

**LIVE OAK CHARTER SCHOOL**  
100 GROSS CONCOURSE PETALUMA, CA 94952 • (707) 762-9020

**Minutes for the Special Meeting of the Board of Directors of Live Oak Charter School**  
**September 1, 2021**  
**6:00pm**

This meeting will be by teleconference pursuant to Executive Orders N-25-20 and N-29-20.

The Board of Directors (“Board”) and employees of Live Oak Charter shall meet via the Zoom meeting platform. Members of the public who wish to access the Board meeting may do so at:

Join Zoom Meeting

<https://us06web.zoom.us/j/84971054378?pwd=c043US9ZeGM3UzhLTXZtV1VDN1I2QT09>

Meeting ID: 849 7105 4378

Passcode: 941768

You may also call in using the Zoom phone number:  
669 900 6833 US

Members of the public who wish to comment during public comment sections at the start of the meeting or after presentation of items on the agenda may use the “raise hand” on the Zoom platform. Public comment is limited to three (3) minutes. If an interpreter is needed for comments, they will be translated into English and the time limit shall be six (6) minutes. The Board may limit the total time for public comment to a reasonable time. The Board reserves the right to mute or remove a participant from the meeting if the participant unreasonably disrupts the Board Meeting

Access to Board Materials: A copy of the written materials which will be submitted to the Board may be reviewed by any interested persons on the Live Oak Charter School’s website along with this agenda following the posting of the agenda at least 72 hours in advance of this meeting

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by emailing [kim.anderson@liveoakcharter.org](mailto:kim.anderson@liveoakcharter.org). All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

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**Present**

Jessica Umphress, Board Chair  
James Jensen, Board Treasurer  
Stacy Ito, Board Secretary  
Kristin Walter, Board Director  
Robert Bunce, Board Director  
Chris Fox, Board Director

Justin Tomola, Executive Director

**Mission & Program**

To ensure the humanity and potential of its students through an education resonant with their unfolding awareness and capacities, and supportive of the full and integrated development of body, heart, and mind. LOCS provides a K-8 program inspired by Waldorf education to children and families of Petaluma and surrounding communities. Waldorf inspired education is a developmental approach to learning that cultivates the innate capacities of each child through age appropriate curriculum. Live Oak educates the whole child – head, heart, and hands, through an education that integrates each child’s creative, intellectual, emotional, physical and social domains. Live Oak offers an interdisciplinary liberal arts program where art, music, and movement are integrated with core academic instruction. Exploration of the natural world, human culture, language and mathematics enlivens curiosity which is the foundation of intellectual growth, conceptual flexibility, empathy and sense of connectedness.

**CALL TO ORDER**

**6:03pm**

**APPROVE THE AGENDA**

Move to approve the agenda RB, 2nd JJ, Aye JU, CF, KW, SI.

**A. Public Comment on non-agenda items**

This portion of the meeting is set aside for members of the public to make comments or raise issues that are not specifically on the agenda. The board cannot, by law, respond or take action on any issue not specifically on the agenda. Public Comment presentations are limited to three minutes per presentation and the total time allotted to non-agenda items will not exceed fifteen minutes.

- 1) Nicole Foreman: Regarding protests around outdoor masking, would like clarity around the school’s stance on protesting, would also like to submit studies regarding masking for the school/board to consider.

**B. Executive Director Report**

- 1) Public Comment
  - a) Patrick Kennel: Hard to have these kinds of conversations not in each other’s company. Community has space in it, community has trust in it, we are teaching our children to be in community and in community we trust each other, and we will not reach into your life and exert control over it. It doesn’t feel like community to me when a policy is enforced and choice is removed. Would prefer that school has a strong recommendation to mask children outdoors, but would leave the decision making to the parents and families as to what they believe is best for their child’s

and family's health.

- b) Nicole Foreman: Part of being in community is protecting our most vulnerable in the community, regardless of our beliefs. Mask efficacy is not reduced outdoors. We have vulnerable members in our school and our families, this is beyond only trusting others. If we have a policy that keeps each other safe at the expense of the convenience and comfort of a small minority, then so be it. The science is that mask efficacy is at 70% or above when everyone wears a mask, when one person removes a mask it drops to 20%. Masks are keeping our school open, if we have to close from exposure our school may not make it as we will not be getting our attendance funding.
- c) Rachel Steiner: fully supports the comments of Nicole Foreman. Felt drawn to this school because of the diversity of viewpoints, but this is a different scenario. Community is about protecting the most vulnerable among us. Many of these people who are immunocompromised are not visible, but they're there and these policies affect them. Not having masking outdoors could be an existential threat to our school, just because of all the quarantine requirements and the impact to our funding. There are not two sides to this debate. All the scientists, all the doctors, all the CDC type organizations are unanimous in this.
- d) Rachel Silva: I agree with Rachel and Nicole. I personally believe that when we are dropping off children at school, it feels like it is not emotionally healthy for our children when there are people yelling at us in protest. Yelling at parents and children in cars is never okay. If the debate is about community, then please do not attack parents with children in cars.
- e) Sastra McGinley: Seeing the signs at the beginning of school, I wanted to show up and say that I am not on board with it. I was relaxing our family's covid precautions over summer, but Delta has changed how I feel and I appreciate that the school has taken a proactive approach. Because the children cannot be vaccinated yet, I feel more layers of safety are necessary at this time.
- f) Heather Johnson: If the CDC and the WHO can make recommendations around indoor masking and not outdoor masking, there's a reason for that. I hope the school takes that into consideration, I hope the school is really looking at both sides of the debate and the science, and making decisions based on that and not on the loudest voices in our community.

#### Current Guidance from SCOE and Sonoma County Department of Health Services on Minimizing COVID-19 Spread on School Campuses

- 1) Local Health Order vs Strongly Recommended
  - a) Local Health Order: Requirement for all schools, public, private and charter to follow; supersedes state & national recommendations, stricter than state & national recommendations.
  - b) Strongly Recommended: indicate best practices; however allows flexibility for districts to best meet variables and values of the community.
- 2) County of Sonoma Health Order last week regarding vaccinating and testing faculty and staff; deadline is Sept 24, includes all school settings and workers, including unpaid volunteers.
- 3) The main reason LOCS started the school year with an outdoor masking requirement was to lessen the opportunities for COVID, which would have created a significant impact to the

student's learning due to long required quarantines. Quarantines are shorter or not necessary when close contacts have been masked. Long quarantines create funding issues for LOCS, as there will be loss of ADA (Average Daily Attendance) funding.

- 4) LOCS is in the investigation stage of understanding covid surveillance testing at school. This is optional, but strongly recommended, however we do not have the staffing available to implement on our own. LOCS is looking into a company that could provide full service testing. Weekly testing is a best practice recommended for all school settings, but if weekly is not achievable, then testing at whatever frequency is possible is desired.

Board Discussion, questions answered by JT.

- 1) CF: As a board member, we need to focus on our role as a board, which is to stay fiscally responsible and to stay open. In some ways the board is an advocate for the students. I am 100% supportive of the school's current policy to mask, mainly due to the impact that covid exposure without masks creates for our school. Students exposed to covid without masks must Traditionally quarantine, as outlined by SCOE, which is 10 days. The school does not receive ADA funding for students when they quarantine. We are already below budgeted enrollment and our budget is stretched thin.
- 2) KW: How do the teachers feel about these mitigation strategies?
  - a) Teachers are onboard with outdoor masking.
  - b) They are curious about surveillance testing, more information to come.
  - c) It is an ongoing conversation.
- 3) JJ: Are there any indications or implications with our insurance RESIG?
  - a) No, not at this time.
- 4) JU: Are other similarly small districts around us taking up these strategies?
  - a) Many schools and some of our sister schools are doing outdoor masking.
  - b) Testing is easier for bigger districts with fuller resources, smaller districts are trying to figure out how they can manage the cost and staffing of testing.
- 5) JU: If we were to pursue surveillance testing, what kind of timeline would we be looking at?
  - a) All conversations are in the beginning phase with the third-party companies we would contract with, but a ballpark timeline would be September 28th.
- 6) SI: There are many things still unknown about the delta variant. All the prior mitigation strategies, including the loosening of mask mandates and being able to be mask-free outside are based on the alpha variant. We know that delta is more contagious than alpha. Without strategies like physical distancing and smaller cohorts, it makes sense to do outdoor masking, where children are likely to play closely together and have more opportunity for transmission. I am proud of Live Oak for starting the school year with clear expectations on outdoor masking; it gives the greatest chance for our children to stay in school and to not get sick. I am all for personal choice, but at this moment, knowing that we have vulnerable people in our school community and wanting to keep in-person school open and possible for our children, I feel that personal choice is not what's most important here.
- 7) KW: In what ways can we facilitate healing in our community?
  - a) We are in talks with facilitators of Restorative Justice to hold circles for our community, information should be forthcoming.
- 8) RB: Would like to work with the board to improve mechanisms of communication in the future, so the school body has better ways of communicating their needs to the board.
- 9) RB: Data is coming forward now that shows how much learning loss has occurred in our

students in the last year and a half, and it's significant. Wearing masks would reduce the risk of incurring more learning loss by keeping classrooms and schools open.

**C. The board will consider Resolution 2021-0901 Regarding Executive Director (10 min)**

Resolution to Support the Executive Director in Making decisions in accordance with the guidelines and recommendations put forth by Sonoma County Department of Health Services and Sonoma County Office of Education to help minimize the spread of COVID-19 on campus and enable students to have the fewest disruptions to in-person learning.

*Staff recommendation: Approve resolution.*

- 1) No public comment.
- 2) Move to approve RB, 2nd KW, Aye SI, JJ, JU, CF.

**C. ADJOURNMENT**

**7:35pm**