

Naselle-Grays River Valley School District No.155

Lisa Nelson, Superintendent
Rhiana Jacot, Executive Secretary

Board of Directors:
Chuck Hendrickson, Chair
Amy Hunt
Amy Chadwick
Lonnie Eaton
Tyson Vogeler

Minutes of a special meeting of the Board of Directors held on Wednesday, November 3, 2021 at 6:30 p.m. in the Naselle Commons and on a virtual format.

Present: Chuck Hendrickson, Chairman, Amy Hunt, Amy Chadwick, Lonnie Eaton, Tyson Vogeler, Lisa Nelson, Justin Laine and Aldrich Smith

Call to Order

Mr. Hendrickson, Chairman of the Board, called the meeting to order at 6:30 p.m.

Agenda

Mr. Hendrickson explained that this was a special meeting of the Board and an agenda must be provided. Superintendent Nelson opened the meeting by briefing the Board on the steps she, other members of her staff and the Board had taken since the last meeting. She shared information on responses from Pacific County's Health Dr., along with the Department of Health and a response from WIAA from the letter the Board members sent expressing the difficulty in managing and addressing various Covid standards. Athletic Director, Aldrich Smith, shared his findings in questioning other schools about the number of participants they would have for sports, whether or not they intended to follow the Department of Health's guidelines and procedures around Covid testing winter sports athletes. Mr. Smith said that based on a poll of 90 athletic directors around the state, the majority of schools would be following the guidelines regarding testing unvaccinated players for basketball. A small minority of schools would be testing both vaccinated and unvaccinated. Mr. Smith fielded some questions from community members about testing and the possibility of a rapid saliva test. Mr. Smith showed how the nasal test worked. Principal, Justin Laine shared results of a survey that had been distributed to parents in middle and high school. The survey was conducted to get feedback from parents on their views on Covid testing and whether or not their children intended to play basketball this winter. Mr. Hendrickson said that before the meeting began, a community member asked to share. The community member shared a prayer with all in attendance. Another community member asked whether the school would test non-sports students and how they would distinguish between vaccinated and unvaccinated. Ms. Chadwick said she was not aware of requirements for testing non-sports students. A community member asked when the Board reached out to OSPI with the letter. She asked why testing only applies to basketball and stated that there are rapid saliva tests, but the school has not looked hard enough for them. A community member asked if anyone has looked into the ethics of testing. Mr. Vogeler responded and said he did some research. He stated he is not an attorney and is not qualified to determine the legality of testing. Mr. Vogeler stated he is also concerned about invasion of privacy and questioned whether the State's mandates would be upheld regarding privacy. Mr. Vogeler said that the State's privacy protections are tighter than at the Federal level. Mr. Vogeler stated that the Board has a responsibility to follow the guidance from the State and the Department of Health.

Ms. Chadwick said there are some very old court cases that uphold the State's ability to require vaccine mandates. The current lawsuits that have been won have been lawsuits against schools for not following the mandates.

Community members asked more questions and provided comments about rapid saliva tests. One community member said they would be comfortable with saliva tests. Another community member said there is a chemical on the nasal swab that may be dangerous to children being tested twice a week over time. Another community member shared some paperwork with the Board about testing.

A question was asked whether the school is testing non-sports students. Ms. Nelson said we are not doing testing in the classrooms.

A community member shared documents with the Board. He said the documents came from straight from the DOH and that the documents said testing should be administered on a voluntary basis. He continued to read the document to the Board. He then read CDC directives about privacy concerns. He also read a document about coercion and participation in research for 3rd world countries.

Ms. Chadwick brought up that there are other community members who don't agree with not following the guidelines. She asked if it is possible to move in a direction where we are following the guidelines and expressing our concerns.

A community member said that since the tests only catch 1/3 of positive cases, maybe those that support the tests could voluntarily be tested. He also stated that the State has not found a way to have basketball without violating students rights.

A community member asked if testing was only for basketball.

Ms. Nelson said it is only basketball, not other sports, because it is required for indoor high contact sports.

Ms. Chadwick shared personal concerns about her son not playing basketball.

Community members said they are also worried about their children's health.

A community member asked the Board which they felt was more important, civil liberties or basketball.

Another community member shared that he has been away on deployment for a few years. He asked the Board if they have access to legal counsel and how often it can be accessed.

Mr. Hendrickson said yes and it is available at any time.

The community member responded that the Board has said a couple of times that they are not lawyers. He asked why they have not consulted their lawyer. He said that he has been around the world and has seen that freedom does not exist out there. He stated that the US is the last stand for freedom and it is dwindling. He said the community members were not attacking the Board, but that it was important to teach children about freedom.

A community member asked about open gym.

Ms. Nelson said open gym is not under WIAA mandates.

Mr. Smith said that if we do not follow the guidelines we would be the only one in our league.

A community member said our greatest legacy is our children and we must instill in them the values we believe are important. Parents, school and community all play a part in this. He stated he is very concerned about his child losing her opportunity to play basketball her senior year. He said when he weighs testing over not playing, he picks basketball. He suggested the passion about this issue shown by community members be directed at Olympia. He said this is a statewide decision, the school Board does not have the influence that representatives have. He encouraged all the community members to vote.

A community member responded to the previous comment and said the school Board does have responsibility. The Board members take an oath to uphold the constitution and they represent the community. He said when you know what you are up against, you have to stand up against it. He asked the Board to consider their oath. He said the oath does not make it possible to support the mandates. He read the beginning of the State of Washington's constitution.

Another community member said he appreciated the comment that we need to bring the concerns to Olympia. He said we cannot rely on judges and said it is up to the people to stand up for the constitution.

A community member said it sounds like everyone is on the same page and all that needs to be done is a spittle test.

A community member questioned why the Board was not utilizing their attorney so there could be facts presented.

Ms. Nelson said we do have an attorney, the WIAA has an attorney, the ESD 112 has an attorney and that the mandates have been upheld.

Ms. Chadwick said it is not a bad idea to contact the school's attorney. Ms. Chadwick said the Board is also the stewards of funding.

A community member said the school will lose funding when students homeschool.

Ms. Chadwick said she wants to advocate for all students and is willing to speak with an attorney.

Mr. Vogeler said he appreciated hearing from community members at the previous Board meeting. He said he had suggested the letter to OSPI and WIAA in an effort to carry the message of the community forward. He stated that the Board looked into the ramifications for other districts that did not follow the mandates. He said letters came to those districts within a week from OSPI. The letters gave said this was the one warning and the school districts had five days to comply, if the districts did not comply, apportionment stops. He said each of those districts rapidly complied. Mr. Vogeler said that this is one of the things that the Board has to struggle with. Apportionment is 75% of the funding that covers K-12. He said that he worked for OSPI in years past. He does not believe they are bluffing.

A community member asked if the Board has consulted an attorney about the legality of the mandates and if OSPI has the ground to stand on if they pull funding. He questioned the legality of not funding the school.

Mr. Hendrickson said the ESD 112 counsel has said the school must comply.

The community member recommended asking the school's own legal counsel.

A community member asked if the schools lawyers were independent from the teachers' union.

Ms. Nelson said the school district uses Pacifica Law, a private law firm, and the legal counsel from ESD 112 who is also our risk management provider.

A community member asked if the Board would submit a list of questions to the school's attorney.

Mr. Hendrickson agreed to do that.

Adjournment


Mr. Vogeler moved, seconded by Mr. Eaton to adjourn the meeting at 8:17 p.m. Motion carried.



Secretary to the Board

11-16-21

Date



Chairman of the Board

11/16/21

Date