

Minutes
Clark County School District
Meeting of the Board of School Trustees
Edward A. Greer Education Center, Board Room
2832 East Flamingo Road, Las Vegas, Nevada 89121

Work Session

Wednesday, August 4, 2021

8:09 a.m.

Roll Call: Members Present
Linda P. Cavazos, President
Irene Cepeda, Vice President
Evelyn Garcia Morales, Clerk
Lola Brooks, Member
Danielle Ford, Member
Lisa Guzmán, Member
Katie Williams, Member

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

Also present were: Mary-Anne Miller, Board Counsel, District Attorney's Office; Luke Puschnig, General Counsel, Office of the General Counsel; Cindy Krohn, Director, Board Office; Elizabeth Carrero, Executive Manager/Director II, Office of the Superintendent; Jeanetta Edmond, Administrative Secretary, Board Office; Dr. Debb Oliver, Executive Director, Nevada Association of School Boards; and Dr. Thomas Alsbury, Balanced Governance Solutions.

Teleconference Call Connected

Teleconference call with Trustee Brooks, Trustee Cepeda, and Trustee Williams was connected at 8:09 a.m.

Flag Salute

Trustee Cavazos led the Pledge of Allegiance.

Adoption of the Agenda

Adopt agenda.

Motion: Guzmán Second: Ford Vote: Unanimous

Public Comment on Non-Agenda Items

Tom Stidham expressed disappointment in the decisions that have been made concerning students and said despite the data regarding masks, the Board decided to reinstate mask mandates so late that it would be difficult for families to find other learning options.

Public Comment on Non-Agenda Items (continued)

Ernest Mackey said he has a preexisting condition and expressed concern with his children having to attend school in person and the possibility of them contracting COVID-19 and passing the virus to him. He asked that parents be given the option of virtual learning for their children.

Approval of the Minutes

Discussion and possible action on the approval of the minutes from the special meetings of June 9, 2021, is recommended.

Motion to approve.

Motion: Guzmán Second: Garcia Morales Vote: Unanimous

Approve Board Counsel Candidate Review

Approval of the three Board Counsel Candidate applications.

Trustee Guzmán asked if the option to have legal counsel appointed by the District Attorney's Office to provide services to the Board was being brought forth on this agenda item.

Trustee Cavazos said she wanted to hear the discussion from the Trustees.

Teleconference Call Disconnected

Teleconference call with Trustee Williams was disconnected at 8:20 a.m.

Board Member Arrives

Trustee Williams arrived at the Board meeting at 8:20 a.m.

Approve Board Counsel Candidate Review (continued)

Public Hearing

Anna Binder asked if there was any information that has come forward since the last meeting that the public should be aware of.

Trustee Ford said the Board and Board counsel previously agreed that a law firm would be the best option for the Board, and she asked if something had changed.

Ms. Miller explained that at the beginning of the discussion, there was a pending bill in legislation that would have removed the authority of the district attorney to provide legal services for the Board if it had been successful. She said also at that time the District Attorney's Office was down seven attorneys and did not have the resources but said those positions are being replenished.

Trustee Ford said she was still interested in hiring a private law firm.

Approve Board Counsel Candidate Review (continued)

Trustee Williams stated that having legal counsel appointed through the District Attorney's Office would save the District money and that they are already trained in Nevada Open Meeting Law (OML). She said she would be interested in having Board counsel be assigned from the District Attorney's Office.

Trustee Garcia Morales said she is supportive of the county providing legal support to the Board.

Trustee Cavazos stated that she was unable to reach the attorney whose contact information was provided for use while Ms. Miller was on vacation. She asked if this person was aware that she was supposed to be the backup counsel for Ms. Miller and how that type of situation would be handled in the future.

Ms. Miller said she was unsure of what happened but said any appointees' personal contact information would be given to the Board.

Trustee Ford said she would not be opposed to using the District's General Counsel and legal counsel from the District Attorney's Office but said she feels it is important to have a private law firm on retainer that would be available to the Board whenever needed. She said she would be in support of a type of hybrid option.

Trustee Cepeda said she was supportive of using the counsel that would be provided to the Board and that she would also support having legal counsel available to the Board when needed in the case of a conflict of interest or if counsel from the county was unreachable, for instance.

Trustee Brooks suggested utilizing the county for legal services. She said she would not be opposed to having an outside law firm on standby with the majority of the Board tasked with utilizing their services, but she said she would not be in favor of having them on retainer.

Trustee Cavazos asked Ms. Miller to explain how the Board would utilize a law firm without a retainer.

Ms. Miller recommended that the Board choose one or two firms to work out an agreement with so that that terms of the agreement are already in place for the Board to authorize the use of them.

Motion to approve using a county-appointed attorney as Board counsel.

Motion: Williams Second: Garcia Morales

Trustee Brooks offered a friendly amendment to work out an agreement with the law firms in the application pool to be able to have them on standby.

Trustee Williams amended her motion to approve using a county-appointed attorney as Board counsel and to direct Mary-Anne Miller to contact the three firms for their hourly rates.

Approve Board Counsel Candidate Review (continued)

Trustee Garcia Morales said she did not have any opposition to the amendment.

Trustee Garcia Morales expressed a serious concern with overreliance on Board counsel for OML guidance and Board policy and said this is why she was initially not in favor of a hybrid option.

Trustee Ford stated that what was discussed previously was a monthly retainer with a minimum number of hours because they were not looking at having support from the county. She said they should not be afraid of putting some money toward a retainer. She said she would like to move this forward and be able to have support from the county counsel, CCSD General Counsel, and an outside firm.

Trustee Guzmán asked for clarification of the motion because she did not understand the motion to be for a hybrid option.

Trustee Williams clarified that her motion was not for a hybrid option but that her motion was to approve the county-appointed counsel and to direct Ms. Miller to reach out to the three law firms about their hourly rate. She said at that point it would have to come back before the Board for the Board to choose which firms they would want to work out an agreement with.

Vote on Trustee Williams' motion was unanimous.

Nevada Association of School Boards

Discussion with presentation regarding ongoing training and legislative efforts of the Nevada Association of School Boards.

Dr. Oliver provided a presentation and discussed with the Board services, supports, and resources provided to school boards by the Nevada Association of School Boards (NASB).

Approve Board Review of the Clark County School District Board of Trustees' Governance Policy B/SE-1: Board and Superintendent Evaluation Methodology

Approval regarding suggestions for future modifications, additions, language changes, and deletions to, B/SE-1: Board and Superintendent Evaluation Methodology, as requested in Reference 3.04. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Dr. Alsbury recommended changes based on input he received from staff regarding other policies that were reviewed previously. He suggested changing "District Vision" to "Board Vision" and all other goals would be "District" goals, which is language specific to CCSD. He noted that he made a revision based on the June 9, 2021, meeting and suggested changing "February" to "January" in the "Adoption of Process and Performance Categories for Evaluation" title on page 6 of 10, Reference 3.04.

Board Member Leaves

Trustee Ford left the meeting at 10:00 a.m.

Approve Board Review of the Clark County School District Board of Trustees' Governance Policy B/SE-1: Board and Superintendent Evaluation Methodology (continued)

Motion to adopt the changes and move forward with the public policy review process of B/SE-1: Board and Superintendent Evaluation Methodology.

Motion: Garcia Morales Second: Guzmán Vote: Unanimous

Trustee Ford was not present for the vote.

Approve Board Review of the Clark County School District Board of Trustees' Governance Policy B/SL-2: Unity of Control

Approval regarding suggestions for future modifications, additions, language changes, and deletions to, B/SL-2: Unity of Control, as requested in Reference 3.05. By direction of the Board, any changes recommended at this meeting will not be implemented unless adopted by the public policy review process at a regular meeting of the Board of School Trustees.

Dr. Alsbury stated there were no additional changes to this policy.

Motion to approve B/SL-2: Unity of Control and have this policy follow the public policy review process.

Motion: Williams Second: Guzmán Vote: Unanimous

Trustee Ford was not present for the vote.

Upcoming Meeting of the Board of Trustees – Thursday, August 12, 2021, 5:00 p.m.

Trustee Cavazos stated the upcoming meeting would be held in the boardroom.

Teleconference Call Connected

Teleconference call with Trustee Ford was connected.

Public Comment on Non-Agenda Items

Norma Scurlock produced an article that lists teachers who are teaching critical race theory (CRT) across the country, including Nevada. She spoke in opposition to CRT.

Anna Binder commented on the presentation given by Dr. Oliver and said as she recalls the training was proposed to be mandatory. She named organizations that she said want to disrupt public education.

Adjourn: 10:15 a.m.

Motion: Williams Second: Garcia Morales Vote: Unanimous