

Canyon Creek School District #4
Yellowstone County, Billings, MT
6:30 p.m. – Library

Call To Order

September 9, 2021

Chair Amy Sironi called the Regular Meeting of the Board of Trustees to order at 6:30 p.m. by leading those present in the Pledge of Allegiance. The following trustees and officers were present: Amy Sironi, Chair, Amy Gibbons, Vice-Chair, Kelly Hickey, Trustee. Brent Lipp, Superintendent and Seara Stovall, Business Manager/District Clerk were also present. James Wiesner, Trustee was absent from the meeting.

Additional guests present: Haley Morales, Dean of Students, Carey See, Teacher, Stephanie Heaps, Teacher, Rachel Swoboda, Teacher, Emily Stevens, Teacher, Sheena Cain, Teacher, Christina Stormer, Teacher, Jason Matt, Jeff McNeish, Sonya McNeish, Kaylee Trentman, Teacher, Jay Thompson, Alicia Stebbins, Carl Siroky, prospective board trustee, Keziah Lawicki, Quincy Stormer, Amanda Agyeman-Budu, Laurie Stricker, Jeanna Forsman, Delaney Johnson, Teacher, Melissa Kamp

Public Comment

Jason Matt – expressed his gratitude to the Trustees for voluntarily serving, recognized all district staff members for their efforts during these difficult times and thanked all for their efforts. He shared his support for mask mandates.

Carey See – shared that her choice of profession was due to her love of children. She stated she would do anything necessary to protect children, such as getting vaccinated and wearing masks. She shared that she is married to a physician and is well aware of the crisis we are in.

Sheena Cain – noted that she remains neutral through this discussion. She is not in alignment with not being able to communicate cases and she feels it is negligent not to share the potential cases within the school district.

Emily Stevens – shared that she wants to support her community and wants to support the students and fellow staff members firstly. She also shared that she feels cases should be communicated to staff.

Jeff McNeish – shared he is a parent of a current student. He shared his opinion of the need to wear a mask. He thanked everyone for their efforts last year in responding to Covid and how the district handled the pandemic. He felt the district exceeded many others in the efforts to respond. He stated his support for a mask mandate to be implemented. He felt not having any remediation in place is a huge missed opportunity, to do anything and everything we can, to protect the children.

Rachel Swoboda – shared she acknowledges Covid is a real thing and believes that masking should be optional. She had a lot of missed educational time trying to repetitively require students to wear their masks appropriately last year. She wants students and staff to have the freedom to choose to wear a mask or not to wear a mask.

Jay Thompson – shared he enjoys very much having a child attend the school. He is not here to mandate wearing masks or vaccinating one way or another. He is here to advocate to provide a safe learning environment where students can learn without distraction or division. Personally, he is not big on masks and does not wear them often. Regardless of his personal feelings, he has asked his son to wear a mask in support of the efforts. He does not feel the division that is growing is a healthy environment. He asks for all parents to take the position they feel is right for them and avoid the division and distraction that is growing.

Alicia Stebbins – she is a proponent of choice. She doesn't want students to get sick and believes that social distancing, not masking, is the preventative measure that should be focused on. She mentioned that masks are preventing social interactions that are needed at the student level.

Christina Stormer – she thanked the trustees for their caring efforts for the school. She designated that her sharing is representative of her personal thoughts and not her position as president of the Canyon Creek Education Association (CCEA). She asked for consideration of Covid as fact versus opinion. She reviewed the options presented via policy 1905. She shared her beliefs and that they must be presented neutrally. She asked for consideration of a flipped representation of the mask shamming; to view this discussion in another perspective. She strongly shared that her requirement as a teacher is to educate students. She noted that excessive time was spent last year consistently communicating to students to appropriately wear their masks and losing educational time. She is not a proponent of the mask mandate and requests that it be kept as an optional decision for all.

Consent Agenda

Ms. Stovall shared that the 1st claims run for September was not included in the packet as per the claims cycle schedule; it was completed today (09/09/2021). She distributed it as a handout to be considered as part of the Consent Agenda.

Amy Gibbons moved to approve the Consent Agenda as presented. Kelly Hickey seconded the motion. The motion passed unanimously.

Correspondence

Several letters of correspondence, received by Mr. Lipp in reference to masking requirements/options, were distributed to the Trustees.

Administrative Report

- Superintendent's Report –
 1. Covid-19/ School Health Report – Superintendent Lipp shared that we are not healthy. He noted that he is thankful for the participation in today's meeting. He shared this is not about what he wants. He noted that when everyone leaves today that there will be many unhappy people. He said that we have tried to take the high road and meet everyone in the middle. He stated we are in a worse position at this point in reference to Covid. He will share his recommendation during the agenda item. He is sharing that his recommendation is based on him being the leader of this building.

2. Trustees – Superintendent Lipp shared that Carl Siroky has noted his interest in being appointed as a board trustee. His application was received and will be added as an agenda item to the October board meeting. Carl was in attendance of this meeting.
 3. Lunch Program – Superintendent Lipp shared that the OPI Seamless Summer Option lunch program application was just approved this week.
 4. Sports – Superintendent Lipp gave a status update on the current sports taking place. Canyon Creek School has the largest girls’ basketball numbers of all the districts. The challenge that comes from this is not having the competition numbers for enough games. He noted that we may have internal scrimmages to make up those games. Boy’s football does not have any active football players. Boys and Girls Cross Country is going well, with their first meet being held today. As far as he knows there are no Covid restrictions for athletics at this time.
 5. Student Enrollment – Superintendent Lipp shared the current enrollment stats per grade level. Currently the enrollment count is at 251 students, K-8. He noted that the school is very full and space is a concern.
 6. Testing – Superintendent Lipp shared that NWEA testing is scheduled to begin in the near future. K-4 will test September 13 – 17th. 5-8 will test September 20-24th. This testing is to attain a current baseline of learning levels. This is important to evaluate if students have learning lose due to the pandemic. He noted his submission and return of the submitted ESSER III application.
 7. Substitutes – Superintendent Lipp shared that the District has an extreme shortage of substitute teachers.
 8. Professional Development – Superintendent Lipp gave an update on professional development opportunities. There is an ACE training upcoming in Lockwood, discussing behavioral interventions.
- Dean of Student’s Report –
 1. Discipline – Mrs. Morales gave a summary of the disciplinary issues that have been addressed since the beginning of the school year. There are five write-ups including vaping.
 2. NWEA Testing – Mrs. Morales reiterated the testing schedule and shared that training has been completed to Paraprofessionals for proctoring of the tests.
 3. Cafeteria – Mrs. Morales shared that she is in the cafeteria every morning and every lunchtime. She is helping with the management of the students during this time.

Old Business

- A. Open Board Trustee Position recruitment status update was given. There is currently one unexpired, one-year term vacant with interest from Carl Siroky. His interview and possible appointment will be added to the October agenda.

New Business

- A. FY22 Insurance Update – Ms. Stovall opened the discussion by thanking the many staff members

in attendance for their willing participation in the very short and intense open enrollment. With the efforts by the staff and the 60 -70 hour work weeks that Ms. Stovall completed to set up the new insurance vendors and process all the open-enrollment benefit forms in a short time-frame, she is happy to share that the district employees were fully insured on September 1st under the new insurance carriers. The payroll software vendor and benefit entries, once complete, will finalize the implementation process. This is scheduled for completion next week. This is a huge win for the district and all staff members. Staff members in attendance and trustees thanked Ms. Stovall for her efforts!

B. Extra-Curricular Contracts – Superintendent Lipp recommended the following hires to the following coaching/advisor positions for FY22.

- Quincy Stormer - 5/6 Girls Basketball
- Stephanie Heaps – Student Council

The following positions have not been filled at this time: Mathcounts (Mr. Lipp is uncertain if this is currently being held) and 5/6 Boys Basketball position, as the contract extended previously was turned down. Discussion was held.

Amy Gibbons made a motion to approve the hire for both extra-curricular coaching/advisor positions as presented. Kelly Hickey seconded the motion. The motion passed unanimously.

C. Approve Out-of-District Students FY22 – Discussion was held. Superintendent Lipp recommended the approval of eight additional out-of-district students based on the guidelines in Policy 3141. This puts the total out-of-district student count at seventy-eight.

Amy Gibbons made a motion to approve the additional Out-of-District Students attendance agreements for FY22 as presented. Kelly Hickey seconded the motion. The motion passed unanimously.

D. Policy 1905 Review/Revision – Discussion was held. Superintendent Lipp recommended to the board of trustees to consider the proposed and recommended changes to the 1905 policy recently presented by MTSBA.

Superintendent Lipp developed a document for sharing, addressed to the trustees, staff and community. He read this aloud and noted that regardless of what is done, he stated that the path we took previously has failed. He recognized the previous sharing by staff members of their opinions.

Superintendent Lipp's documentation was presented as follows, "Covid 19 is real and it is in our school and community. As a district Superintendent and the authorized representative of Canyon Creek School District #4 I must say that I have never before witnessed our students and staff in the vulnerable state we are in tonight. This weighs heavily on me and my decision making. But I am willing to take the sword tonight to protect innocent children in this building. In an attempt to appeal to parents having the choice to mask kids and trusting that all parents want what is best for children you as a board followed my recommendation in giving parents this choice. We tried to make it work and keep the community happy. We are not going to keep

the community happy no matter what. We can only hope they are reasonable. We know that there is opposition to masking. We tried to avoid this by taking the middle choice. This option has failed and is not working. Last week I sent in the newsletter a plea for our parents to rethink the mask optional choice to help us with the increased cases in our school. We saw very little increase in staff masking which I believe is telling. This is telling because many of them would rather not wear a mask, and do not have to, but most of them have chosen to wear them. They do this because they are concerned for our kids, scared of what is next, and they want to be at work and teach our students academics. I believe our staff have spoken, and I respect the opinions in this building. These people are educated and sacrifice for kids every day. Let's take note of that. What is the silent message in our teacher's actions by wearing masks?

We started the school year with our Jr. High population exposed on the first day of school. I waited to see if we had any more cases. August 23rd through September 9th we have currently witnessed 8 students or staff positive with Covid 19, and 12 students that parents quarantined. These cases range in all but three grades. Three of these cases occurred in the past 48 hours and affect the youngest students in our school. Proof kids can get Covid! Currently we have 185 kids out of 251 that have no choice in being protected by a vaccine. Some of these students are our most vulnerable and at the most risk. We need to remember these are our kids in our community. They are our neighbors, friends and family. Do we need to protect them? Do we need to help each other out in looking out for one another? This school is our community, our home.

Yellowstone County cases are the second highest they have been since the start of the pandemic. Hospitals are full, medical facilities are stressed, and people are dying. This week a twenty year-old in our community died of Covid. How many older people in the room tonight would have thought they had to worry about dying of a virus when we were twenty? Times have changed!

The State of Montana has made some decisions to make running schools very difficult. Because of House Bill 702 we are not allowed to share information any longer about personal health that violates the rights of privacy. Even if it places a risk to all others in the general population including children in schools. We are not allowed to discriminate and make different choices based on how you have treated yourself with vaccines. We are no longer allowed to recommend to parents the course of action that should be taken if they are positive. We can't recommend the CDC in the State of Montana whom has been known as the medical watch dog for this entire country. So what do we do? Nothing! According to MTSBA if you know your students are at risk you must do something or the school is conducting themselves in a manner knowingly admitting to negligence. Our hands have been tied to do what is best for our kids. I can only tell you that I appreciate the parent that calls and asks me what they should do to help the school, but embarrassing enough have to tell them I cannot recommend anything. What is the point of that in regards to doing what is best for kids? According to state law, everyone is to be treated equal. One size fits all! If this is the recommendation of how our state wants us to run things, I believe we need to consider what one size fits all of our students when it comes to masking. We

know that not wearing a mask does nothing to protect us. We know that wearing a mask could do something. It does not kill a normal student to wear a mask. It is however an inconvenience, but at this point do we need to discuss inconvenience. We are in a pandemic! We can accommodate for kids that cannot wear a mask as long as we have documentation. The 504 and IEP process can help these people and we can work with them. After all, we want these kids in schools. If it is a legitimate issue the school will assist these students under 504.

As the Superintendent of this school, I believe it is the obligation of the district to do what is best for the whole population. Our population happens to be mostly kids. These kids have absolutely no protections. According to the MTSBA attorneys who represent most of the districts in the state, they are recommending that schools take the overall safety of students as the first choice to make. What is the best interest of the health and safety of our students? This question must be #1 tonight. As the leader of this school, I believe the best interest of all kids and staff at CCS is that they all wear masks to help mitigate the spread of Covid. I am not interested any longer in all of the research from the millions of places it comes from in this world. I have read all of the documents that have been given to me. Many of them are not legitimate sources and do not have factual evidence. Unfortunately, we all have been victims of fake news, social and medical conspiracies etc. More important we have sick kids and we have only one choice. The choice is to protect them from Covid and educate them to the best of our ability, use hand sanitizers, and try everything we can to keep them Covid free while on our watch.

Yes, we can debate if masks work or not, if we are using them properly, or if they are worthless because we do not make students wear them at lunch, recess or PE. I believe we still need to do the most we can and if needed, we will adjust to be better at what we do. In all instances, there is room for criticism and critique. Believe me we do a good job of this on ourselves. As I said in my newsletter, we need to keep adult issues away from students. This situation is about keeping the most precious little beings safe from harm's way. Politics do not last, pandemics usually do not last, and fights at board meetings will soon be forgotten. What none of us in this room will forget is if we somehow feel responsible for the death of a child that may have gotten sick at school. I made a promise to protect these kids, I'm asking the board to give me the authority to weigh the burden of this decision on myself and let's give this policy the language we need to protect kids.

I'm recommending to the board of trustees to consider the revision of Policy 1905 to include the following:

Under Physical Distancing I recommend,

Option 2 - This will be similar to the cohort situation last year. Lunches will be offered but will not be in a grab and go method. We will serve them to the best extent possible.

Under Face Coverings as Personal Protective Equipment I recommend,

Option 1 - Required Face Coverings

I would recommend the policy be reviewed on a monthly basis during the emergency status.

It is important to know that Article 10 Section 8 gives the board of trustees the ability to make these decisions under the Supervision and Control Clause of the Montana Constitution. I ask that our trustees make these decisions for the kids, no politics, personal agendas, or beliefs. Just the idea of school safety and wellbeing for kids. We can do this and it is allowed under the Governors executive directive. School boards have the ability to do what is best at the local level. A mask mandate is permissible, so are cohorts and phase two of our reopening plan. If we don't do this not only will we be wearing masks, we will be threatening the continuation of sports programs, and many other activities and items our kids look forward to. Let's get this right.

Thanks for considering my suggestions I know we will do what is best for kids tonight."

Discussion by trustees followed. Amy Gibbons shared that she is very pro-choice in her home. She shared that both of her students attending Canyon Creek School are of age to be vaccinated and are fully. She shared that correspondence was received this week, which has not been shared during this meeting, which advocated for masks as options and requested that a parent survey be completed. She inquired with Superintendent Lipp why a parent survey had not been completed.

Amy Sironi noted that she feels we are not doing what is best for students. We are in a horrible position and there are currently sick kids in our local hospitals. She feels that we have failed and is very upset that we have not protected children and are not supporting our health care workers. She shared per the recent MTSBA legal primer that no matter what is decided, we have to do something. She stated that we have to do something! Currently we are doing nothing and that is not the right answer. She noted that this mask mandate is not forever. We can monitor and make changes. She shared that she is vaccinated and her children are not due to the age restrictions.

Kelly Hickey shared that she is in agreement with both previous trustee's statements. She shared that she works in public education, in a district that does not currently have a mask mandate and does not feel comfortable. She shared that we have to do something. She noted that we should implement the mask mandate and need to try something.

Superintendent Lipp noted that written correspondence had been received and shared with the trustees that they should take the time now to review the documents. Correspondence submitted was from Sonya McNeish, Jeff McNeish, Rindo Sironi, and Seth Burnham. He also shared that he feels statistical data should be reviewed, on a monthly basis, of students at the local and national level per grade level. He recommends that if 3 of the 5 parameters are in "green", we should be able to remove the mask mandate. This data is shared weekly by John

Felton. This week was the first time that the new variant, Mu, has hit the statistics.

Superintendent Lipp shared that communications can no longer lawfully be made, indicating what grade level there are positive Covid cases. HB702 restricts communications referencing positive Covid cases and CDC recommendations.

Superintendent Lipp noted that we are “less liable by doing something, versus doing nothing”. He referenced a legal case that notes the legal option for the district to make a masking choice and noted the CDC’s recommendation to mask. Legally, requirements to quarantine are not something the district can mandate.

Superintendent Lipp shared that what we are currently doing is not working. Amy Sironi noted that not having the authority to quarantine puts us in a horrible place as we cannot remove the risk from the healthy students. Superintendent Lipp shared that all of the districts implementing a mask mandate are in litigation. Amy Sironi noted that our litigation risk is higher if we do nothing. Superintendent Lipp noted that we need to band together as a community.

Amy Gibbons made a motion to approve the recommendation from Superintendent Lipp of adopting Policy 1905 Physical Distancing Option 2 and Face Coverings as Personal Protective Equipment Option 1 – Required Face Coverings, with a monthly review, as presented. Kelly Hickey seconded the motion. The motion passed unanimously.

- E. Superintendent Presents Goals for FY22 to the Board of Trustees – Superintendent Lipp shared in detail his goals for FY22. He highlighted the following categories; Goal Area 1 – Students - School Safety and Student Culture, Goal Area 2 – Academics – Curriculum and Assessment, Goal Area 3 – Technology – Infrastructure, Goal Area 4 – Community Engagement, Goal Area 5 – Staff – Professional Development and Evaluation/Promotion/Retention, Goal Area 6 – Facilities – Maintenance and Infrastructure, Goal Area 7 – Superintendent – Professional and Personal.

Discussion was held.

Agenda Items for the Next Regular Meeting – October 14th

- A. Interview and Possible Appointment of Board Trustee – Carl Siroky
- B. MCEL Professional Development Reminder
- C. Fall Enrollment / ANB Update
- D. MTSBA Policy Services Status
- E. Covid / School Health Update

Quincy Stormer commented to the board of trustees that as an employee of the district as basketball coach, he stated that he will not implement mask wearing and will not personally wear a mask. He shared this so that the trustees and Superintendent Lipp can reconsider his employment.

Adjournment

The next Regular Meeting will be held Thursday, October 14, 2021 at 6:30 p.m. in the Canyon Creek School District Library.

Amy Gibbons moved to adjourn the meeting at 8:02 p.m. Kelly Hickey seconded the motion. The motion passed unanimously.

Amy Sironi, Chair

Seara Stovall, Business Manager/Clerk