are protocols we can implement, including some contact tracing so that wherever that student or teacher has been would need to be cleaned. Possibly the student or teacher would need to quarantine. In terms of a school-wide closure, the only situation that would justify that is an outbreak. But no one has defined what constitutes as an outbreak at the school.
 - M.W. clarified his major concern is about the amount of disruption that would ensue if sections of the school, or the whole school, had to shut down in a time when many parents are seeking certainty and predictability.

- C.K. confirmed that there was that risk and it is difficult to know how it would play out.

- A.S. asked about FERPA and how that would impact remote learning. She attended a seminar from special education attorneys, and that according to those attorneys, there would not be an issue with FERPA at least according to ADE.
- G.S. clarified that FERPA is a national, federal legislation and thus even if ADE does not identify an issue, that does not completely resolve the legal issue.
- N.A. asked whether if we determine to close for a set period of time, if that would be regardless of changing data that comes in.
 - M.W. clarified his view that we would close for a set period of time, and then reevaluate close to the end of that time whether to stay closed or reopen. · N.A. noted that the survey results indicate that parents are about 50-50 split. But we are also required to provide remote learning. So we could potentially choose to remain open without impacting the 50% who want remote learning.
- N.A. also questioned the impact of the school having to provide a space for kids to go. And if we are required to be open to some extent, what that would look like, and how it should impact our decision to reopen.
 - M.W. explained that there was a lack of guidance on that issue. And that it would be hard for DMS, given the funding considerations, to refuse to provide that space.
- N.A. questioned whether there was a way to create cohorts within the school and open for some of those groups versus opening the school entirely.
 - M.W. expressed it is late to throw out that type of option after the school has had its plan out since June 30. Invited C.K. to weigh in.
 - C.K. explained that cohorting was a consideration in coming up with the school's plans for remote learning. But there were serious logistical and funding complications with doing these types of cohorting. The plan established was the make sure in-person and remote received the same level of instruction, given financial limitations.
 - Discussion ensued regarding cohorts involving N.A., C.K.
- G.S. provided a comment regarding the need of the focus to be on the public health decision rather than on what would make the most people happy, as admirable of a goal it is to try to accommodate as many people as possible. Given the many bad data points, does not seem like in-person learning is an acceptable risk.
- C.K. noted that the school can't provide education with only 48% of its teachers, thus risk of losing teachers for in-person could severely complicate the decision.
- N.A. noted that public health officials have not required closing, and if it was truly an unacceptable risk they would have mandated closing, but have not. In fact, they have even said that at least some portion of the school must reopen.
- A.S. commented about the need to provide a space on-site for kids who need it. That means foster kids, kids who are getting services, kids with particular needs. Also noted

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there may be waivers for that requirement. And we also don't necessarily have to offer on-site services at the school, we can contract it out.

- C.K. also noted the need to provide a space for DMS teachers with children who are

students at DMS, so state's requirement for a space is actually consistent with this type of need.

- J.E. asked how students would have access to the materials they need to access remote instruction.
 - C.K. responded that we have some resources to help these students.
- J.E. asked if educational quality would suffer with in-person versus hybrid models. ○ C.K. explained the driving force is the health and safety of faculty, staff, and students, but that the goal is to make the educational quality as high as possible for both.
- J.E. wondered whether the data on parent responses were broken down by grades or other factors?
 - C.K. – faculty was broken out by realm. But don't believe the survey responses broken down by grade.
 - A.S. – We provided what grades our kids were in when we filled out the survey, but that was not included in the response.
 - Further discussion ensued between J.T., J.E., and C.K. regarding survey results.
- J.T. made a comment regarding Executive Order 2020-41, and the fact that it states closing public schools eliminates one way in which schools provide nutrition, education, physical exercise, and mandatory reporting.
- M.W. disagreed that going to in-person learning completely eliminates all aspects of nutrition, education, physical exercise, and opportunities for mandatory reporting.
- J.T. shared that in his experience teaching the importance of students having contact with their teacher is significant and should not be discounted.

M.W. invited a motion on what DMS should do.

G.S. moved that DMS remain closed for in-person instruction as of August 17, 2020; M.W. second.

- A.S. reiterated that this decision is not an easy one and that it takes a lot of study and consideration, and is unprecedented for a Board like ours.
- M.W. offered a couple reminders: (1) most of the Board members are parents and we are impacted by this decision; (2) this is a volunteer Board, and no one expected to make these types of decisions when we signed up; (3) everyone's safety is paramount — the Board sits as a fiduciary to the entire school, and we have to make a decision based on so many unknowns, so we all we can do is make the best decision based on what we know and have in front of us.

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Vote: Yea: M.W., G.S., A.S.; Opposed: J.E., N.A., J.T. Discussion ensues regarding the

tie. A break was taken at 9:20 p.m.

Meeting resumed at 9:33 p.m.

G.S. reports on the impact of the tie vote and that the outcome is that the motion fails, according to the only document the board has that references tie votes. **Motion fails.**

M.W., N.A discussed method of proceeding.

M.W. moved for DMS to be open for in-person instruction in addition to online instruction starting August 17, 2020; N.A. second. Discussion ensued.

- A.S. noted we received an email from the LDC.
- M.W. asked J.T. to walk the Board through that email.
- J.T. stated that the LDC is willing to cooperate with whatever the Board decides. J.T. is willing to teach in person for the sake of his students. He is not concerned about catching Covid. M.W. asked J.T. if he would sue the school if he caught Covid. J.T. said that he would not. Then J.T. suggested if he gets it, he gets it. If he does he's fine because he'll go to Heaven.
- A.S. read relevant portions of the letter, namely: "There were 5 members of the LDC present and voted 4:1 in favor of recommending a delay to the start of in-person instruction for the 2020-2021 school year. We as the LDC are recommending the VSWEA Board consider the following items for approval: Approval to begin 100% online instruction on August 17, 2020. Approval to move in-person leaning to October 2020."
- Further discussion ensued involving M.W., N.A., G.S., A.S., J.E., C.K. regarding the risk analysis.

Vote: Yea: N.A., J.T, J.E; Opposed: M.W., G.S., A.S. **Motion fails.**

A.S. invited discussion about bringing the community back together and healing the community, and the damage it could cause to the community if someone gets sick, or worse, passes away.

Further discussion ensued regarding risk involving G.S., J.T., M.W., A.S., C.K., J.E.

J.E., M.W. discussed alternative motion possibilities.

J.E. moved to open the school August 17 with remote learning only and that we revisit the decision on whether to do in-person learning at the last Board meeting of August on August 26, 2020; M.W. seconds. Discussion ensued.

- A.S. concerned that August 26 is only eight days into the school year and the upheaval that may ensue if we, potentially, switch course that soon.
- J.E. explained that it would take an affirmative vote to start in-person learning on August 26, so a switch would not be automatic.

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- M.W. noted a vote on August 26 would very likely not mean starting in-person learning the next school day; we would have to give the school time to implement it. · C.K. noted the importance of determining school enrollment and the difficulties that could be created if parents believe the school plan will be changing.

- M.W., J.E. discussed the benefits of waiting an additional month.
- J.T. said he believed it was a bad plan and it will reflect that the Board can't make a decision. J.T. believes if we keep the school closed that it will stay closed—that we will always find a reason to stay remote.
- N.A. expressed skepticism on relying on what other schools are doing because we are a Waldorf school and don't need to look to other districts. Also expressed skepticism about rushing into a decision in light of forthcoming guidance from ADE/AZDHS.
- M.W. disagreed that we are rushing into a decision or that this is a decision about the merits of Waldorf versus any other educational model.

Vote: Yea: M.W., G.S., A.S., J.E.; Nay N.A., J.T. **Motion passes.**

M.W. and C.K. discussed logistics of moving forward with the school year and whether there were any other steps needed from the Board. C.K. confirmed nothing further was required at this time.

M.W. thanked the Board members for their professionalism and for a productive, candid discussion.

A.S. reminded the Board about upcoming training opportunities for the Board.

CLOSING VERSE

M.W. – move to adjourn, A.S. second. No discussion. Vote: Unanimous (J.E., G.S., M.W., A.S., J.T., N.A.). **Motion passes.**

Meeting was adjourned at 10:58 p.m.

Prepared by G.S. on 7/29/2020 and revised on 8/3/2020, incorporating redlines from A.S.