

The Regional School District 13 Board of Education met in special session on Wednesday, August 11, 2021 at 6:00 PM in the Julian Thayer Auditorium at Cuginchaug High School.

Board members present: Dr. Friedrich, Ms. Geraci, Mr. Hicks, Mr. Moore, Mrs. Petrella, Mr. Roraback, Dr. Taylor and Mr. Yamartino

Board members absent: Mrs. Booth and Mrs. Caramanello

Administration present: Dr. Schuch, Superintendent of Schools and Mrs. Neubig, Director of Finance, Mr. Brough, Interim Human Resource Specialist, Mrs. DiMaggio, Director of Curriculum, Instruction and Assessment, Mrs. Keane, Director of Student Services and Special Education and Mr. Pietrasko, Director of Infrastructure and Security Technology

Mr. Moore called the meeting to order at 6:00 PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Approval of Agenda

Mr. Hicks made a motion, seconded by Dr. Friedrich, to approve the agenda, as presented.

In favor of approving the agenda, as presented: Dr. Friedrich, Ms. Geraci, Mr. Moore, Mrs. Petrella, Mr. Roraback, Dr. Taylor and Mr. Yamartino. Motion carried.

Public Comment

Rhonda Riggott Stevens, 40 Banta Lane in Durham, noted that she will be submitting a FOIA parental request for informed consent documentation for the EUA face mask device, PCR testing and EUA source control COVID inoculation with regard to experimental healthcare interventions and read her request into the record. Per the US FDA, the EUA face mask device is used for source control for the virus and the EUA PCR test is used to detect the SARS-CoV-2 virus in a person and the EUA SARS-CoV inoculation is used against the SARS-CoV-2 virus. The EUA face mask device, EUA PCR testing and EUA COVID-19 inoculation are experimental healthcare interventions. Informed consent documentation must be provided to students and legal guardians. Per the US Code of Federal Regulations, these experimental healthcare interventions must pose no more than minimal risk to the individual and minimal risk means “that the probability and magnitude of harm and discomfort anticipated in the research are not greater in and of themselves than ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.” Ms. Stevens felt that a guardian’s right to refuse consent to participate in experimental healthcare interventions on behalf of a minor child is not voided during a federal- or state-declared state of emergency. The fifth amendment of the US Constitution supports an individual’s right to refuse medical treatment. Ms. Stevens also read the definition of what is considered public record. She then requested copies of all documentation pertaining to the record of file from the RSD Superintendent and Board of Education for (1) informed consent documentation for the period of 9/20 through 6/21 including benefits and risks for the EUA face mask device; (2) the same documentation for the current school year; (3) a copy of the RSD 13 informed consent documentation for the period of 7/21 through present; (4) a copy of the documentation that demonstrates that the district has met its clinical investigatory obligation under the US Code of Federal Regulations for the use of the experimental healthcare intervention of forcing students to wear the EUA face mask device for the period of 9/20 through present. Mr. Moore stated that Ms. Stevens’ time is up at this point, but Ms. Stevens asked to

finish what she was reading. Mr. Moore explained that she can come back once everyone else has spoken.

There were no other members of the public who wished to speak.

Ms. Stevens continued with (5) a copy of all records and files that pertain to the proposed EUA PCR testing of CT public school students in the school setting for the period of 7/21 through present; (6) a copy of the RSD 13 informed consent with minimal risk documentation for the EUA PCR testing of minor children in the school setting for the period of 7/20 through present; (7) a copy of the records and files that outline or specify the plan for District 13 to impart the CT State Department of Public Health and Department of Education's recommended K-12 curriculum materials, campaign materials, flyers, activities, VAX to School CT school kit targeting students and the families to receive the COVID-19 inoculation for the period of 7/21 through present; (8) records and files that outline or specify the rewards to be distributed to students by RSD 13 for compliance with participating in wearing the EUA face mask device, participating in PCR testing or received EUA COVID-19 inoculations in the school setting for the period of 7/21 through present; (9) records and files that specify the consequences for students who remove the EUA face mask device in the school setting for the period of 7/21 through present; (10) a copy of the school district's policy that prohibits direct and indirect coercion with regard to a guardian's right to refuse consent on their child's behalf to participate in an experimental healthcare intervention of EUA face masks, EUA PCR testing and EUA COVID-19 inoculations in the school setting. She noted that federal regulations requires the absence of coercion on the part of experimenters to compel a subject to participate in experimental healthcare interventions, directly and indirectly. (11) A copy of the informed consent school district policy that explains an individual's right to a free and equal public education without the threat of direct or indirect coercion even when a guardian refused to consent on the child's behalf to participate in experimental healthcare interventions for the period of 9/20 through present; (12) a copy of the school district policy that states the manner in which a student will be given access to free and equal public education when a guardian refuses to consent to the experimental healthcare intervention of the EUA face mask, EUA PCR testing or EUA COVID-19 inoculation for the period of 9/20 through present; (13) records and files for all COVID-19-related surveys distributed to the RSD 13 staff and administration and tabulated results of those surveys for the period of 8/20 through present; (14) a copy of all records and files that pertain to any investigatory efforts or legislative efforts to mandate EUA PCR testing for students as prerequisite for attending in-person learning and activities for the period of 7/21 through present.

Mr. Moore noted that Ms. Stevens' time was up and stated that the entire document will be entered into the record. She asked if she can read her final three requests since they had waited for board members to come from the library and Mr. Moore agreed.

Ms. Stevens continued with (15) all records and files pertaining to the CT State Department of Public Health and/or State Department of Education with regard to legislation or policy requiring students to report their COVID-19 inoculation verification status to the school district as a prerequisite for attending in-person learning, activities or for the purpose of quarantining students who have received the inoculation for the period of 6/21 through present; (16) all records and files pertaining to RSD 13 and/or CT State Department of Public Health and/or Education regarding legislation or policies requiring staff to report their COVID-19 inoculation verification status to the school district for the period 6/21 through present; (17) all records and files relating to the mobile or stationary COVID-19 inoculation stations to be situated on school property for the period of 7/21 through present; and (18) all records and files relating to

the mobile or stationary COVID-19 PCR testing stations to be situated in the district for the period of 7/21 through present. Ms. Stevens also requested all fees be waived because this is in the public interest.

Approval of Minutes**A. Board of Education regular meeting - July 7, 2021**

Mr. Hicks made a motion, seconded by Dr. Friedrich, to approve the minutes of the July 7, 2021 Board of Education regular meeting, as presented.

In favor of approving the minutes of the July 7, 2021 Board of Education regular meeting, as presented: Dr. Friedrich, Mr. Hicks, Mr. Moore, Mrs. Petrella, Mr. Roraback, Dr. Taylor and Mr. Yamartino. Motion carried, with Ms. Geraci abstaining.

B. Board of Education special meeting - July 19, 2021

Mr. Hicks made a motion, seconded by Mrs. Petrella, to approve the minutes of the July 19, 2021 Board of Education special meeting, as presented.

In favor of approving the minutes of the July 19, 2021 Board of Education special meeting, as presented: Dr. Friedrich, Mr. Hicks, Mr. Moore, Mrs. Petrella, Mr. Roraback and Mr. Yamartino. Motion carried, with Ms. Geraci and Dr. Taylor abstaining.

Next Board Meeting - September 22, 2021 at 7:00 PM**Communications**

Mr. Moore has received a number of comments, including one with an interest to have choice for masks and multiple people asking that the district continue to require masks for school this year. He also received a comment asking for another year on the Lyman closure.

Superintendent's Report (if applicable)

Dr. Schuch acknowledged that most people present were interested in the hearing on the closure of John Lyman and what may or may not be happening with masks. Dr. Schuch is hearing general disappointment with COVID rates due to the delta variant. Staff has met and are communicating with families and, as of now, the plan is to start the school year more or less the way it ended in the spring, however there will be no remote learning option.

Dr. Schuch also updated everyone that a special executive session of the board was held on July 19th that resulted in the appointment of Matthew Warner as the new principal at Coginchaug. Mr. Warner started on August 2nd and he is very happy to be here. Dr. Schuch also noted that the search for an assistant principal at the high school continues and they have had 119 applicants. They do hope to appoint someone by the end of next week.

The school year starts with orientation on August 23rd for new teachers and other employees. Convocation is scheduled for August 27th and the first day of school is September 1st.

Director of Finance's Report

Mrs. Neubig reported that the district is 8 percent expended through the month of July which includes payroll for 12-month staff, summer school which will be reimbursed by the ESSER grant and extended school year staff members. Deposits have been made to health savings accounts and diesel and fuel have been prepaid for the year. Property insurance has been paid and \$360,000 has been transferred to capital. The July debt service payment has also been paid.

There is a chiller at the high school that has stopped functioning and does need to be replaced. There is nothing saved in capital for this. Mrs. Neubig is looking into the cost for this as well as an Eversource incentive rebate and felt that it could be in the neighborhood of \$180,000. She will report back at the next board meeting. Mr. Yamartino asked if that was part of the energy savings project and Mrs. Neubig stated that it was not as it did not have a big savings impact through the project.

There is a sink hole under the Cuginchaug track that occurred from the heavy rains in July. The sink hole itself is not covered by insurance but damage done by that may be covered. The contractor now has camera below ground trying to find out where the void is and how it can be fixed. Costs to date have been minimal. Four lanes of track may be lost if a major repair is needed.

Mrs. Neubig explained that bonding paperwork for \$2.325 million out of the \$6.9 million was signed today. That anticipation note will be due May, 2022 with an interest rate of .49 percent. The auditors will return in October and the USDA has approved another waiver for free school lunch through the end of this school year. Mrs. Neubig would like to apply for the waiver, if the board agrees. The board agreed to have Mrs. Neubig apply for the waiver.

New Business**A. Vote to accept Eagle Scout donation**

Dr. Schuch explained that Eagle Scout Dalton Bates still needs to order the pavilion, but the donation will be between \$7,000 and \$7,800 in total. The rock for the base and site work will be added to that total.

Dr. Friedrich made a motion, seconded by Ms. Geraci, to accept the Eagle Scout donation of the gazebo at Memorial School.

In favor of accepting the Eagle Scout donation of a gazebo at Memorial School: Dr. Friedrich, Ms. Geraci, Mr. Hicks, Mr. Moore, Mrs. Petrella, Mr. Roraback, Dr. Taylor and Mr. Yamartino. Motion carried.

B. Public comment guidelines

Ms. Geraci reviewed that the board cannot respond to public comment and there is a time limit. She also mentioned that certain things should not be brought up in public comment, such as personnel issues and student matters. She found language regarding public comment and asked that the board's attorney review it and then have it included on all agendas.

Mr. Hicks suggested the language be forwarded to the Policy Committee to be added to the existing public comment policy. Ms. Geraci agreed, but also felt it should be included with the public comment section on agendas. Mr. Moore stated that there will be a Policy Committee meeting soon and they will add that to their agenda.

Mr. Yamartino agreed with most of the language, but felt that it was important that people know that it is on the advice of the attorneys that they not engage in discussion. He doesn't necessarily agree with that and felt that they should be able to address something that is factually incorrect. He also felt that it would be helpful to be able to answer the public's questions. Ms. Geraci felt that it was fair to forward this to the Policy Committee.

Dr. Taylor disagreed with Mr. Yamartino's opinion and felt that it would be extremely hard to regulate a back-and-forth conversation. He felt that issues could be addressed under different parts of the agenda, including communication.

Recess for Public Hearing on the Proposed Amendment to the Plan of Regionalization

Mr. Moore declared the board in recess until the end of the public hearing.

Resume special session Board of Education meeting

Discuss District Meeting/Public Hearing, if necessary

Ms. Geraci agreed that having some sort of potential time line would be very beneficial. Mr. Moore did ask the attorney if the amendment language could be amended and was told that the process would need to be restarted. The only way to accommodate Kelly Aingworth's request would be to vote on a date/time line, but that vote could not be done tonight. It could be done at the special meeting to set the referendum date.

Schedule special session Board of Education meeting to (1) set a referendum date and (2) discuss mask requirements for the reopening of school

Mr. Moore explained that he would like to be able to discuss both the referendum date and mask requirements before school starts and the notice for the referendum has to be to the Town Clerks by September 2nd. Dr. Schuch suggested that the time line/date be on the same agenda so that it is clear to the public that they are committed to that time line. He felt that if they stated that it would no earlier than June, 2023, that would give a full 19 to 20 months to plan and the staff could make the transition better.

As of now, the guidance from the state is that masks will be required for all schools as of September 30th. Dr. Schuch stated that they have been trying to hold off on publishing any information and are still hoping for some guidance from the governor's office. He noted that, without any change to the executive order, masks will be required on buses and in schools, vaccinated or unvaccinated, but not required outdoors regardless of vaccination status. Vaccination of all eligible individuals remains the top mitigation strategy and Dr. Schuch recommended that everyone talk to their healthcare provider to have that conversation.

Dr. Taylor asked if a Policy Committee meeting is necessary because the prior policy had an expiration date that has passed. Dr. Schuch did not feel that the board needed a policy because they cannot create a policy that contradicts a state order. The towns have yet to adopt any policies. Mr. Moore suggested that they could have a Policy Committee meeting immediately before the next board meeting, if needed.

Dr. Schuch mentioned that there is a Building Committee meeting next Wednesday. Mr. Moore explained that they will get information out to everyone and the meeting will be toward the middle to end of next week, with the Policy Committee meeting right before. Mrs. Neubig stated that the Building Committee meeting can be rescheduled, if necessary.

Mr. Yamartino asked if another ThoughtExchange will go out after tonight's meeting. Dr. Schuch stated that he could certainly do that and added that they will update the FAQs based on comments received, both tonight and prior to the meeting. Dr. Friedrich felt another ThoughtExchange would be a good idea. Dr. Schuch asked if it should be framed around a time line and ask what further thoughts or questions they may have. Dr. Friedrich also thought that the public that watched the meeting remotely should also have an opportunity to speak to the board. Dr. Schuch will try to do that tomorrow or Friday.

Adjournment

Ms. Geraci made a motion, seconded by Dr. Friedrich, to adjourn the special meeting of the Board of Education.

In favor of adjourning the special meeting of the Board of Education: Dr. Friedrich, Mr. Hicks, Mr. Moore, Mrs. Petrella, Mr. Roraback, Dr. Taylor and Mr. Yamartino. Motion carried.

Meeting was adjourned at 8:56 PM.

Respectfully submitted,

Debi Waz

Debi Waz
Alwaz First