

**LEARN                  BUILD                  LEAD**

Fremont Joint School District No. 215  
Regular School Board/Work Meeting Minutes  
October 15, 2020  
North Fremont High School 6:00 p.m.

Attending:     Bonnie Moon-Board Chair  
                  Jon Bailey-Vice Chair  
                  Tia Cherry-Trustee  
                  Julianne Hill-Trustee  
                  Shawn Dye-Trustee  
                  Byron Stutzman-Superintendent  
                  Hali Mackert-Clerk/Treasurer

Chairman Bonnie Moon called the meeting to order at 6:03 p.m. A quorum was present.

Trustee Tia Cherry offered a prayer

Trustee Jon Bailey made a motion to approve the agenda. The motion was seconded by Trustee Tia Cherry. All "ayes", motion carried.

Work Meeting:

Trustee Bonnie Moon opened the meeting and said legal counsel via zoom from Anderson Julian and Hull and EIPH will talk to us first.

Trustee Moon turned the meeting over to Vice-Chairman Jon Bailey to lead the meeting.

Vice-Chair Jon Bailey thanked everyone for being here and thank you from caring about students. Everyone is in the same boat and there's passion. Our objective is to listen to you and understand and listen to the perspective in the community. If there is some emotion check that, and just know we're doing our best too.

Superintendent Stutzman introduced Anne Magnelli legal counsel from Anderson Julian and Hull, her specialty is COVID laws and all that goes with it.

Anne Magnelli attended via Zoom and discussed Coronavirus Limited Immunity Act. She discussed the difficulty a district is going to have if liability is alleged, and if there is willful or reckless misconduct. She talked about board liability and if there is an exercise of discretion its likely immunity will apply. She said the recommendation from legal counsel is to follow EIPH, however if you want to sway from those recommendations, the pros and cons should be waived and demonstrate discretion was exercised. These changes should be discussed in open session, and if you vary from this protocol the social/medical safety of this decision should be documented.

Chair Bonnie Moon asked since this is a new limited law, has it been tested?

Anne Magnelli said there has not been a test case yet.

Geri Rackow, Director of EIPH attended via Zoom and discussed COVID -19 Update, dated October 15, 2020. She discussed the COVID-19 basics and symptoms of the virus and how older adults and those with underlying medical conditions are at a risk for developing more serious illness and complications from COVID-19. She also discussed the infection and incubation periods and CDC guidelines for isolation.

Trustee Bonnie Moon asked Geri to address what is the difference between flu and COVID 19, why so much focus on masks, is it just the unknown or what?

Geri said it is a brand-new virus that no one has been exposed to before, it affects people differently. The whole goal is not to get so many people infected all at once to overwhelm the hospital system. There is no way we are going to stop it. Flu has been around for decades, but there is a vaccine for flu and anti-viral.

Chair Bonnie Moon said she got an email from BYUI Health Department looking at the spread and there is more going on outside of school.

Geri said people being together congregating in small groups is spreading the virus. It is better to be outside where there's better air circulation. What we do know from the cases with schools, people are contracting it outside of school when they are doing other activities. The health district board did make changes to their response plan 50 per 10,000 population down to 30 per 10,000 population. There are no further restrictions applied by the board of health.

Brad Orme-Parents for Education in Fremont School District #215

He said he's a parent of 3 children in our school district and the other 123 members of the group also have children in our school district. They are concerned for the mental emotional health of our children, due to our COVID policy and procedures. He talked about liability and quoted The Idaho Statesman, "Idaho Legislature passed a bill shielding businesses and school from Coronavirus liability". They ended the day with Legislation that would provide that protection from Coronavirus transmission. Institute for Legal Reform dated August 28, "Even if a school makes an effort to avoid transmission and are not willfully or recklessly spreading the virus, they cannot be held accountable". He said they want to keep our healthy kids in school. We can as a district make reasonable accommodations for high risk teachers to avoid isolating our healthy children. Let's stop using quarantine but use isolation. We can make reasonable accommodations.

Susan Richardson-Canvas/Online Instruction

She said she is an online instructor. She said there is a lack of communication and very limited information about Canvas. She said online is notoriously bad for teaching math and is difficult to teach the basic principles. She stressed the importance of in-person training and how our teachers do not have enough time to do online and in-person training. We should not quarantine healthy students.

Michelle Smith-Communication

She talked about possible changes of communication from the Superintendent and the School Board. She feels there is a lack of communication from our district and compared us to Blackfoot SD. She suggested doing a google survey for students, staff, and parents. She said students want and need to be back in school. She hoped as we move forward, and we can have more communication.

#### Annie Marsden-Leadership Team

She said there is a lack of diversity with the District Leadership Team and feels it lacks parental input. She checked with Sugar Salem School District and they have Parent Advisory Group that meets monthly. Madison School District has a Community Leadership Team with one representative from each school. She feels our district lacks transparency and parents are left in the dark. She asked how do we make our district the best district there is? Involve parents let us have voices and let us tell you what's best for our kids. She asked to implement a Community Leadership Team for a parent advisory group. As parents we want to be heard and keep our kids in school, not at home.

#### Melanie Reynolds-Mask/Contact Tracing

She talked about the mandate for masks in our Protocol and how it negatively affects children. She said contact tracing is an invasion of privacy and there is no way of doing it successfully. Our policy should be symptom based. Don't quarantine healthy children.

#### Tom Jacobsen-Teacher Perspective

He talked about his experience with COVID when his symptoms first appeared on September 16, and how quickly his symptoms progressed. He ended up in the hospital. He said we need to take COVID seriously.

#### Shawn Shuldberg-COVID School Procedures.

An ounce of prevention is worth a pound of cure. I'm asking for safety measures that can go a long way with this pandemic. It's temporary and we need to take precautions.

#### Daedre Orme read a statement on behalf of Britany Stegelmeier-Parent Perspective

She said she is a mom of 3 students, and two of her children are special needs, both have difficulty understanding and producing speech. They have voiced concerns about not understanding their teachers, since they are being forced to wear mask. She's concerned if a mask mandate is put in place for students, her son will be severely impacted as his speech is already mumbled. She said all three of her children have taken a major downturn in their emotional health when our schools closed last spring. She said home learning was difficult at best. She said she's a certified elementary teacher and quite efficient in all of their subject areas, it was beyond hard to balance three different children at different levels with such an array of teacher expectations. We have excellent teachers in our school district and their ability shines, but even with their best efforts it was still hard. I would say the majority of our teachers put in 150%, our shutdown made it perfectly clear there are some teachers who will not be suited to online platforms.

#### Daedre Orme

I wanted to add as well from our personal experience we talked about this being a personal thing, it's just masks for a while or this is just a situation we're in right now. But I worry and wonder about my children long term. We've never been in a situation like this before, and I think we need to handle it accordingly. I don't know how this is going to affect my children ages 8, 11 and 17 ten years from now. I don't know what they will look back and see or have felt, but I do know as a mother I have seen each one of my children struggle. We have as much responsibility to our children to look out for their mental health.

#### Lori Sessions-Mental and Physical Health

Represented Grand Peaks as the CEO they have two locations, one in St. Anthony and one in Rexburg. She presented numbers since February until today, they've done 292 rapid tests, 10 of them were under the age of 18 and 2 of them were positive, 202 send out tests, which take 5 to 7 days, three have been under the age of 18, 0 positives. That's what we are seeing in our clinic and the other things we're seeing

in our clinic is that patients within 3 to 5 days are feeling better. So over 500, three have been sent to the hospital. The biggest challenge she has seen is in their behavioral health facilities, the visits have increased by 97%. Mental health is a huge problem right now and that needs to be our focus. The CDC is saying low COVID risk for children and they are also saying you have a far greater risk for suicide. She said parents can't understand the schoolwork, they can't teach their kids. The increase of anxiety and depression is just astronomical. You know better than anybody the schools play a critical role in supporting the health of our children. Their educational instruction of course, is number one priority, but the support of social and developmental social emotional skills, creates a safe environment for learning, addresses nutritional needs and facilitates the physical activity that children need.

At 7:26 p.m., Trustee Tia Cherry made a motion to have a 5-minute recess. The motion was seconded by Chairman Bonnie Moon. All "ayes", motion carried.

Work session resumed at 7:38 p.m.

Trustee Jon Bailey said it was brought to our attention there is currently nothing in the protocol that masks are required, only recommendations.

Superintendent Stutzman said there are a couple of stages that do require masks. We require masks for our staff, and we require a mask for 5 days after a 5-day quarantine for exposure to confirmed cases.

Resumed into Regular Session at 7:42 p.m.

Regular Session:

Chair Bonnie Moon led the Pledge of Allegiance.

There was no patron input.

Learn-Build-Lead: Chair Bonnie Moon said they have nominated Hali Mackert for Clerk of the Year at the ISBA Conference. She also wanted to thank staff and administrators for their hard work.

Trustee Tia Cherry made a motion to approve the consent agenda. The motion was seconded by Trustee Jon Bailey. All "ayes", motion carried.

Superintendent Stutzman recommended to approve the second reading of new Policy 3085 Sexual Harassment, Discrimination and Retaliation Policy. This is generated because of the new regulations in Title IX.

Trustee Jon Bailey moved to adopt the second reading of Policy 3085. The motion was seconded by Trustee Julianne Hill. All "ayes", motion carried.

FCSD #215 Operational COVID Protocol-Superintendent Stutzman said at our last meeting we had quite a discussion on this. After the meeting, the Leadership Team made changes to the protocol. Because there was no interest in holding a special meeting to adopt these changes, we need to adopt it at this meeting. He recommended to approve the changes that were made to the protocol.

Superintendent Stutzman reviewed the changes "Students and staff with close contact (high exposure) will be required to quarantine for 5 calendar days and wear masks for an additional 5 calendar days. This

includes close contacts who may be in other schools. The CDC defines close contact as a person that has been within 6 feet of the infected person for a prolonged period of time (about 15 minutes) within two days of the onset of symptoms.” Those changes are from 14 days to 5 days wearing a mask if they are back in school. One question to ask legal counsel AJH is about district and individual liability issues. The more we stray from EIPH, it’s up to the board’s decision as to where the protocol is set, and it is my recommendation to approve what we brought before you.

Trustee Tia Cherry said she felt like really a lot wasn’t changed and we are still quarantining their students for 10 days, because a lot of parents won’t send their kids to school with masks. Last meeting, we were told students show symptoms within 5 days. We shouldn’t allow healthy students to stay home from school.

Trustee Jon Bailey said he appreciates the great feedback we’ve received and thank you its valuable for us to hear from you. In the same breath, all the people that are here, there are that many more who have reached out to us. I also find myself in this spot that we’re accountable for the decisions we are making for all of Fremont County School District. We’ve made some concessions and I feel comfortable with what we’ve done and I’m willing to stand behind that. I think what we’ve established with highly recommend wearing a mask, I understand the science behind that. I don’t always wear a mask, but I do when I’m around a lot of people. I believe in choice and accountability and it is not my right to require someone to wear a mask, if there’s no threat to those who have made that point. 5 days of stay home and 5 days of mask and it won’t be the end of the world. The voices from emails and phone calls I received, I feel good about where we’re at.

Trustee Julianne Hill said I don’t have any more to say than what I have already said. I was the one that recommended to go to 5 days from 14 days. She said COVID 19 is going to be just like the flu. Right now, people are trying to collect the data and where we can go with this. I’m comfortable with where the protocol reads as of now. Out of respect and compassion to those around us to wear a mask.

Trustee Shawn Dye said it seems like there is no middle ground. We are either one way or the other. He said our kids react to what they have learned from their parents. I just think a little prevention goes a long way, and I understand not wearing a mask. I get it. We all have friends on both sides of the argument, and I get worked up and I talk to someone else. I don’t see the harm in finding something in the middle that works for everybody. We as a board are trying to find middle ground. I get heated texts and emails, and this position isn’t an easy one, come to the table with suggestions.

Trustee Tia Cherry said the definition of willful or reckless misconduct will provide us guidance. Lori’s numbers show we have a 0.006% chance of survival and mental and physical health increasing by 97%. I think we should form a committee to meet with the leadership team see how you all feel together and then bring it back to the board for approval. The current protocol will remain in effect until then.

Trustee Tia Cherry made a motion that we keep the current FCSD #215 Operational COVID Protocol with the caveat we will form a parent advisory group to meet with our current leadership team before our next meeting. The motion was seconded by Trustee Shawn Dye. All “ayes”, motion carried.

Superintendent Stutzman said he will email the changes after this and we could get the action of the board at a current meeting or a special meeting.

Trustee Tia Cherry said she would like to have input from Ashton, Teton, Parker, and St. Anthony.

Trustee Jon Bailey said there's a lot of value and a very good suggestion having a parent advisory group. He likes the idea of transparency and there's real value in good feed-back.

Trustee Julianne Hill asked if we could do a Google survey for parents. She asked the parent group to clarify if someone is exposed, do you feel like there should be nothing done? The group felt it should be symptom based. They said at Sugar the Superintendent notifies parents if the student has been exposed and leaves it up to them if they want their child to go to school.

Chairman Bonnie Moon asked if teachers were talked to, she would like representation from the teachers as well. She said we all talk about how scared we are about everything. We have freedoms and rights, and I don't want to talk about how scared we are. We need to talk about education. My anxiety comes from what is happening at the school place and the mental health of our students.

Chairman Bonnie Moon asked parent Brittany Chapple about her daughter getting sent home because of a player testing positive on the volleyball team. Brittany Chapple said they were told to leave immediately. Her daughter sobbed because she couldn't go to the play or play sports, and she cried for two days. You can't send someone home every time they get exposed. 5 days can turn into 10 days. Online learning was hard for her. As far as she knows, no one showed symptoms or got tested.

#### Discussion Items:

Continued discussion on facilities need-Superintendent Stutzman said he talked with Hummel Architects yesterday. They are willing to help out with anything we need, and they did just open an Idaho Falls office. He also talked to Aaron Johnson from Bateman Hall today. He called to ask about anything we need from Idaho Business in Education and we also talked about hiring a construction manager for the pre bond stage and forward. He will put his thoughts in a Google doc and would love to talk about where we go from here.

Superintendent Stutzman said we get together with principals and directors and decided what direction we need to go. The Leadership Team takes my ideas and make them better.

There were suggestions to have the parent advisory meeting work together with the leadership team, since they would have a lot to say about facilities. This is a good way to work together.

Policy 5270-Trustee Tia Cherry said Policy 5270 is our conflict of interest policy committee. We met and it was super informational. We have a lot of questions for the lawyers and we will get those submitted, and she can report at the next board meeting.

Attendance Policy-Superintendent Stutzman said we will need to change the attendance policy because of COVID, and I will ask the Leadership Team to help with that. Madison School District said they threw their attendance policy completely out. We really need to do what's best for our students and protect staff and students the best that we can.

#### Superintendent's Report:

a. Snow Removal at NFHS & AES-Our past snow removal company for NFHS has decided not to do our snow removal for this winter. Tyler Cude and I have been talking about how to best move forward. Kudos to Tyler as he is working diligently to find a replacement company or move a different direction. Currently, the businesses he has contacted for prices are coming in about \$10-20,000.00 per year depending on the amount of snow we receive. One company was \$1,000 per push under 4" and \$1,500 for anything over

4". Tyler has found a tractor, loader, and snowblower for less than \$100,000, and he is asking 3 other vendors for their bids so that we are following the board policy and state statute on procurement of personal property under \$100,000.00

b. Youth Apprenticeship Program-SFHS and NFHS are working with Idaho Workforce Development Council Youth Apprenticeship Initiative to create opportunities for students who are interested in gaining work force experience.

c. Mastery Learning Grants-Each school applied for and is receiving an exploration into Mastery Education grants from Idaho State Department of Education. The total is \$51,680.00 These mini-grants will allow each building to use their leadership team to explore mastery learning which is the 5<sup>th</sup> tier of High Reliability Schools and also called Competency-based Education. The SDE is assigning each building a mentor to help them with the exploration, and that mentor will then help the building apply for the implementation grant for next year.

d. Softball diamond in Ashton which we use as our girls' softball field. Kudos to Jodi Beard who has been working diligently with a family in order to make the field a showcase field. We would then name the field after the family's daughter, Emily Baum. I would like your blessing to proceed. I met with the Ashton City Council last night to discuss moving forward, and they are ready to do so.

e. ISBA virtual convention is a group rate so Hali has signed you all up. You should be getting email notification about your registration. Once I get my notification, I will check with you, and you can let me know if ISBA notified you, also. If you want to attend the general session and vote, there are some things we need to do.

f. I was notified today that the 2A Academic State Champions are NFHS Girls Volleyball team.

Trustee Tia Cherry made a motion to go into executive session per Employee Evaluation & Complaints I.C. 74-206(1) (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student. I.C. 74-206(1) (j) To consider labor contract matters authorized under section [74-206A](#) (1)(a) and (b), Idaho Code. The motion was seconded by Trustee Jon Bailey. Roll call vote Bonnie Moon "yes", Julianne Hill "yes", Jon Bailey "yes", Tia Cherry "yes", Shawn Dye "yes".

Entered Executive Session at 8:45 p.m.

Trustee Jon Bailey made a motion to come out of executive session. The motion was seconded by Trustee Julianne Hill. All "ayes", motion carried.

Came out of Executive Session at 9:02 p.m.

Trustee Jon Bailey moved do the following for our faculty and staff: Those 19.9 hrs. or less per week receive a stipend for the additional hours and duties related to COVID of \$750, 20-28.9 hours per week a stipend of \$1,000, 29 plus hours \$2,000, and salaried and certified staff a stipend of \$2,000, with a total cost to the district \$670,693.33. Also, increase the substitute pay to \$75 per day. The motion was seconded by Trustee Shawn Dye. All "ayes", motion carried.

Trustee Tia Cherry made a motion to adjourn at 9:05 p.m.