

Minutes
Clark County School District
Meeting of the Board of School Trustees
City of Henderson Council Chambers
240 South Water Street, Henderson, Nevada 89015

Work Session

Wednesday, February 7, 2024

4:05 p.m.

Roll Call: Members Present
Evelyn Garcia Morales, President
Irene Bustamante Adams, Vice President
Lisa Guzmán, Clerk
Lola Brooks, Member
Linda P. Cavazos, Member
Ramona Esparza-Stoffregan, Member
Adam Johnson, Member
Lisa Satory, Member
Dane Watson, Member
Katie Williams, Member
Brenda Zamora, Member

Jesus F. Jara, Ed.D., Superintendent of Schools

Also present were: Nicole Malich, Board Counsel, District Attorney's Office; Luke Puschnig, General Counsel, Office of the General Counsel; Dr. Brenda Larsen-Mitchell, Deputy Superintendent, Office of the Deputy Superintendent; Jason Goudie, Deputy Superintendent of Business Administration and Chief Financial Officer, Business and Finance Unit; Katelyn Taylor, Director I, Board Office; and Lisa Chrapcynski, Administrative Secretary II, Board Office.

Teleconference Call Connected

Teleconference call with Trustee Williams was connected at 4:05 p.m.

Flag Salute

Trustee Zamora led the Pledge of Allegiance.

Adoption of the Agenda

Adopt agenda, except note additional reference material for Item 2.03.

Motion: Guzmán Second: Brooks Vote: Unanimous

Approve Resignation of Superintendent

Approval of the conditional resignation and acceptance of the Third Amendment to Employment Agreement Between the Board of Trustees and Jesus F. Jara.

Trustee Garcia Morales stated this item was brought forward by three Board members. She explained how this item came about after Board officers met with assembly chairman and she had become concerned with the ongoing vitriol toward Superintendent Jara. She said she asked the Superintendent to consider a mutual agreement that would help him step aside and would allow CCSD to move forward. She said this proposal would allow the Board to continue focusing on student outcomes and stabilizing the District.

Trustee Guzmán addressed comments and suggestions she received regarding Termination for Cause and explained that none of the events named under Termination for Cause in the Superintendent's contract has occurred. She said if the Board were to move forward with that, they could be sued. She stated Termination for Convenience by Board would be more costly.

Trustee Brooks addressed comments about how this is a repeat of the Board's previous actions, stating she believes that it instead shows that the Board is trying to do better. She addressed questions she received regarding whether she was less supportive of the Superintendent, and to that she said she believes the Superintendent has been a convenient scapegoat for longstanding, systemic issues. She described this as an act of kindness, a chance to give people the freedom to focus on what they need to so they can move forward together.

Trustee Cavazos stated as a Trustee that was not included in the configuration of this item, the issues of transparency and accountability are present again. She said she wanted to clarify that only the three Board members were involved in the writing of this item.

Public Hearing

Jose Solorio said these past five years have been challenging, and he hoped that the resolution before the Board will move everyone forward in a positive manner.

Michael Jahn spoke against paying Superintendent Jara as he exists the District. He said the Superintendent deserves to be terminated for cause without any payout.

Jim Frazee opposed a buyout of the Superintendent's contract. He stated the Clark County Education Association (CCEA) calls for the immediate dismissal of the Superintendent, pending an investigation of his social media activities.

Kamilah Bywaters talked about how the community has tried to work with Superintendent Jara for the students. She said to let the Superintendent resign but not to pay him out for the lack of results he brought to the District.

Approve Resignation of Superintendent (continued)

Amanda Simons asked that the Board not accept Superintendent Jara's letter of resignation. She said he has failed to lead the District and needs to be held accountable for his actions.

David Gomez supported Superintendent Jara resigning from his position. He said the Board should just pay out Dr. Jara and let him go.

Dr. Tiffanie Bemoll stated Superintendent Jara's resignation should not be accepted as is. She said he should only be given a severance package, which is more than any teacher receives.

Greta Blunt Johnson spoke in opposition to Superintendent Jara receiving the severance package. She said the document in Reference 2.01(F) was not signed and is not valid.

Stephen Phillips urged the Board to vote no on Item 2.01. He said among other reasons it is not in compliance with the contract as is. He said also if the Board passes the item, it is within the taxpayers' rights to sue the Board.

Tam Lester expressed concern regarding the proposed amendment to Superintendent Jara's contract. He said it is alarming to see this being considered, especially in light of ongoing investigations into the Superintendent's actions.

Vicki Kreidel said Superintendent Jara agreed to the terms of his contract. She said many believe he should not be rewarded for ignoring the terms of his contract and throwing the District into chaos. She said Superintendent Jara should not get more than what he is entitled to for resigning.

Jessica Jones spoke in opposition to Item 2.01. She said Superintendent Jara failed students and the community and needs to be held accountable. She asked that the Board not approve the amendments to the contract and said Superintendent Jara deserves to be fired with cause.

Walter Jones said he blames the Board and not the Superintendent, as the Board approved everything the Superintendent wanted to do. He said the Board should be focused on putting the students and staff first.

Anna Binder expressed disappointment that Superintendent Jara was not present at the meeting. She said the Trustees have to make important decisions that affect educators, all staff, and students, and she would like to have faith that the decisions they make are the right ones for them.

Rudy Zamora said the Superintendent already costs the District money in a lawsuit when the Board fire and rehired him. He questioned why the Board is considering paying him another large sum of money.

Approve Resignation of Superintendent (continued)

Chris Giunchigliani opposed Item 2.01. She said the Board should not be subjected to extortion demands by Superintendent Jara. She suggested what would be right would be terminating the Superintendent and not paying him anything.

Erica Amari spoke in favor of a no vote on this item. She said Superintendent Jara's tenure in the District has resulted in toxicity and hostility in the work environment. She urged the Board to listen to the feedback from the community not to pay Superintendent Jara an exorbitant amount of money.

Christopher Percy spoke about what it was like to work in a school district with a positive culture and issues with the Board and Superintendent. He said Dr. Jara should be allowed to resign in the same manner that other District employees resign, without a payout.

Daniel Bello spoke about the importance of increased transparency in the selection of a new superintendent, as well as governance, decision-making, and allocation of resources.

Kenny Belknap spoke in opposition to the proposed amendment to the Superintendent's contract. He said this deal embodies everything that is wrong in the District under current leadership. He named several issues that he said are all grounds to fire him for cause and not pay him anything.

Dan Hergenrader said he first believed Superintendent Jara to be a good choice for the District but expressed disappointment with the Superintendent's handling of the educators' contract negotiations. He said as Superintendent Jara exists he should not receive a severance package.

James Bayliss stated reasons why he feels the Superintendent's contract and the amendment are in violation of the law.

Trustee Cavazos said there is a contract in place and Superintendent Jara was involved in this agreement. She said she views this request for a conditional resignation as a demand rather than conditional. She also stated this is not a severance package, which would have been something agreed upon by the full Board. She said they have a fiduciary responsibility to do what is right and pointed out that Termination for Cause does not appear on the agenda. She shared a summation of the multitude of comments that she received regarding this matter, and she urged the Trustees to listen to the many people that have provided their input.

Trustee Esparza-Stoffregan said as a new member of the Board, she was hoping to have more of an inclusive voice in this process. She stated all Board members have a fiduciary responsibility and gave examples of how the amount of money in the original intent of this item could positively impact the District in terms of adding staff. She said they have a responsibility to listen to the community. She suggested that the Board pause taking action at this time and reevaluate what is before them.

Approve Resignation of Superintendent (continued)

Trustee Guzmán clarified that if the proposed amendment were rejected by the Board, The Superintendent's current agreement would commence, and he would remain in place until June 20, 2026. She said she feels that this is a path forward but appreciates and wants to hear from anyone who disagrees.

Trustee Watson stated the community has spoken loud and clear on this topic that they will accept the Superintendent's resignation but do not agree with a payout. He said the Board needs to listen to the community, especially as they move from Focus: 2024 to the student outcomes focused framework.

Trustee Zamora disagreed with Trustee Guzmán and said this is a step back. She stated she does not think the amendment and the resignation should have been presented in one agenda item and feels that doing so lacks transparency.

Trustee Satory said she has read all the comments she has received and is listening to the input from the community and said it does make a difference. She suggested holding Superintendent Jara to the current contract and said he would then have to decide whether to continue to stay on as Superintendent under these circumstances or to move forward with resigning.

Trustee Johnson said he believes it is important to understand who initiated the decision for the Superintendent to resign because each scenario dictates a different situation. He said he views this as a first step in a negotiation and the Board needs to consider what the path forward is in this negotiation. He said the Board does not have to accept the terms as presented by the Superintendent.

Trustee Bustamante Adams thanked everyone who shared their thoughts on this matter. She shared that she has attended recent events regarding the future of Southern Nevada as an economy and said she feels they need to consider that. She agreed with Trustee Brooks that there is a lot of history and a lot of animosity surrounding this but said the Board also needs to keep in mind that people outside of the room are paying attention to the Board's actions and how they determine the next leader for CCSD. She stated the Board recently committed to focusing on student outcomes and listening to the community. She said she is finding it difficult to reconcile the amounts in the amendment. She said she would accept the resignation but would like to have a conversation as stated by Trustee Johnson.

Trustee Brooks pointed out that the Board recently committed to two years of work focusing on student outcomes and said stability is needed in order to do that. She said it does not seem like one would want to embark on that endeavor with someone who would not be involved throughout its entirety. She clarified that the Superintendent was the person that was approached, so she said he would be willing to stay until the end of his contract if that was the community's desire, which does not seem to be the case. She said she also does not think it would be productive.

Approve Resignation of Superintendent (continued)

Trustee Cavazos said it is difficult when she and other Trustees are left out of conversations that should include the entire Board and Board counsel. She stated she cannot support a payout. She said although Superintendent Jara has the option of continuing until the end of his contract, she does not think he would remain. She said she would be willing to accept Superintendent Jara's resignation but said it would not be conditional and it would not be with any type of payout.

There was discussion regarding how this came about, Ms. Malich's role, and why only some Board members were involved as it relates to Nevada Open Meeting Law (OML) and Nevada Revised Statute (NRS).

Motion to approve Item 2.01 as presented.

Motion: Williams Second: Brooks

Trustee Johnson reiterated that the Board does not have to accept the terms as presented and can still discuss a different path forward and look at other options.

Trustee Watson asked when Trustee Garcia Morales approached Superintendent Jara regarding him resigning.

Trustee Garcia Morales confirmed that she approached Superintendent Jara in January.

Trustee Cavazos asked who the other involved Trustees were and whether those meetings were held with Assemblyman Steve Yeager and Superintendent Jara by the three Trustees or just by the Board President.

Trustee Guzmán said she was involved but did not meet with Assemblyman Yeager. She said when she was approached about this, she viewed this as a positive pathway forward. She said she was part of the group who brought this forward along with Trustee Garcia Morales and Trustee Brooks. She said she still believes the Board can look at this and find a positive pathway forward.

Vote on Trustee Williams' motion: Yeses – 3 (Brooks, Garcia Morales, Williams); Noes – 4 (Bustamante Adams, Cavazos, Guzmán, Zamora)

The motion failed.

Trustee Garcia Morales requested a recess in order to enter into a closed session.

Recess: 6:06 p.m.

Reconvene: 7:04 p.m.

Approve Termination for Convenience of Superintendent Employment Agreement

Approval to direct Board Counsel to give written notification of "Termination for Convenience by Board" of the existing Employment Agreement and Amendments thereto Between the Board of Trustees and Jesus F. Jara.

Public Hearing

Jose Solorio expressed concern about the cost if this were to go into litigation and said going into litigation could be more costly than accepting terms with the Superintendent.

David Gomez said terminating the Superintendent is the Board's prerogative but said he sees that the Board is divided. He agreed with the previous speaker.

Jessica Jones spoke in opposition to this item. She said Superintendent Jara should not be terminated for convenience but should be fired for cause. She said she believes this violates Section 7. c. (3) of the Superintendent's contract.

James Bayliss touched on points in the Superintendent's contract and reasons why the Superintendent should be terminated.

Jim Frazee spoke in opposition to this item. He stated that he supported Superintendent Jara in the early years but that he is now being judged on his performance as he asked. He said if Superintendent Jara decides to resign, that should be with taxpayer dollars.

Kamilah Bywaters said she opposes this item. She disagreed that the Superintendent should be paid for brining no results to the District. She said he was given a job to improve the District and he made it worse.

Dr. Tiffany Bemoll questioned whether Termination for Convenience should even be an option with investigations pending. She suggested the Board table this idea and consider what it looks like to the public.

Vicki Kreidel urged the Board not to terminate for convenience. She asked that the Board hold the Superintendent accountable and help him be personally responsible for his actions.

Walter Jones said when something does not go the way the Board wants it to, they leave, and he asked what they are showing their constituents. He asked the Board to start putting the staff and the students first.

Laura Jeanne Penrod stated this is a time of change that could truly be transformative. She said she would prefer the Board not approve this item. She spoke about the need to come together as a community and refocus on what matters.

Approve Termination for Convenience of Superintendent Employment Agreement

(continued)

Sara Evans expressed concern with the lack of transparency and decisions involving top District personnel as well as the potential misuse of taxpayer dollars. She spoke in opposition to this item and spoke about the need for community input.

Ernest Mackey said staff who knowingly followed Superintendent Jara also need to go. He stated he will be taking further action with regard to his children.

Rodney Smith spoke against paying the Superintendent for his lack of productivity. He suggested that if the Superintendent chooses to leave, he should do so with no more than his last paycheck.

Chris Giunchigliani read the terms of Termination for Convenience and suggested adding fiscal notes so people can actually see the budgetary impact. She suggested bringing back an item with the language found under Termination by Resignation of Superintendent so that no additional pay is granted.

Motion to approve a conditional Termination for Convenience with a request for counsel to negotiate alternative terms to the Termination for Convenience clause of Dr. Jara's contract.

Motion: Guzmán Second: Cavazos

Trustee Cavazos asked if the maker of the motion would consider making the motion more specific with regard to negotiating for a monetary sum or for no payment.

Trustee Guzmán said she was not sure what the negotiation would be and that she believes they would be entering into negotiations and all the information would be considered. She said in her motion she is trying to direct counsel to enter into negotiations and bring it back to the Board.

Trustee Cavazos offered an amendment to the motion to bring it back as an agenda item as a Termination for Cause instead of Termination for Convenience.

Trustee Guzmán declined the friendly amendment to the motion.

Trustee Cavazos withdrew her second to the motion.

Trustee Williams seconded the motion.

Trustee Guzmán restated her motion as follows: Motion to approve a conditional Termination for Convenience with a request for counsel to negotiate alternative terms to the Termination for Convenience clause of Dr. Jara's contract.

Vote on Trustee Guzmán's motion: Yeses – 5 (Brooks, Bustamante Adams, Garcia Morales, Guzmán, Williams); Noes – 2 (Cavazos, Zamora)

The motion passed.

Approve Appointment of Brenda Larsen-Mitchell as Superintendent

Approval to appoint Brenda Larsen-Mitchell as Superintendent upon the conclusion of Jesus F. Jara serving in such capacity, and direct Board Counsel to negotiate an employment agreement with Brenda Larsen-Mitchell or her designee to serve as Superintendent.

No action was taken on this item.

Public Comment on Items Not Listed as Action Items on the Agenda

David Gomez stated that he does not see 33 percent of East Las Vegas in attendance nor many people from the west side of Las Vegas. He said he sympathized with Dr. Larsen-Mitchell because of the criticism she would have received from public speakers.

James Bayliss said during an investigation he conducted, he found that Dr. Jara gave someone a raise and promotion to blackmail Mr. Bayliss's fiancé. He commented in terms of Superintendent Jara's employment, that he has caused a lot of problems.

Kamilah Bywaters said it is important to consider culture and climate when thinking about new leadership. She said the next person chosen to lead the District must be able to impact culture and climate and bring healing to the District.

Dr. Tiffanie Bemoll spoke about how the look back would have financially benefited a teacher like her. She noted the MAP Growth scores presented at the previous meeting and said the data was depressing. She said they need to better prepare middle school students for high school.

City of Henderson Mayor Michelle Romero implored the Board to postpone the decision regarding District leadership in order to conduct a transparent and thorough hiring process that would include community input and a nationwide search.

Mary Beth Sewald, Las Vegas Chamber of Commerce President and Chief Executive Officer (CEO), stated the Chamber believes that for the next permanent CCSD Superintendent to be successful, the Board must conduct a comprehensive national search. She said for the Board to fail to conduct a search would be a disservice to the students and would send a message that the Board is not open to the wishes of the community.

Councilwoman Carrie Cox expressed disappointment in the District and hope that as the Board changed, the District would improve. She said the community needs better, and the students, teachers, and the Board deserve better. She said all of the Board's decisions need to be focused on the students and the community. She said the Board needs to conduct a nationwide search.

Danielle Ford, former CCSD Board member, stated that this entire process needs to be thoroughly investigated. She discussed her experience on the Board and what she was told with relation to individual Board members having discussions with the Superintendent about his employment contract.

Public Comment on Items Not Listed as Action Items on the Agenda (continued)

Chris Giunchigliani agreed that the Board should conduct a search and include input from the community. She said the Board members are also going to have to learn to work together in order to have people want to apply. She said the Board's governance policies have created barriers amongst the Board members under the guise of governing.

Ed Gonzalez agreed with Trustee Guzmán's motion on Item 2.02 but said he had some concerns regarding transparency with this process and how it came about. He said his biggest concern is that there needs to be community input in the selection of a new superintendent.

Yvette Williams stated the Clark County Black Caucus opposes the appointment of a superintendent without the full participation of the public. She suggested the Board allow for an interim role as superintendent by a member of the current executive team who would not seek a permanent role as superintendent to get the District through the last few months of this school year.

Rudy Zamora expressed frustration and said he attended this meeting to give input on Item 2.03. He said the Board should conduct a national search for a superintendent and that he has started a petition online which currently has 900 signatures encouraging the Board to do its job.

Estefany Camerino urged the Trustees to carefully consider who the next superintendent will be and ensure that decision will improve the quality of education in CCSD. She asked that the Board keep the students' best interest in mind when making decisions that directly impact them.

Flor Diaz urged the Board to consider input from the community when choosing the next Superintendent. She expressed disappointment in the District. She asked for transparency related to where the funding is expended and asked that more be invested in quality education.

Irma Melina Camerino said she would like to see funding being used toward bettering the quality of education in CCSD. She suggested the District should be investing in resources such as technology and teacher training. She asked that the Board keep in mind student success and the betterment of the community.

Anna Binder spoke about the importance of Trustees hosting community meetings and being accessible to the community in that space in addition to phone calls and emails. She suggested that the public comment policy be brought back.

Upcoming Meeting of the Board of Trustees – Thursday, February 8, 2024, 5:00 p.m.

Trustee Garcia Morales announced that the upcoming meeting of the Board would be held on Thursday, February 8, 2024, at 5:00 p.m. at the City of Henderson Council Chambers.

Adjourn: 8:36 p.m.

Motion: Bustamante Adams Second: Guzmán Vote: Unanimous