

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
Minutes of the Board of Trustees' Special Meeting of October 21, 2021

This meeting included closed captions which required the Board to provide a break, for the stenographer's benefit, after approximately every 1.5 hours.

OPEN SESSION - 6:02 p.m.

B. ROLL CALL

Board Members:	Mr. John Baker - Present Dr. Chialin Hsieh - Present Ms. Daina Lujan - Present Mrs. Patricia Murray - Present Mrs. Mina Richardson - Present Ms. Samantha Avila Gomez, Student Board Member - Present
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Cabinet Members:	Dr. Shawnterra Moore, Superintendent - Present Mr. Keith Irish, Assistant Superintendent, Educational Services and Categorical Programs - Present Mr. Ted O, Assistant Superintendent, Business Services - Present Dr. Jay Spaulding, Assistant Superintendent, Human Resources and Student Services - Present
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C. PLEDGE OF ALLEGIANCE was led by Trustee Chialin Hsieh.

D. LAND ACKNOWLEDGEMENT STATEMENT

We acknowledge that the South San Francisco Unified School District is located on the unceded ancestral homeland of the Ramaytush Ohlone peoples who are the original inhabitants of the San Francisco Peninsula.

We wish to pay our respects by acknowledging the Ancestors, Elders, and relatives of the Ramaytush Community and by affirming their sovereign rights as First Peoples.

INFORMATION/DISCUSSION

E. COMMUNITY FORUM

a. Introduction by Superintendent Shawnterra Moore

Superintendent Moore explained the format for this Community Forum. The purpose of the meeting was for the Board to hear from both staff and community members regarding two specific topics. The items discussed were Nutrition Services and the potential for a vaccination requirement in the District. Parents, students, and the community have expressed their concerns regarding Nutrition Services' long lunch lines, the lack of staffing, recruitment possibilities, and the need to discuss potential steps to reinstate breakfast and provide a more positive lunch experience for students in one of the District's high schools. The other topic was whether SSFUSD should impose a mandatory vaccination requirement for students and staff ahead of the Governor's deadline. The meeting would begin with presentations followed by clarifying questions from the Board, then the meeting was opened to the public for comments. She explained that since this is a Community Forum, it does enable the Board to have a discussion with the community on these two topics. The goal was for the public to share feedback with the Board for their consideration. While there were no action items to be formally voted upon, direction could be given to staff.

b. Nutrition Services

Former Director Fran Debost presented an overview of the Nutrition Services Department including achievements, challenges, and some recommendations to address the current challenges. Also present was Nutrition Services Supervisor Teri Inocencio who is covering the Director position and will provide follow-up on any items. Mrs. Debost will be helping the department until the new Director is hired.

Overview

In addition to a Director and Supervisor, the Nutrition Services Department also has 40 employees, and three drivers. They serve 4,000 lunches per day on an annual budget of \$3.3M.

Programs

- School Breakfast Program: 8 schools
 - Breakfast in the classroom, breakfast before the bell and 2nd chance breakfast
- National School Lunch program: 15 schools, ATP, CDS
- Child and Adult Food Program (CACFP): 7 sites
 - Breakfast, lunch and snacks
- Saturday School
- Summer Feeding (breakfast and lunch)
- 3 private schools (lunch)
- District catering

Achievements

From 2018-19 to 2021-22, there has been a 27% increase in the daily number of lunches served and the student lunch participation has increased from 35% to 47%.

Menus

The department has maintained diversity with multiple daily choices, including vegetarian options, all on a four week rotation. Mrs. Debost said SSFUSD is the only district with this rotation and this is a big achievement because of the staffing issue.

Scratch cooking remains a goal, but is challenging due to the current lack of staff. During COVID with all staff in the kitchen, the department developed a lot of in-house made items, which is still a goal but it is getting harder to achieve without enough staff.

Partnership with Adult Transition Program (ATP)

Students in this program are participating in prepping and serving meals and cleaning afterwards. As part of their curriculum they need to have a working experience. The students also help to prep the time-consuming things while they are in the classroom, such as proportioning the granola for the yogurt parfait or the salad dressings. Currently they are at SSFHS two days a week and ECHS four days a week. The program is working very well.

Funding

Higher meal reimbursement rate

- This year, the free meals are funded by the USDA, and they gave a higher reimbursement rate. This means more money for the District and more meals.
- The revenues are really going to increase.

USDA equipment grants: \$75,000

- Tilt skillets
- Ovens

Second Harvest Food Bank

- Ms. Inocencio finalized a grant with Second Harvest because meals next year will still be free and breakfast will be everywhere through California Universal Meals. The grant of more than \$100K will help the District operate with the equipment it needs.

Challenges

Staffing

- SSFUSD is 30% understaffed
 - 9 open positions (4 part-time site managers, 4 part-time assistants, and 1 full-time rover)
 - 3 on extended medical leave and 1 on light duty (Central

Kitchen)

- Director position open

The Central Kitchen need is really a very critical position. Mrs. Debost said some days when at least two employees were sick or had days off, they could not serve hot lunches which were then given out by site staff. Also, the District had to suspend the breakfast program.

- Multiple causes
 - Nationwide labor shortage - it is happening in many districts.
 - Salary
 - Part-time positions - the hardest to staff.
 - Food safety certifications required - cannot have volunteers help.
 - Merit system

Supply Chain Issues

- Food and supplies availability - this is a nationwide issue.
 - All deliveries shorted
 - Lead time increasing everyday - orders must be made far in advance. Manufacturers notify of delays for months. Vendors do not have enough drivers to deliver the food.
 - Some items are not available or are more expensive (i.e. chicken and production paper trays).
 - Food Industry does not expect real improvement before next school year.

Skyrocketing cost of goods

- Vendors invoke force majeure clause in contracts and increase prices.

Infrastructure and Equipment

- Old and outdated cafeteria areas and kitchens
 - Cannot accommodate the number of students, leading to long lines.
- Site cafeteria
 - Lack of cooking equipment - one Nutrition Services worker at an elementary school used to serve 200 meals a day and is now serving up to 320 meals daily with only one oven. Each site needs at least two ovens.
 - Lack of cold storage - this will be an issue next year with California Universal Meals.
- Central Kitchen
 - Insufficient freezer space

High School Lunch Lines

Time in line - 500 ECHS students are served within 15 minutes and 650 SSFHS students within 20 minutes. This mean 33 students per

minute are served which is more than they used to do.

Ms. Debost confirmed that more staff is not the solution. The issue is the line structure and using a speed-line compared to a food court set-up.

Food Allergies

- More students now have more food allergies.
- Some food allergies are difficult to accommodate, such as eggs.
- No Point of Sale: allergic students cannot be identified. Staff try to get to know the kids with allergies.

California Universal Meals 2022-23

Meals are still going to be free, but it is a different funding mechanism. The District will still receive a reimbursement from the USDA, depending on the eligibility of the students.

- Additional funding - the State is going to cover the difference between the reduced who normally should pay and the paying kids.
- USDA rules still apply - it will still be for the students but there are a lot of consequences for the District, and staff are still trying to understand how all this is going to work and be implemented.
- Mandatory
- Many concerns
 - Point Of Sale (POS) required to claim meals by eligibility leads to longer lines since kids scan their cards and enter a pin code. Currently, staff count the students and claim a total number.
 - Breakfast at all schools, but it needs to be after the bell. This is not too much of an issue for the elementary schools, because they have a break in the morning and the District already has some schools which have the second chance breakfast in the morning and it works well. But at the secondary schools, serious work will need to be done on the schedule so that they can have time to eat this breakfast in the morning because it cannot be the breakfast before school starts.
 - CEP/mandatory provisions and phasing are unknown at this point.

Recommendations

Staffing

- Increase salaries
- Loosen hiring rules - Mrs. Debost said they get Spanish speaking applicants who would be great employees, but they cannot pass the test.
- Combine site cafeterias/Central Kitchen positions to give employees more hours during the day. One shift is in the morning and other is in the afternoon. ATP students can help in the

afternoon shift since it is after school This has worked well, but there is a limit to the number of people that can be in the Central Kitchen at the same time.

- Continue to develop the ATP program

High School serving lines

- Mid/Long-term: modernize/remodel kitchens into food court style. Kids can go to different stations and then use the POS check out. Mrs. Debost said this is a long term solution, but each time a secondary kitchen in any district is remodeled, this is what they do.



- Short-term: To have shorter lines, the District needs to look into having two lunch periods.

Infrastructure

- Plan and order equipment needed in 2022-23 as soon as possible. The lead time for an oven is currently six months.
- Look for grants (USDA, County, non-profit organizations, etc.)
- Stay informed about State funding for Universal Meals and \$1.5B USDA plans to give to School Food Service to offset costs and training.
- Remodel the Central Kitchen freezer
 - Short-term: rent a cold box (cargo container) for additional freezer space.

Trustee John Baker said he knows Nutrition Services strongly recruited last summer, but was disappointed the District had to stop serving breakfast at some secondary sites. He asked if food is assembled the day before by people with a food handler certificate and it is simply handed out without needing any preparation, does that person need the certification also. Mrs. Debost replied that there are a lot of food safety and health department rules that the District needs to abide by. One is that they need ServSafe certification. He questioned if this applies to pre-sealed cereal. Ms. Inocencio said it does apply since cereal is not served alone.

Trustee Baker asked about the testing process for applicants. Mrs. Debost confirmed it is a District process and every applicant needs to go through the same test and the same questions at the panel interview. He inquired whether the Board or Personnel Commission could change this. Dr. Jay Spaulding said SSFUSD is a merit district which was voted in by the Classified employees. He explained that based on the merit of hiring the best candidates, applicants go through a rigorous process with an actual performance task and an interview process, after which the person is scored and the top candidates move forward on an eligibility list. Dr. Spaulding stated that the District cannot change the testing process or anything like that unless CSEA voted to not be a merit district. There are only three merit districts in San Mateo County.

Trustee Baker noted that District students in Culinary Arts classes get food handler certificates and asked if they could be hired to work before school for either money and/or work experience credit. Dr. Spaulding replied that they are working with the ATP students so they can be paid for their work. Other students may be able to work before or after school on a substitute basis.

Trustee Baker asked if the District had any history of offering recruitment bonuses for hard to fill positions. Dr. Spaulding said bonuses have not been used. He added that two years ago, an increase was given to Nutrition Services employees on the condition it could be paid through the Cafeteria Fund. When schools closed, the department lost money and the additional funds were taken away, but it can be revisited this year due to the additional revenue the District will receive.

Student Trustee Samantha Avila Gomez asked how long it would take to fix the infrastructure in place and remodel the high schools. It took a 12-minute jog for her and some friends to get from their classroom to the cafeteria for lunch. Assistant Superintendent Ted O replied that he and the new Facilities Director spoke about the lunch lines. They are looking at architectural services to move some of the equipment around to make it more efficient. They are trying to identify an architect and contract with them to do the services. Ms. Inocencio added that an architect is coming in the next few days.

Trustee Patricia Murray asked how two lunches would work. Mrs. Debost said it would mean splitting the grades such as 6th grade and then 7th.8th grade at middle schools and 9th/10th grade and then 11th/12th grade at high schools. The high school schedules would need to be adjusted with half hour lunch periods. Several districts already have this in place. Assistant Superintendent Keith Irish said in high

schools they could not divide the students by grade level since some classes have several grade levels in one class. He added that at the District's three middle schools the classes would be divided by 6th grade and then 7th/8th grades. Trustee Murray noted it would be a short-term solution until the infrastructure was improved. Mr. Irish said one of the other things is the instructional minutes, which was part of the rationale when the additional 15 minutes were put in the ESSER III plan as a possibility. This would address the student academic social and emotional needs in addition to making sure that students can be served by putting in a brunch and a possible double lunch which was discussed last year at the high school Teaching and Learning Task Force Committee. Trustee Murray said a brunch would allow kids to get their breakfast during the school day. Mr. Irish stated that the brunch would be scheduled after the second period and there was a lot of support for that from students, parents, and staff. There are still have some things that they need to work out in terms of the instructional minutes.

Trustee Murray inquired, in regard to applicants passing the test, whether they can be coached and prepped. Mrs. Debost said it would defeat the purpose and added that some districts declare an emergency and waive the testing. They just have the interview and if it is determined that the applicant would be a good fit and can be trained, they would be hired. She stated that at this point if you interview somebody you think this is a good person, even if they do not know what they have to do, everything can be learned. There is still a six month probationary period to see if that person is a good fit in the job.

Trustee Murray thanked Mrs. Debost for her informative presentation and for her years of service in the District. She appreciated that she always looked for new and better ways to do things, and that no idea is too big to not try to implement.

Vice President Mina Richardson asked how many students are in the ATP program, how long they participate, and how they get around the testing aspect. Mrs. Debost replied that they do not go through the hiring process because they are students and in terms of food safety certification, it is waived for student helpers by the health department and the program.

Vice President Richardson asked how the large freezer purchased a year ago is working out. Mrs. Debost said getting an additional freezer at the warehouse was one of the best decisions ever, because the District was able to buy a lot of commodities. Without needing to pay a vendor for storage fees, they can purchase food at bargain prices. During COVID, there was so much food already there that the District's

food costs really decreased. Vice President Richardson asked about the need for a larger freezer in the Central Kitchen. Mrs. Debost replied that the Central Kitchen has to store the food in their freezer for the week after it is packed and put on racks and dollies, and they just sits in the freezer. Due to space limitations, they have to take all the dollies out in order to get the food needed for the production, which is not efficient.

Trustee Hsieh also thanked Mrs. Debost for her outstanding presentation which provided them with a comprehensive overview, a look behind the scenes, and an understanding of how challenging the work is with staffing shortages, infrastructure, and outside factors over which the District has no control. She said it is amazing how Nutrition Services accomplishes feeding the students. She appreciates the way Mrs. Debost is innovative with the ATP and how she thinks outside of the box and made excellent suggestions.

Vice President Richardson asked if the District is still servicing meals in the child care centers and some of the private schools in the area. Mrs. Debost confirmed they are.

Trustee Murray asked about partnering with outside organizations such as Rotary where they could bring in adult volunteers to help in the kitchen to get breakfast out. Mrs. Debost replied the issue is not having people just give out food, but rather having somebody who is certified and trained. The health department visits twice a year, and if they are not happy with what they see, they can shut them down. They use the Central Kitchen staff because they are certified, trained, and know what to do. Trustee Murray thanked her for the honest, constructive look at where the District is and where it needs to go. It was very clear on the increased demand, which is in many ways a positive, but also impacts staffing limitations, supply shortages, and the infrastructure within the current buildings. She commended Mrs. Debost and her team for their creativity with leaving no stone unturned when it comes to figuring out to get through day by day as well as planning for the future. She thanked Mrs. Debost, Ms. Inocencio, and the Nutrition Services staff for all they do in serving the District's students and staff.

c. SSFUSD Potential Vaccination Requirement

Superintendent Moore reviewed a timeline for the COVID vaccinations.

Timeline

- **Early September** - LA Unified becomes the largest school district to mandate COVID vaccine

- **September 9, 2021** - The Board wanted to discuss the potential requirement of mandating vaccinations for eligible students and staff.
- **October 1, 2021** - Governor Newsom made an announcement that he will mandate vaccines for children ages 12-17, as well as ages 5-11, once the vaccine is fully authorized by the FDA.
- **October 21, 2021** - The Board is interested in exploring whether SSFUSD should impose a similar requirement.

Background information - Governor Newsom

- All eligible California students and school staff will be required to get vaccinated against COVID-19 as soon as January 2022.
- The purpose is to try to end the pandemic, maximize health and safety, and ensure students and staff can remain in class for in-person teaching and learning and not need to quarantine.
- Mandate will apply to all students in K-12 public/private schools and all employees.
- Will go into effect either January 1 or July 1 of 2022, after the FDA fully approves the COVID vaccine for each age group.
- Currently, only Pfizer is fully approved for individuals 16 and above.
- Pfizer has emergency authorization for use in children ages 12-15, and has applied for emergency use authorization for ages 5-11.
- Other districts have established vaccine mandates - LAUSD, SDUSD, and OUSD. (SSFUSD is watching right now, because they are hearing and seeing that there are some districts embroiled in litigation as a result.)
- Districts can enact their own vaccine mandates ahead of California's timeline if they choose.
- COVID-19 will be among the roster of ten other vaccinations, like polio, mumps, and tetanus, for example.
- Families can still opt out for religious or medical reasons.
- Students who opt out of the vaccine will be unable to participate in-person and will need to join in an alternative educational program.

Vaccination Rates

United States (as of last 30 days)

- 186.1 million vaccines administered
- 65% of population has been vaccinated
- 43,773,573 total cases
- 702,360 deaths

California (as of October 5, 2021)

- 49,970,814 vaccines administered
- 78.9% of population has been vaccinated
- 4,519,467 total cases; 13.8 new cases (per 100k)
- 69,027 deaths; .2 new deaths (per 100k)

San Mateo County (as of October 19, 2021)

- 1,130,317 vaccine doses administered
- 606,272 vaccinated
- 90% of population has been vaccinated
- 51,810 total cases
- 616 deaths

SSFUSD Staff Vaccinations

As of October 18, 2021, 90.4% of staff have been vaccinated. There are 112 staff members not vaccinated or they just have not yet submitted proof to the HR Department. There is an expectation in the District, that if they have not yet shown proof, they need to submit a negative COVID test weekly to HR.

Dr. Moore introduced Ms. Lisa Cho, the District's General Counsel, who discussed and answered questions about the implications if SSFUSD decides to implement the vaccination mandate before the governor's timeline. Ms. Cho said there have been a few lawsuits filed by parents upset about the mandate. There are two main grounds, one being that the children's vaccine is currently under emergency use authorization right now and it is not fully approved yet. And the second is that the mandate, currently proposed by Governor Newsom, does contain medical and personal belief exemptions, which is going to be a tricky field to navigate. She reviewed the following information.

Legal Implications

- Currently, the CDPH's August 11, 2021 Health Order requires all teachers and school staff to either show proof of full vaccination or be tested at least once per week. This order went into effect on August 12, and school districts were required to be in full compliance by October 15, 2021.
- A vaccine mandate, on the other hand, requires vaccination as a condition of employment or enrollment. Increasingly, as access to COVID-19 vaccines has become widespread, numerous educational institutions, employers, and other entities have announced that they will require vaccines. On July 6, 2021, the U.S. Department of Justice found that such mandates did not run afoul of the Food, Drug, and Cosmetic Act.
- With respect to **employees**: the Equal Employment Opportunity Commission (EEOC) has provided guidance stating that federal anti-discrimination laws don't prohibit employers from requiring all employees who physically enter the workplace to be vaccinated for COVID-19.
- However, employers that require vaccinations must comply with the Americans with Disabilities Act (ADA), Title VII of the Civil Rights Act of 1964, and other workplace laws. The employer may also

need to bargain and reach an agreement with the union before mandating vaccines.

- An employee with a religious objection or a disability may need to be excused from the mandate, or otherwise accommodated. **Disability accommodations:** If a vaccine mandate screens out a worker with a disability, the District must consider whether a reasonable accommodation can be made, such as allowing the employee to work remotely or take a leave of absence.
- **Religious accommodations:** Title VII requires an employer to accommodate an employee's sincerely held religious belief, practice or observance, unless it would cause an undue hardship on the organization.
- The District must engage in the interactive process in responding to requests for accommodations.
- The District would need to consider what the outcome of the interactive process might be if reasonable accommodations cannot be made.
- The process of releasing a certificated, permanent teacher is lengthy and often expensive. Similarly, releasing classified staff can be procedurally complex. Both provide employees with the right to a hearing.
- If the District plans to implement a vaccine mandate, it should develop a written policy. Consistency is key in applying it District-wide.
- Back in 2015, SB277 was enacted, which took away the personal belief exemption from a roster of ten required vaccinations for students. There is no personal belief exemption for any of those vaccines for a child to be enrolled in school. There was a loophole in that bill, and it states that if the State adds any additional vaccines to that mandatory list without legislative vote, it must include a **personal belief exemption**. This would apply if there was a mandate for a COVID-19 vaccine among students.
- With respect to **students:** Currently, the Pfizer vaccine is fully authorized for individuals 16 years and older, and is available under emergency use authorization for the 12-15 year old group. Pfizer's application for emergency use authorization for 5-11 year olds is currently under review by the FDA.
- The Governor's vaccine mandate for students will go into effect for grades 7-12 and grades K-6 at the start of the term following full FDA approval of that grade span: January 1st or July 1st, whichever comes first. Currently, the requirement is expected to apply to grades 7-12 starting on July 1, 2022.
- The Governor's Office has encouraged local health jurisdictions and local education agencies to implement vaccine requirements

ahead of the State's requirement, based on their local circumstances.

- **Can a vaccine be mandated when it is approved only for emergency use?** This issue is currently being litigated; at least one federal judge has rejected the argument that the vaccine must be fully approved, although the issue is on appeal.
- According to the FDA, the authorized vaccines have met its "rigorous, scientific standards for safety, effectiveness, and manufacturing quality". However, until the vaccines obtained full FDA approval for 16+, there was significant pushback to vaccine mandates due to EUA status.
- As with staff, the District would need to respond to student requests for medical exemptions or personal belief exemptions. The District may require documentation for such requests.
- For those students excluded from attending in-person due to their unvaccinated status, the District would need to provide an alternative educational program, such as independent study.
- Of particular concern would be providing a free and appropriate public education to students receiving Special Education services, as guaranteed by the Individuals with Disabilities Education Act ("IDEA").

Trustee Murray asked about any lawsuits at this point in time. Ms. Cho said there is a new lawsuit in LA filed by a group of parents who are arguing that the personal belief exemption needs to apply. LA UnifiedSD implemented a vaccine mandate and then said they were not going to honor any personal belief exemptions, so that is the challenge being brought in court there.

Trustee Baker questioned if the District were to have a mandate for 16+ students with FDA approval, how much lead time would be needed to set it up. Ms. Cho replied that with the governor's mandates, he sets a date with a reasonable amount of time afterwards for students to comply, so in order to become fully vaccinated, it usually requires the two-shot regimen unless they go for the Johnson & Johnson vaccination. She said the minimum recommendation of time would be at least a lead time of a month after the District gives notice. She added that the vaccines are more plentiful and local pharmacies should have a supply.

Trustee Baker asked if the Board approved the mandate at the beginning of the spring semester would that be a reasonable lead time. Ms. Cho said that would be in line with the governor's time frame for either January 1 or July 1 of 2022, when the State mandate kicks in.

Trustee Baker asked staff if the District had a mechanism for enforcement and/or checking students or would one need to be created. Dr. Spaulding replied that it would take at least a month for staff to set up. Trustee Baker asked about a system to differentiate between students hitting their 16th birthday as opposed to doing it by grade level. Dr. Spaulding said the data can be pulled and sorted, but it would take time and staff.

Trustee Baker noted that the July 1 deadline is in the middle of summer school. He asked if those students would need to be pulled out of the semester. Ms. Cho replied that when the mandate from the State goes into effect on July 1, they would have a reasonable amount of time to get vaccinated and those students would not be removed from classes immediately. They would have a window of time to go and get their vaccine as soon as that mandate kicks in. Ms. Cho confirmed it would be the semester starting after that date.

Vice President Richardson asked for clarification on the governor's January and July mandate dates. Ms. Cho said the governor's mandate is going to take effect either January 1 or July 1, 2022, immediately following full approval for a certain age group for the vaccine. Currently, there is full FDA approval for the Pfizer vaccine for 16+. So, for those folks, January 1 would be the date that the mandate would kick in for them. For the younger age group of 12 to 15 years, there is currently an emergency use authorization, but the FDA has not fully approved the Pfizer vaccine. As soon as that full approval is granted, then whether it is the January or the July date, the first date that comes after that full approval is when the mandate would kick in for that age group. Right now, there is no emergency use authorization for children ages 5 to 11. They will be under emergency use authorization for the time being. After the FDA does further testing and gains more data, they will have a full approval probably sometime in spring to summer of next year, and then the following either July 1 or January 1, whichever comes first, would be the day that the mandate kicks in for the 5 to 11 age group. She confirmed that the mandate would not be implemented until that age group has the full approval from the FDA. Many people have concerns about the vaccine if it does not have that full FDA approval, which is why the State is being cautious. Vice President Richardson said it is confusing and January is only two months away. There may need to be concessions made with the District's labor unions about this. And since this is a litigious society, they may have to consider asking parents to have a little faith in the testing and the Four Pillars and that the community understands the unusual measures the District has taken. Ms. Cho said some school districts started considering a vaccine mandate before the

State's October 1 announcement that mandates were coming anyway, so it is a question of whether SSFUSD wants to have a mandate in place a few months before the State's one is in place. She noted that the Bay Area is the most highly vaccinated area in the country, but there are some people who have concerns and the issue may become a hot bed of discussion. A concern is who will take issue with the fact that is not yet fully approved for the children's vaccines.

President Daina Lujan thanked Ms. Cho for her insights and spending time to research and help the Board to develop a deeper understanding of just what comes with the changing landscape.

Trustee Hsieh said she appreciated the presentation which was helpful in understanding the intricacies on the law, the requirements, and the legal implications. It is wonderful to have 90% of the District employees vaccinated. If the Board mandates the vaccination before the governor's deadline, it is just that they want to continue to provide a safe environment for students, especially the youngsters who cannot yet get vaccinated. She said when the mandate comes, the Board is ready to work and support making sure to have a safe school environment for everyone. Ms. Cho said her office is happy to assist in specific instances where students are claiming either the medical or the religious belief exemptions and offer support for children with a disability or other extenuating circumstances. She complimented the District's leadership for their wisdom and the thoughtful way they approach these issues and said it has been a pleasure working with them. She believes most Bay Area parents do want to have their children vaccinated.

The Board recessed at 7:28 p.m. for a break and reconvened at 7:38 p.m.

F. COMMUNICATIONS

Public comments were submitted in advance of the meeting, were read by all Board members and posted on the District's website before the meeting.

The following were live comments made in-person or through Zoom:

Cynthia Valez spoke about the vaccine. She said Title 7 of the Civil Rights Act says it is illegal to discriminate against a person based on...sincerely held religious belief conflicts with a work requirement unless providing the accommodation would create an undue hardship. The Equal Employment Opportunities Commission (EEOC) enforces Title 7. "Being informed, knowing the laws and our rights is a crucial first step to making wise decisions when making policy that is a win-win for everybody. Many employers are making uninformed and unlawful decisions requiring employees to choose between the vaccine or their job by refusing to

make accommodations for a person's sincerely held religious beliefs, putting them on unpaid leave and violates Title 7. The law is on the side of the employee.” She further said, “It’s about us and how we serve our students.” “...I believe all of us here want to be on the right side of the law and the right side of history and I see this as a unique opportunity for us to rise up and lead the way for others to follow. We could be a shining example of truth and upholding the law...we could attract so many people and leave a legacy of equity and justice and uphold the law and find people with conviction and integrity.”

Phill Naranjo, a Spruce ES teacher, said feeding children well plays a role in their development. A highly qualified teacher is also important and hiring these educators is not as easy as it used to be. “Highly qualified teachers don't necessarily want to work in a district that is known for dragging their heels when it comes to negotiating. I don't deserve a raise I earned a raise and teachers earn a cost of living pay increase.” He noted that prices of items including gas and food have gone up significantly and he urged the Board to do what is right.

Danny Yanow commented on the teacher shortage and the “...discontent and unhappiness due to the added stress of the pandemic on our teachers and their students and their families. This is the time when you must open your hand and offer your teachers more money.” While Mr. O is saying there is no money, his figures show millions in unspent funds that needs to be used for teacher and other employee raises. He said this is “...a time when the rents and prices are increasing almost daily, when social security for the first time in many, many years is giving retirees a cost of living increase of more than 5%, and teachers are struggling paying their bills and choosing between the love for their own City and their own children's future.” The time has come to invest in employees.

Elaine Yee, a District teacher, spoke about many fellow educators are leaving SSFUSD for jobs with higher paying positions down the peninsula. She said, with her master’s degree, she is at the maximum on the pay scale but cannot afford to rent a home in the area. The City of SSF’s low income affordable housing rental is \$3,290 for a one bedroom apartment. This would be 60% of her take home pay. She urged the Board to continue bargaining and “...find a way to keep teachers in our District by way of a decent living wage.”

Amanda Sterner, a Los Cerritos ES teacher, said she was proud of her students and colleagues for what they accomplished in the last two years. She spoke about the pandemic beginning in March 2020 saying, “We had two weeks to change fundamentally everything about what we do. We had two weeks to set (up) virtual offices, set up new technologies, new curriculum and meet the needs of our students especially in a low energy title 1 school like ours.” Last year, she raised her student’s average from 10% to 72%. She provided materials, including curriculum, to her students every two weeks and taught them to be tech-savvy. Cabinet failed them and yet, their own salaries increased. Dr. Moore’s salary has

increased 105% in the last eight years. Last year was hard and teachers were not valued. She is worn out and may not make it to next year.

Audrie Adams, a Martin ES teacher, spoke about establishing class size caps. She has 30 students in her 5th grade class who range in abilities from kindergarten to 6th grade and include 20 English Language Learners. She has spent several unpaid hours outside her contract time just to have more time with her students and raise their test scores. 4th and 5th grades do not have a class size cap. She asked the District to consider establishing this cap for all grades and giving teachers a raise which they greatly deserve.

Julianne Franceschi, a District teacher, said her child was ill and she had little rest, but did not call in sick because 14 teachers at her site were out that day. Teachers are not super heroes. This year has been more exhausting than last year and teachers need a rest, but most of all, a contract.

Thomas Blochberger, a SSFHS teacher, said one of the most important factors in a child's education is having high quality teachers in the classrooms. He asked the Board to re-prioritize and place teachers first. He stated that the District's CFO, Mr. O, is not providing an unbiased view of the budget and his goal is to build up reserves even further. The Board has the responsibility of crafting the fiscal policy and they need to direct Mr. O to give teachers raises. There are labor problems on the horizon and he does not want teachers to have to strike.

Alanna Wong, a Westborough MS teacher, asked the Board "What are you thinking? Where are our contracts? Why do we have to come here to beg for to you do your work?" She said she was exhausted and tired of having a dozen absences a day from COVID and of reminding students to put their masks on their noses. She added "I am not a hero. I'm a contracted government employee in a job which requires a postbaccalaureate certificate. Do your job. Let me do mine!"

Aaron Haffner, an ECHS teacher, quoted Cabinet salaries of \$308K for Dr. Moore, \$263K for Mr. Irish, \$246K for Dr. Spaulding, and \$235K for Mr. O. He said it costs \$121K to live in this area and he earns \$66K. "That's how much you value me." "I have no contract. Would you do your job for my pay? Would you do your job without a contract? I love it here. But I won't be able to stay."

Catrina Ellis, a teacher, noted that teachers in San Mateo-Foster City SD and Sequoia Union SD received contract raises. SSFUSD teachers got a key chain. "That's how much we are valued that we get a little trinket to thank us for nothing." She referenced the input-output function box where input/money makes the function happen and the output is good grades. More income means more output and the desired outcomes happen. She told the Board to share their input and income with the teachers.

Heather Burns, a SSFCTA Vice President and bargaining team member, said unlike the Board, she responds directly to each teacher's comments or questions

in person or through email. It is unacceptable to give generic responses to staff and families. She said housing, gas, and grocery prices continue to increase and SSFUSD teachers can move to other districts and earn \$10-\$20K more.

Cody Jang, a Los Cerritos ES parent, spoke in support of teachers. She said they should not have to ask for a livable wage, which should be given to them. "So whatever needs to be done to make sure that they have that wage needs to be done. So please Board...make sure that you take care of the teachers because they do the work of the District."

Brenda Gonzalez, a SSFHS student, spoke in support of teachers. "...they need a raise and they deserve to be paid in a way that shows that the Board respects their hard work and that can allow them to make a living here. You can't keep saying that your teachers are superheroes...when you aren't even willing to bargain with them." "There are good teachers that can stay and build relationships with our students and they make an impact on our students."

Estella Red spoke in support of teachers. "While the State and districts are the ones to implement mandates and protocols, teachers are actually the ones carrying it out while you board members sit behind your desks." "They are responding from e-mails within 24 hours when I can't even get a response from some of the board members in a week." "Give them more than they deserve. They have earned it..."

Melinda Tang, a Los Cerritos ES parent, spoke in support of teachers. "...even when teachers have to take some time off right now, there are no substitute teachers. This is unheard of." With prices on everything rising, teacher's pay is not increasing as well. She asked what the justification is for not paying them what they deserve and urged the Board to reconsider the budget and give them raises.

Sonya Fabiola Brione Bianco spoke in support of teachers. "...it's heartbreaking to see our teachers having to come to the Board and to beg." "I would like to ask the Board to please listen to them. They were tremendous during pandemic.' "Give them not what they are asking but what they very well deserve.'

Javi E. spoke in support of teachers. "I work for (the) postal service(s) and the working conditions that these teachers are describing sound very familiar to me. Short staffing, placing these impossible burdens on public servants, people quitting for better jobs. This District should be better than that." "...I'd like to remind the Board and the Cabinet that every day that teachers go without a contract is a day closer to a strike and/or your election day Dr. Hsieh, also (Mrs.) Richardson, and (Mr.) Baker. I personally will be coming for you and I'm going to make it my mission if you don't approve this contract to get Mr. O and anyone else in the administration who is pushing this false narrative of austerity... to get you fired and out of office. You are on notice."

ADJOURNMENT - 8:30 p.m.