



Meeting Minutes Duval County Public Schools

October 19, 2021, Special Board Meeting

Ms. Elizabeth Andersen, Chairman
Mr. Darryl Willie, Vice-Chairman
Dr. Kelly Coker
Ms. Lori Hershey
Mr. Warren A. Jones
Ms. Charlotte D. Joyce
Ms. Cindy Pearson
Dr. Diana Greene, Superintendent

ATTENDANCE AT THIS MEETING OF THE DUVAL COUNTY SCHOOL BOARD: All Board Members were present. Dr. Diana Greene, Superintendent, and Ms. Rita Mairs, Office of General Counsel, were also present.

Call Meeting to Order

The meeting was called to order at 9:11 a.m.

1. APPROVAL OF THE OCTOBER 19, 2021, AGENDA

Motion:

That the Duval County School Board approve the October 19, 2021, agenda as submitted on October 15, 2021.

Vote Results:

Motion: Kelly Coker

Second: Warren A. Jones

PASSED - 7-0

Aye:

Lori Hershey
Warren Jones
Charlotte Joyce
Elizabeth Andersen
Darryl Willie
Kelly Coker
Cindy Pearson

Nay:
None

Topics to be Discussed

1. MEMORANDUMS OF UNDERSTANDING WITH NORTHEAST FLORIDA PUBLIC EMPLOYEES' LOCAL 630, LIUNA, AFL-CIO (LIUNA), NORTHEAST FLORIDA PUBLIC EMPLOYEES' LOCAL 630, LIUNA, AFL-CIO (LIUNA - HEALTH SERVICES), FRATERNAL ORDER OF POLICE, JACKSONVILLE CONSOLIDATED LODGE NO. 5-30 (FOP), INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION 177 (IBEW), AFSCME FLORIDA COUNCIL 79 AFFILIATED WITH THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFL-CIO) (AFSCME), AND DUVAL TEACHERS UNITED (DTU); AND VACCINE INCENTIVES FOR ADMINISTRATIVE AND NONUNION EXEMPT PERSONNEL.

Superintendent, Dr. Diana Greene, read the recommendation.

That the Duval County School Board approve and fund the Memorandums of Understanding (MOUs) attached to this item and authorize district Administration to sign and implement the attached MOUs, to provide Emergency Paid COVID-19 Leave to all full-time employees, and to implement a financial and leave vaccine incentive for administrative and non-union exempt employees. All full-time administrative and non-union exempt employees and employees covered by the attached MOUs who are fully vaccinated or who have an approved religious or medical accommodation by January 31, 2022, shall receive a \$200 incentive payment. All full-time employees shall be authorized up to twenty-four (24) hours of Emergency Paid COVID-19 Leave if out of work due to testing positive for COVID-19. Full-time employees who are fully vaccinated or who have an approved medical or religious accommodation in lieu of being vaccinated shall be authorized an additional forty (40) hours of Emergency Paid COVID-19 Incentive Leave to use if the employee is out of work due to testing positive for COVID-19 and has not been released to return to work. Once approved by the Board, the Emergency Paid COVID-19 Leave will be retroactive back to July 1, 2021, for full-time 12-month employees; July 24th for fulltime 11-month employees; and retroactive back to August 3, 2021, for fulltime 10-month employees. Additionally, all employees will be required to wear a mask for the 2021-2022 school year. The Superintendent shall be authorized exempt employees who have shown proof of being fully vaccinated from this requirement at her discretion. Mask provisions may be rescinded or reimplemented by the Superintendent over the course of the school year to respond to variations in the prevalence of COVID-19 in the community or schools. Employees who are not in compliance with district mask requirements will be subject to progressive discipline, including possible termination.

Vote Results:

Motion: Kelly Coker

Second: Warren A. Jones

PASSED 7-0

Aye:

Lori Hershey

Warren A. Jones

Charlotte Joyce

Elizabeth Andersen

Darryl Willie

Kelly Coker

Cindy Pearson

Nay:

None

Board Discussion:

- Board Member Hershey shared concerns that the recommendation read by Dr. Greene was different than what was written and asked for clarification.
 - Board Member Hershey read what was online and asked questions about dropping the emergency rule.
 - Dr. Greene provided clarity to the Board.
 - Board Member Hershey asked Ms. Mairs should this be written or amended before the Board votes.
 - Chair Andersen shared her understanding of the statement read by Dr. Greene as the sole purpose of providing clarification.
 - Ms. Mairs clarified the recommendations to the Board and encouraged that they vote on the information in writing, which was before them.
 - Board Member Hershey asked for clarification on a district approved religious exemption, the protocols for it, who makes the decision, and is it subjective.
 - Dr. Greene asked Ms. Victoria Schultz, Chief of Human Resources, to answer.
 - Ms. Schultz shared the process for accommodations request that is followed explicitly according to the law and who participates in the meetings.
 - Board Member Joyce shared concerns about the religious exemption and wants to know about the denials and acceptance of those exemptions and what the criteria is for the approval process. She shared concerns for discrimination of those employees that chose not to get vaccinated as she feels everyone should get the same amount of leave time whether vaccinated or not.
 - Ms. Schultz shared the amount of religious accommodations request received and the number denied.
 - She shared the process of how they are approved or denied along with the counsel that is received from the Office of General Counsel (OGC).
- Office of General Counsel shared insight on the accommodations process and what is required by law.
 - Ms. Ariel Cook, Office of General Counsel, shared in terms of discrimination from an employment perspective vaccination status is not a basis on which there can be legal

discrimination.

- Vice-Chairman Willie asked for clarification about the retroactive portion on the MOUS.
 - Ms. Schultz explained those dates refer to the first day of work for the 2021-2022 school year.
 - Board Member Joyce shared her concerns that the incentive was promised and advertised before it was voted on by the Board.
 - Ms. Schultz clarified the incentive and flyer received was related to insurance and it was already approved, and the confusion was probably that people were thinking the vaccine incentive and insurance incentive were the same, but they were 2 different incentives.
 - Board Member Joyce shared she wanted to approve the incentive, but she wants it to be fair for all teachers.
 - Board Members Jones, Dr. Coker, and Chair Andersen shared appreciation for Ms. Schultz, her staff, and the leadership of the Union for the work that they do.

2. PUBLIC HEARING - PROPOSED REVISIONS TO BOARD POLICY 5.64, STUDENTS WITH HIV, AIDS, OR OTHER COMMUNICABLE DISEASES

Dr. Greene read the recommendation.

Motion:

That the Duval County School Board conduct a public hearing and adopt the recommended revisions to the following policy in School Board Manual Chapter 5:

Policy 5.64, Students With HIV, AIDS, or Other Communicable Diseases

Public Hearing is now open.

Public Comment:

Debbie Desipio

Ms. Desipio addressed the Board about the language in Policy 5.64 that was previously discussed.

Public Hearing is now closed.

Motion: Darryl Willie

Second: Kelly Coker

Board discussion regarding Policy 5.64 amendment.

- Board Member Hershey shared previous discussion concerning opt-out and asked to be showed where the opt out is identified in the policy.
 - Chair Andersen shared insight on what she remembers from the meeting.
 - Ms. Mairs shared insight about what would happen once the Superintendent brings the policy revisions back to Board for approval.

- Board Member Hershey shared more insight about a previous meeting relating to religious/medical exemptions and that she does not see it in the policy revisions.
 - She shared concerns of things that need to be included based upon public comments and types of meetings held on this issue.
 - Discussion took place from Chair Andersen to Board Member Hershey to share previous meetings held.
 - Board Member Coker shared other opportunities for discussion.
- Board Member Pearson asked for clarification on specifics in the policy to make plain why Parent Teacher Association (PTA) and/or Duval County Council of Parent Teacher Association (DCCPTA) is included in the policy.
 - Ms. Mairs shared that this was included to reflect parent input but if the Board chose to take out one or the other then it could be strike through and the policy could still be approved but Ms. Mairs advised that further definition be included and left to the Superintendent's discretion.
 - Chair Andersen shared insight on what the policy initially included and the discussion on cleaning up of certain areas of the policy that could take place at future meetings.
 - Board Member Pearson shared her appreciation for the DCCPTA organization.
 - Ms. Mairs shared insight on what could or could not be done based upon specific scenarios.
 - Chair Andersen questioned the Board Members if they wanted to strike PTA and leave DCCPTA in the policy.
 - Board Members agreed to strike PTA.
- Board Member Joyce questioned what is the urgency to pass the policy? Why can it not be postponed?
 - Board Member Coker shared information concerning larger districts that has had policies in place as early as 2008 and 2011. She believes the students need to be kept safe and the district should have a policy in place to safeguard the students and the community.
 - Board Member Joyce shared her concerns on not wanting to move forward with the policy right now.
 - Chair Andersen shared appreciation for Board Member Joyce sharing her concerns however she informed her of what is best for the schools and students.
- Vice-Chairman Willie shared he believes the Board was quick to move upon removing the mask but feels now there is slow movement to put a policy in place to assist in which everyone can benefit from it.
 - He questioned how does policy 5.64 connect to the dress code policy?
 - Dr. Greene stated it will depend on the procedures put in place and whether it is connected to the dress code, then it will be brought to the Board for a decision to be made.
- Ms. Mairs recalled previous discussion on who decides a pandemic/epidemic and ask for Ms. Elizabeth Trissoto, Director of Nursing, to give clarity on that.
 - Ms. Trissoto addressed the Board with information from communication with the Florida Department of Health.
 - She shared the definitions that were provided to her in which states the local health department determines when there is an outbreak of a communicable disease.
 - State statutes reflect that an outbreak is when there are 3 or more cases of a reported

communicable disease. It is reported to the regional department of health and then goes to the Center for Disease Control (CDC), and they determine whether there is an epidemic or pandemic. The CDC determines a pandemic, and the state and regional levels determine an epidemic.

- Chair Andersen asked if the information ever conflicts?
- Ms. Trissoto stated, not that she is aware of.
- Ms. Mairs asked for clarification and shared where the distinguishing factors of determination should be included in the policy.
 - Chair Andersen questioned why it should be added?
 - Ms. Mairs said it was sparked by previous communications in board meetings and so the Board will not be left with trying to make that determination.
 - Chair Andersen suggested it be discussed further and assured constituents that all reasonable accommodations would be made for meeting attendance.

Vote Results:

Motion: Darryl Willie

Second: Kelly Coker

PASSED - 5-2

Aye:

Warren A. Jones
Elizabeth Andersen
Darryl Willie
Kelly Coker
Cindy Pearson

Nay:

Lori Hershey
Charlotte Joyce

Adjournment

1. ADJOURNMENT

The meeting was adjourned at 10:17 a.m.

MA

Superintendent

Chairman