

Board of Directors Meeting
 School District 4J, Lane County
 District Office
 200 North Monroe Street
 Eugene, Oregon 97402
 Wednesday, November 17, 2021

NOTICE: The meeting will be open to the public via live broadcast on KRVM 1280-AM and 98.7 FM, the internet at www.4j.lane.edu/stream, in-person or via Zoom Webinar at <https://zoom.us/j/97396578668?pwd=LzBRReEpqZ0JxRzVpaVdlQ3h5UFVzdz09>

School Board Meeting Request Forms:

Provide public comment: www.4j.lane.edu/board/publiccomment
 Attend in-person: www.4j.lane.edu/board/attendance

Community members interested in attending the sessions in-person must submit a request in advance, as seating is limited due to COVID-19. If more people request to attend the meeting in-person than can be accommodated, priority will be given to individuals who have not recently attended a board meeting in-person. Face mask requirements and physical distancing protocols will be in effect.

The board will hear public testimony in-person and via Zoom from community members who sign up in advance. Up to 10 people will be scheduled to provide public comment, whether in-person or virtually, at each regular meeting. Priority will be given to residents who have not recently provided public comment in a board meeting.

Requests to attend a board meeting in-person or provide public comment must be submitted no later than 5 p.m. on the Monday before the meeting.

**7:00 PM
 5:30 p.m. Work Session and 7:00 p.m. Regular Meeting**

I.	5:30–6:30 p.m. Work Session: Student Voice and Student Board Representation Presenters: Cydney Vandercar, Superintendent; Misael Flores Gutierrez, Director of Equity, Inclusion and Instruction; Larry Williams, Director of Equity, Inclusion and Instruction	3
II.	7:00 p.m. Regular Board Meeting:	
III.	Call to Order, Roll Call, Flag Salute, Land Acknowledgement	
IV.	Agenda Review	
V.	Introduction of Guests and Superintendent's Report	
VI.	Comments by Board Chair	
VII.	Items Raised by the Audience	
VIII.	Comments by Employee Groups	
IX.	Comments and Committee Reports by Individual Board Members	
X.	Consent Group - Items for Action	
	1. Approve Personnel Action Prepared by: Karen Hardin	4
	2. Approve Meeting Minutes: October 20, 2021 and November 3, 2021	5
XI.	Items for Information	
	1. Receive Information about Board Policies Prohibiting Racial Harassment (20 minutes) Prepared by: Misael Flores Gutierrez, Director of Equity, Inclusion & Instruction; Joel Lavin, Student Services Administrator; Christine Nesbit,	27

	General Counsel; Larry Williams, Director of Equity, Inclusion & Instruction	
	2. Receive the Student Investment Account (SIA) Annual Report (15 minutes) Prepared by: Kerry Delf, Chief of Staff	57
	3. Receive FY22 First Quarter Financial Report (5 minutes) Prepared by: Andrea Belz, Director of Financial Services	75
XII.	Items for Action	
	1. Select Executive Search Firm (10 minutes) Prepared by: Christine Nesbit, General Counsel; Kerry Delf, Chief of Staff; Holly Langan, Director of Support Services	79
	2. Approve Board Resolution #2022-09 Encouraging Solidarity and Support for Student Identities (10 minutes) Presenter: Judy Newman, Board Chair and Martina Shabram, Vice Chair	80
	3. Consider Revisions to School Calendar (5 minutes) Prepared by: Kerry Delf, Chief of Staff	87
	4. Vote on Oregon School Boards Association (OSBA) Election (5 minutes) Prepared by: Kerry Delf, Chief of Staff	89
	5. Approve Resolution of Complaint (5 minutes) Prepared by: Christine Nesbit, General Counsel	115
XIII.	Items for Action at a Future Meeting	
	1. Consider Resolution 2022-10 Authorizing Community Benefits Contracts (20 minutes) Prepared by: Carole Knapel, Capital Improvement Program Manager; Christine Nesbit, General Counsel; Ryan Spain, Director of Facilities	116
	2. Approve Board Working Agreements: Topic Guest Presenters (20 minutes) Presenters: Judy Newman, Board Chair and Martina Shabram, Vice Chair	133
XIV.	Suggestions by the Board for Consideration of Items at a Future Meeting	
	1. XIV.1. 2021–22 Board Meeting Dates: JULY: Thursday, July 1, 2021—Special Board Meeting AUGUST: Wednesday, August 4 and Wednesday, August 18; Board Retreat Dates: August 25 and August 28 SEPTEMBER: Wed., Sept. 1, Wed., Sept. 22 and Wed., Sept. 29 OCTOBER: Wed., Oct. 6; Wed., Oct. 13; Wed., Oct. 20; Wed., Oct 27 NOVEMBER: Wednesday, Nov. 3, Tuesday, Nov. 16, and Wednesday, November 17 DECEMBER: Wednesday, December 1 and Wednesday, December 15 JANUARY 2022: Wednesday, January 12, 2022 FEBRUARY: Wednesday, February 2 and Wednesday, February 16 MARCH: Wednesday, March 2 and Wednesday, March 16 APRIL: Wednesday, April 20 MAY: Wednesday, May 4 and Wednesday, May 18 JUNE: Wednesday, June 1 and Wednesday, June 22	
XV.	Adjourn	

THIS MEETING WILL BE BROADCAST OVER KRVM-AM (1280)

INFORMATION FOR THE DEAF AND HARD OF HEARING:

Closed Captioning is available during Board meetings through a zoom live feed which is also displayed at in-person meetings.



ITEM FOR INFORMATION – WORK SESSION

Date of Meeting

November 17, 2021

Title

Student Voice and Student Board Representation

Prepared by: Cydney Vandercar, Superintendent; Misael Flores Gutierrez, Director of Equity, Inclusion and Instruction; Larry Williams, Director of Equity, Inclusion and Instruction

Description

The district has adopted an equity stance as a means to target areas for action, intervention and investment. In particular, we believe:

- Everyone has the ability and right to learn. We have an ethical, professional and legal responsibility to ensure an education system that provides active participation and optimal learning to prepare students for their desired individual futures and to create a thriving community.

During the Work Session, the board will hear about the current work being done to ensure that our students are actively participating in optimal learning opportunities, including sharing their voice with the school board and greater community.

Discussion

Envisioning plans that provide equitable opportunities for all students to participate and have their voice heard, enhance student learning, create space for students to advocate and engage in decisions impacting their education and enrich the student experience in our district.



ITEM FOR ACTION – CONSENT AGENDA

Date of Meeting

November 17, 2021

Title

Approve Personnel Actions

Prepared by:

Karen Hardin, Director of Human Resources

The superintendent recommends that:

1. *The following teachers and licensed employees listed below be elected for the 2021/2022 school year:*

Name	Title	Location	FTE	Hire Date
June del Campo	Title I Teacher	Twin Oaks Elementary	0.5	10/20/2021
Zachary Farnell	Band Teacher	Kelly Middle School and North Eugene High School	0.9	11/08/2021
Naoko Manabe	Japanese Teacher	Yujin Gakuen Elementary	0.8	11/08/2021
Suzie McCall	Registered Nurse	Student Services Department	1.0	11/08/2021
Elizabeth West	Registered Nurse	Student Services Department	1.0	11/15/2021

2. *The following resignations be accepted:*

Name	Title	Location	Reason	Effective Date
Thuynga Barr	Special Education Teacher	Kelly Middle School	Resignation	10/13/2021
Ryan Brockey	Math/Advanced Math Teacher	Roosevelt Middle School/South Eugene High School	Resignation	11/01/2021
Shanae Joyce-Stringer	Elective Teacher	Kennedy Middle School	Resignation	10/29/2021
Sara Justice	Reading Specialist TOSA	Instruction Department	Resignation	10/22/2021
Jessica Thomas	CTE Teacher	Instruction	Resignation	10/26/2021

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE BOARD OF DIRECTORS
SCHOOL DISTRICT 4J, LANE COUNTY, OREGON**

Date: October 20, 2021

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held a work session at 5:30 p.m. and a regular meeting at 7:00 p.m. at the Education Center, 200 North Monroe Street in Eugene, Oregon. Notice of the meeting was mailed to the media and posted in the Education Center on Friday, October 15, 2021, and published in *The Register-Guard* on Monday, October 18, 2021.

ROLL CALL

BOARD MEMBERS:

Judy Newman, Chair
Martina Shabram, Vice Chair
Alicia Hays
Gordon Lafer
Laural O'Rourke
Maya Rabasa
Mary Walston

STAFF:

Cydney Vandercar, Superintendent
Lisa Fjordbeck, Executive Assistant / Board Secretary

MEDIA: KRVM

EMPLOYEE ASSOCIATIONS:

Sabrina Gordon, EEA

I. WORK SESSION

1. Interview Budget Committee Applicants
Presenter: Kerry Delf, Chief of Staff

The purpose of the work session was to hear from candidates to fill three open positions on the Budget Committee. The Board received an initial application from seventeen candidates, then asked for answers to supplemental questions. After hearing from the applicants at the work session, the Board would vote at the November 3 meeting.

The board heard statements from eleven candidates:

Tom DiLiberto shared his extensive experience in the district and in communicating with community members on a variety of topics.

Jacy Berg believed that how the district spent its money was the ultimate reflection of the values and priorities it supported. She hoped to promote inclusivity and reset the balance of equity.

Jensina Hawkins stated her goal was to serve families that were challenged because of minority status and economic impact. She wanted to bring her experiences in the public health field to the budget committee.

Morgan Munro worked with budgets as a leader, business owner, non-profit board member, and family member. She stated that budgets were stories organizations used to tell stake holders what mattered to them. Students and families lived with the decisions made by budget committee members.

Stephen Parac worked in the technology industry. He volunteered on boards that supported education. His work with Eugene Education Foundation had allowed him to learn about the positive impacts that using an equity tool could provide when making decisions about how to allocate funds.

Shawn Romine was an accountant who had broad experience with students in different schools around the district. He was hoping to offer his skills to the community.

Jacob Trewe was a parent of school-aged children and worked as an accountant. He believed that budgets showed the values and priorities of an organization.

Dakota Boulette hoped to help the Board to connect better with students. He added that he had struggled with food and housing insecurity. He would bring a youth perspective to the budget committee.

Harry Sanger asked what he could do to assist 4J school district by ensuring funds were used to their maximum benefit. He was involved in many organizations that supported underserved communities. He believed that diversity, equity and inclusion should be used to prevent future injustices, and good communication necessitated hearing from diverse viewpoints.

Haydn Zhang Julio worked in corporate initiatives in financial management and budget planning. She volunteered across the district based on her interests.

Ericka Thessen was committed to service. She knew that she had the heart to be a valuable asset on the budget committee. She could bring broad community connections. She worked with the unhoused and persons with food insecurity.

Derik Hendricks, Titinia Howell, Bonnie Middleton, and Courtney Salic were unavailable to present.

Mirella Jimenez and Daniel Lombardi had withdrawn their applications.

The Board could consider applicants who had not presented but had not withdrawn their applications and had provided answers to the supplemental questions. The Board would receive answers to supplemental questions on or before October 22, and would vote at the November 3 Board meeting.

Chair Newman adjourned the work session at 6:30 p.m.

II. REGULAR MEETING – CALL TO ORDER

Chair Newman called the regular meeting to order at 7:00 p.m.

III. ROLL CALL, FLAG SALUTE, LAND ACKNOWLEDGEMENT

Chair Newman noted that all board members were present in-person. After reciting the Pledge of Allegiance, Chair Newman read the Land Acknowledgement.

IV. AGENDA REVIEW

There were no changes to the agenda.

V. INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Superintendent thanked the Board for approving October 18 as a workday to provide staff the across the district time to get caught up on COVID-19 related changes to schedules and staffing. She continued that she had attended a gathering of women superintendents and the Governor. There were plans to create legislation to stabilize leadership in school districts across the state.

October 18 had been the deadline to be vaccinated or provide an approved exemption. She reported that 96.4% of the district's regular staff were fully vaccinated. They received 89 requests for an exception. Superintendent Vandercar gave details on how exceptions were being processed. She added that the district was working on how to apply vaccination rules for contractors and community partners.

Ms. Vandercar reported that senior staff would return to Board meetings in mid-November. In the meantime, she asked the Board to send questions ahead of each Board meeting in order to receive a timely response to their questions. She added that questions and answers would be posted on the district's Facebook page.

The district's transportation staffing shortage was severe. Some routes were shortened or paused and as a result more than 200 families would receive reimbursement for transporting their children to school.

Superintendent Vandercar reported that the district would provide vaccines to students under twelve as soon as they were available. The district would not require vaccines for students at any grade level in the 2021-22 school year. She added that accommodations for outdoor mealtime areas were being developed.

The district's COVID-19 dashboard had been updated and included up-to-date quarantine and vaccination information.

The district was accepting applications for all open positions. A virtual job fair had been held on October 7 and applications increased as a result of the event. She thanked volunteers for their work.

Food for Lane County was offering shopping events to support families in need.

Superintendent Vandercar gave information on improvements to the CTE programs at high schools and expressed her excitement that United Way of Lane County would be hosting a program on October 28 for which Ruby Bridges would be the keynote speaker. Middle and high school staff were invited to a private virtual event. The event would begin at 10:30 a.m.

Superintendent Vandercar reported that the district was providing extensive support to staff and students to assist with mental health needs. She concluded by thanking the Board for their support.

VI. COMMENTS BY BOARD CHAIR

Chair Newman expressed gratitude that schools were open and the majority of students were attending every day. She thanked all district staff for their extra efforts to provide a safe learning environment, and parents for supporting their children's learning and health.

She reflected on the Superintendent's decision to not have senior staff attend Board meetings. She clarified that the decision was made in response to and in support of the extensive time needed to attend meeting. Staff were still preparing information for Board meetings and responding to questions. The decision was based on a cumulative effect over time.

She shared her desire to work together to move forward on shared goals.

VII. ITEMS RAISED BY THE AUDIENCE

Chair Newman read the requirements for giving comment at a School Board meeting.

Larry Lewin reflected on the differences of approach to their work by veteran and newer members of the Board. He urged that the Board find ways to come together to solve problems. He gave examples of the principles of bipartisanship he recognized in the Board's recent actions on different issues and encouraged them to remember that it was not disrespectful to disagree.

Stefan Ostrach was concerned about the lack of transparency regarding Superintendent Vandercar's decision to dismiss senior staff from attending Board meetings. He was still asking for specifics on the actions that led to the Superintendent's decision.

Ericka Thessen referred to the district's upcoming decision on choosing new social studies curriculum. She hoped that the curricula chosen would show the experiences and express the voices of a multicultural society and would not sanitize or gloss over the history of the country. She hoped that central staff would return to Board meetings and thanked the district for providing support for students with mental health issues.

Jerri Rosiek also gave comment on the Superintendent's decision to excuse senior staff from Board meetings.

Justin McCall expressed his upset over an event that had occurred at school during which his daughter was injured.

Brenda Kameenui thanked the district for their hard work in past years addressing extraordinary issues. She commented on the upcoming curriculum decision and expressed the importance of early reading skills, which when not mastered, led to poor graduation and high dropout rates. She would be sending more information to the Board.

Lisa Krenk thanked the district for their efforts to minimize the spread of COVID and for providing testing opportunities to families who desired additional assurance. She thanked school secretaries who had taken on a multitude of additional jobs with graciousness. She hoped that the district would increase their attention to CTE classes which gave the training needed to get a good job with a living wage. She mentioned the Future Build project.

Roscoe Caron shared a history of the increased attention paid to testing and tracking which had led to the current model of education. He claimed that teachers were not allowed to question increases in testing, and related it to the Board's interactions with staff members at recent meetings.

Derek Ross expressed his concern to upcoming vaccinations for children under eighteen and the long-term risks of wearing masks and vaccinations. He suggested that more attention be given to better health and well-being, better diet and regular exercise for children.

VIII. COMMENTS BY EMPLOYEE GROUPS

Sabrina Gordon, President of the Eugene Education Association, shared that everyone was experiencing the most stressful time ever in their education careers. Critical thinking, perseverance and problem solving and self-advocacy were all necessary to create a thriving community. She asked the district to consider these skills in light of the ongoing stress. She said that questions led to better understanding. She expressed that the Board was demonstrating the hard work needed to make good decisions. She shared that senior staff needed to be present at meetings even if it was uncomfortable, and wondered whether the community understood the impact of staffing shortages, which had increased the burden on everyone.

IX. COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS

Martina Shabram claimed that it was International Pronouns Day. She added that the Board had heard from candidates for open positions on the Budget Committee, and thanked the applicants for their willingness to serve. She was hopeful that the Board would continue to improve in their ability to work together and to communicate with each other and the staff.

Alicia Hays had attended football games at two high schools and was happy to see students participating in extracurricular activities. She shared her past experiences as a new Board member and also a recent encounter at a pickle ball court. She acknowledged that her position as a Board member came with power that required careful consideration in her interactions with the community.

Maya Rabasa thanked special education teachers for meeting with her and other Board members. She also thanked the district for updating the COVID-19 dashboard. She appreciated the district affirming their stance on anti-racism and supporting equity through the passing of Resolution 2020-07. She echoed the urgency expressed by the community for the Board to adopt a policy regarding racial harassment. She approached the recent decisions by the Superintendent as an opportunity to research the district's work on conflict resolution as a way

to better educate herself. As a result she extended an invitation for personal open dialog as a first step towards resolving issues. She shared that if she did not know she had caused harm, she could not remedy it. She added that removing key personnel from meetings delayed the information gathering process, and gave some suggestions for reducing the impact of meetings for senior staff while still providing access to the information necessary to make decisions.

Laural O'Rourke had also attended the meeting with special education teachers and learned the decision-making process for students with IEPs. She was asking for honest discourse and change and determined that removing staff from Board meetings was a way to limit access to information. She spoke of her personal values and her experience as a Black woman. She looked forward to the future work and believed that it was hard work that would be done well.

Gordon Lafer referred to a group that would be giving a presentation to the community in the week to come. Their message had been designed to incite negative attitudes towards many of the issues that the Board had been working to resolve such as racial and social equity. He cautioned the community to recognize that this organization was being funded by wealthy out of state activists. Mr. Lafer continued by emphasizing the importance of respect towards staff in all actions of the Board. He claimed that his concern was that only the expertise of senior staff was being considered in the decision-making process. He said that the Board room was the place for questioning.

Mary Walston agreed wholeheartedly that district staff were experiencing heavy workloads. She shared the example of an elementary school classroom day and all the extra efforts needed because of COVID-19. She added the additional workload necessitated by mandatory state reporting and increased communications. She asked everyone to step back and relax.

X. CONSENT GROUP - ITEMS FOR ACTION

1. Approve Personnel Action
Prepared by: Karen Harden, Director of Human Resources
2. Approve Meeting Minutes: August 25, 2021 Board Retreat; August 28, 2021 Board Retreat; September 1, 2021 Board Work Session and Regular Meeting; September 22 Board Work Session and Regular Meeting and September 29, Board Work Session.

Martina Shabram moved and Mary Walston seconded to approve the items in the Consent Group. **The motion passed 7:0.**

XI. ITEMS FOR INFORMATION

1. Receive Enrollment Update
Prepared by: Oscar Louriero, Director of Research and Planning

Superintendent Vandercar reported that the district was 121 students below projection: overenrolled at kindergarten and lower in other areas. Lane ESD had recently reported that there were 126 students from the 4J district who had enrolled in homeschooling. Ms. Vandercar reported that the district was not atypical. She believed that as the year progressed, more students would return to in-person school.

Ms. Rabasa asked how much the district received per student. Ms. Vandercar responded that the district received compensation for students enrolled in the year prior, and would report the exact number from Financial Services in the Friday Memo.

2. Receive a Report on the Division 22 Standards for Public Elementary and Secondary Schools 2020–21 Assurances
Prepared by: Kerry Delf, Chief of Staff; Brooke Wagner, Assistant Superintendent for Administrative Services; and Christine Nesbit, General Counsel

Annually, the Board was required to hear the report on Division 22 Standards. Superintendent Vandercar shared the standards in which the district was not compliant for 2021-22:

- Drug and Alcohol education at the K–8 level
- Human Sexuality education at the K–4 level. A corrective action was planned which would require Board approval.
- The district continued to struggle with physical education requirements. Students in high school often chose a different elective and the district did not require PE for every students. Many buildings could not accommodate all students in PE for the time mandated by the state.
- Teacher training related to dyslexia. The district would determine which schools did not have an identified specialist, and provide training.

Superintendent Vandercar concluded by saying that reporting on Division 22 standards required a lot of staff time, but was valuable in keeping the district and Board up-to-date on areas of concern.

Ms. Walston commented that the PE requirement had been a concern for a long time, and many districts struggled to be in compliance. She asked whether it could be added to the legislative agenda to review the requirements at the state level.

3. Bond and Facilities Work Update
Prepared by: Ryan Spain, Director of Facilities and Kyle Tucker, Chief Operations Officer

Superintendent Vandercar gave an update on the district renovations supported by bond funding. She shared that Edison Elementary school would be ready in the summer of 2022 and would vacate the Willard site. She encouraged the Board to visit the Edison site and see the progress.

Construction was continuing at North Eugene High School, but was overbudget due to materials supply shortages. The new building would be ready in the fall of 2023.

The addition at Gilham Elementary School was underway to provide space for increased enrollment, which stood at 585 students. The build was also slightly overbudget due to materials supply shortages. Students would move into new spaces as they became available for use, but the total renovations would be done in fall 2022.

Superintendent Vandercar reported that the classrooms at Camas Ridge Elementary Schools would be 980 sq. ft. which compared positively to the current size. There were gender neutral

single occupancy bathrooms in each cluster. She responded to Ms. Hays' question that there was an ADA path available on the fields. Ms. Hays hoped that no one would feel excluded from the playing fields because of mobility issues. There was further discussion regarding access to all sides of the field. Ms. Vandercar said that she would discuss it further with the build team.

In response to questions from the Board, Superintendent Vandercar reviewed the changes that had been made to Camas Ridge as a result of requests from the community. Mr. Lafer asked that single use bathrooms be designated for students who are transexual, non-binary and gender fluid. He also asked again how many classrooms were smaller than they had been. He added that at the recent community meeting with PiVOT, it had been made to appear that there was still time to give input into additional changes. He was concerned that asking for input when none would be considered created mistrust in the community and could be considered bait and switch. Chair Newman and Ms. O'Rourke agreed that to give the appearance of welcoming input when plans had already been finalized created confusion amongst community members.

Superintendent Vandercar referred to an FAQ on the district website. She added that buildings were being standardized to ensure that bond funds were spent equitably.

She continued that there was a schedule for maintaining the turf fields and shared information about additional projects that would be occurring all over the district, such as upgrading internet and air flow.

Superintendent Vandercar finished her report by reminding the Board and the community that offers of funding made to teams for the purpose of providing upgrades that only served one gender, such as locker rooms for the baseball team, would be turned down. This would not be the case in instances where offers were made that would provide support to teams of both genders, such as upgrading a field, or a basketball court. She recognized that this caused upset in the community, but the district was required to follow the protocols of Title IX.

Ms. Rabasa asked for additional information regarding all projects that were overbudget. Ms. Walston hoped that the district would upgrade the bike and pedestrian paths that provided access around North Eugene High School. She also clarified that the main source of energy for Camas Ridge was electricity, but there was a backup system that ran on natural gas to provide power to necessary systems in the case of an electrical outage.

4. Receive an Update on ESSER III Plan

Prepared by: Brooke Wagner, Assistant Superintendent for Administration Services and Andrea Belz, Director of Financial Services

Superintendent Vandercar referred to the information in the Board packet. She reported that the district's extensive community engagement process had resulted in an exemplary Student Investment Account (SIA) plan which would be the basis for how ESSER III funds were spent. She outlined how the funds would be spent in areas for summer school programs, afterschool programs, reduced class size, and wraparound support teams. Additional funds would be used to enhance school facilities, technology, instructional support, and transportation, and other district needs.

The district had met with EEA to determine how to support additional staffing needs. Superintendent Vandercar continued that as per the requirement of the ESSER grant, the district reached out to families of migrant workers and incarcerated minors. She said that the Board would not need to take any action on funding allocations or future changes because the district was allocating funding based on the approved SIA.

Superintendent Vandercar responded to questions regarding how the funding was being used based on Board input. She would provide information if the future process for determining allocations for spending turned out to be different. She added that the district had spent considerably more than the 20% required for instruction, which included summer school, afterschool and wraparound programs. Funds had also been allocated to providing meals and classroom supplies and incentives to hire additional transportation staff. Superintendent Vandercar listed additional use of the funds, including professional development.

XII. ITEMS FOR ACTION

1. Select Executive Search Firm Finalists for Interviews

Prepared by: Christine Nesbit, General Counsel; Kerry Delf, Chief of Staff; Holly Langan, Director of Support Services

Board members Alicia Hays, Gordon Lafer and Maya Rabasa gave their findings and recommendations. Ms. Rabasa said that they sent the information request for proposal to over thirty search firms and received three in return. The subcommittee then reviewed the applications and scored each firm.

It was at this point that the subcommittee realized that they had not honored the request by four search firms to be contacted. The Board, at the meeting on October 6 approved reopening the search which resulted in one additional proposal.

The subcommittee recommended interviewing three out of the four firms: McPherson and Jacobson; Hazard, Young, Attea & Associates; and Alma Advisory Group, on the basis that they were all in the position to find a highly-qualified candidate for a district the size of 4J.

Chair Newman entertained a motion to approve the subcommittee's recommendation. Ms. Hays moved, and Ms. Shabram seconded to affirm the subcommittee's recommendation for firms to interview. Ms. Shabram thanked the subcommittee for their work in bringing forward candidates.

The motion passed unanimously.

Ms. Rabasa referred to the confidential list of questions that the subcommittee recommended using for interviews and asked that the Board approve them with a vote. Ms. Hays moved and Ms. Shabram seconded approval of the seven questions listed. Ms. Hays said that they developed their questions to gather more information on areas that were still of concern after reading the original proposals. Ms. Rabasa shared that they would expect that the members of any search firm that was interviewed in person be vaccinated.

Chair Newman commended the committee on their work. **The motion to approve the seven interview questions listed passed 7:0.**

Chair Newman suggested, and the rest of the Board agreed, to meet virtually for the work session to interview the search firm candidates on October 27. Each Board member would be assigned one question to ask. Ms. O'Rourke asked whether the work session would be video recorded. Superintendent Vandercar said she would find out whether it would be possible and report back.

XIII. ITEMS FOR ACTION AT A FUTURE MEETING

1. Using the Equity Lens

Prepared by: Maya Rabasa, Board Member, and Cydney Vandercar, Interim Superintendent

Superintendent Vandercar introduced the topic of using the current equity lens. She and Board member Rabasa had met to determine which of the different lenses that had been created through the years would be the most effective.

Ms. Rabasa read aloud the statement provided in the Board packet:

The district has adopted an equity stance as a means to target areas for action, intervention and investment. In particular, we believe: Everyone has the ability and right to learn. We have an ethical, professional and legal responsibility to ensure an education system that provides active participation and optimal learning to prepare students for their desired individual futures and to create a thriving community.

Ms. Rabasa then distributed a possible tool for the Board to use. She and Superintendent Vandercar had agreed that the content of the current equity tool was not the issue, it was the format that made it difficult to implement. She referred to the Lane County tool as a model for use in a fast-paced setting. She shared that they felt it would be wonderful to use the same tool across different Lane County organizations.

Ms. Rabasa noted two things: the Lane County Equity Lens did not have a component regarding funding; and they hoped that if the district adopted the Lane County Equity tool, it would add a component regarding the use of time frames to ensure analysis was not overlooked or unfinished.

Both Superintendent Vandercar and Board Member Rabasa hoped that the Board would approve the use of the suggested equity tool at the next meeting. They felt a sense of urgency in renewing the district's commitment to approving and using an equity tool in decision-making.

Ms. Hays commented that the LGBTQ community did not seem to be represented.

Chair Newman expressed concern that the Lane County equity tool did not have a question regarding funding.

Superintendent Vandercar responded that she hoped the Board would approve using the provided equity tool, with revisions to include LGBTQ+ with the understanding that once the Equity Committee was active, they might consider changes.

Mr. Lafer asked whether Lane County had ever found an issue that could not be resolved using the Equity tool. Ms. Rabasa first acknowledged the names of the persons at Lane County who

had created it, and then said that the County was finding it to be successful. Ms. O'Rourke shared her frustration that people saw the use of an Equity tool as only needed when making decisions as opposed to living it as she did. She then shared that Equity tools were best used when addressing specific issues as opposed to large scale problems. She appreciated the questions raised when applying the tool. Ms. Rabasa hoped that it would become part of their way of thinking about decisions, just as using a financial lens did.

Ms. Shabram suggested spending time learning and practicing how to use an equity tool. She added that the Board needed to recognize the issue of institutional trauma created by making promises that are not kept. Ms. Rabasa shared that there were additional materials that would come with the equity tool that would assist the Board in learning to use it effectively.

Board members gave their supportive comments to approve using the Lane County Equity tool. The Board would vote on November 3.

Chair Newman suggested having a work session to learn to use the Equity Tool.

Ms. Rabasa then asked whether the Board might be willing to approve it immediately.

Ms. Hays asked to wait until November 3 to provide Superintendent Vandercar time to share it with staff before the Board approved it. Superintendent Vandercar shared that staff were already urging the Board to approve an equity tool. Mr. Lafer was willing to vote immediately. Ms. Walston asked to wait until November 3. Ms. Shabram also expressed a desire to wait until the next Board meeting, as did Chair Newman, who said that there were changes needed.

Maya Rabasa moved to immediately adopt the Lane County Equity Tool with changes made to add LGBTQ+ and religion to the lens. Ms. O'Rourke seconded the motion. There was continued discussion about whether to vote immediately or wait two weeks.

The Board voted in favor of calling the question. Ms. Rabasa read the motion again. **The motion passed 5:2.**

Ms. Rabasa moved to request the Superintendent to share the Equity Tool with her Administrative Team. There was discussion why the Board needed to tell the Superintendent to exercise her authority. Superintendent Vandercar shared that she wanted to have the Board's urgency behind her actions. Chair Newman offered an amendment to learn from Superintendent Vandercar how the tool would be used. Superintendent Vandercar then shared that she did not need a motion to move forward to start editing the tool and to start using it. Ms. Rabasa withdrew her motion and Ms. O'Rourke withdrew her second. Ms. O'Rourke asked Superintendent Vandercar to share her plan on the rollout and use of the Equity tool at the next Board meeting.

Ms. Walston moved and Ms. Hays seconded to adjourn. Ms. Rabasa moved to adjourn after attending only to item XIV. Ms. Shabram seconded the amendment. **The amendment passed 5:2.** The Board voted unanimously to call the question of the original amendment. **The original motion passed 6:1.**

2. Approve Board Resolution Encouraging Solidarity and Support for Student Identities
Presenters: Judy Newman, Board Chair and Martina Shabram, Vice Chair

Tabled until the meeting on November 3, 2021

3. Approve Board Working Agreements
Presenters: Judy Newman, Board Chair and Martina Shabram, Vice Chair

Tabled until the meeting on November 3, 2021

XIV. SUGGESTIONS BY THE BOARD FOR CONSIDERATION OF ITEMS AT A FUTURE MEETING

Ms. Rabasa suggested adding an item for information to invite Ms. Mica Contreras from Community Alliance of Lane County to present her findings on racial harassment in 4J schools. There was support from the Board to have leadership review the calendar and add the item at a future meeting.

XV. ADJOURN

Chair Newman adjourned the meeting at 10:47 p.m.

Cydney Vandercar
District Clerk

Judy Newman
Board Chair

(Recorded by Eliza Drummond)

**MINUTES OF THE EXECUTIVE SESSION AND REGULAR MEETING
OF THE BOARD OF DIRECTORS
SCHOOL DISTRICT 4J, LANE COUNTY, OREGON**

Date: November 3, 2021

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held a work session at 5:30 p.m. and a regular meeting at 7:00 p.m. at the Education Center, 200 North Monroe Street in Eugene, Oregon. Notice of the meeting was mailed to the media and posted in the Education Center on Friday, October 29, 2021, and published in *The Register-Guard* on Monday, November 2, 2021.

ROLL CALL

BOARD MEMBERS:

Judy Newman, Chair
Martina Shabram, Vice Chair
Alicia Hays
Gordon Lafer (via zoom)
Laural O'Rourke
Maya Rabasa (via zoom)
Mary Walston

STAFF:

Cydney Vandercar, Superintendent
Kerry Delf, Chief of Staff
Lisa Fjordbeck, Executive Assistant / Board Secretary

MEDIA: KRVM

EMPLOYEE ASSOCIATIONS:

Sabrina Gordon, EEA

I. EXECUTIVE SESSION

The board convened in executive session to consider records that are exempt by law from public inspection pursuant to ORS 192.660(f).

Executive Sessions are not open to the public. All matters discussed during executive sessions are confidential and shall not be disclosed by any representative of the news media without authorization by the school board. Executive sessions involving deliberations with persons to carry on labor negotiations, or to consider the expulsion of a student or matters pertaining to a student's confidential medical records, are not open to the news media.

II. REGULAR MEETING – CALL TO ORDER

Chair Newman called the regular meeting to order at 7:00 p.m.

III. ROLL CALL, FLAG SALUTE, LAND ACKNOWLEDGEMENT

Chair Newman noted that all board members were present in-person or via video conference. After reciting the Pledge of Allegiance, Chair Newman read the Land Acknowledgement.

IV. AGENDA REVIEW

The Board approved the following changes to the agenda, requested by Chair Newman: add ten minutes to the Item for Information, a Discussion of 4J's Plan to Implement the Use of an Equity Tool; remove the Item for Action at a Future Meeting, Approve Board Working Agreements.

Chair Newman asked the Board to honor their three-minute limit when giving their reports and to raise their hand to be called on.

V. INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Superintendent Vandercar reported that COVID-19 vaccinations had been approved for children 5-11. She shared that the best way to have one's child vaccinated was for parents to consult with their pediatrician. 4J would be offering vaccination clinics at various locations in the district and more information was available on the district website at <https://4j.lane.edu>. She added that the district was not mandating vaccinations for students.

Superintendent Vandercar recognized fall sports teams across the district that would be competing in state playoffs over the weekend. She added her congratulations to teams that had been recognized by Oregon School Athletics Association for their academic achievements.

She continued with sadness that more than half of the lunch tents that had been constructed to allow outdoor mealtimes had been vandalized and were not usable. The district would continue to seek options to provide outdoor meal areas. The COVID-19 dashboard had been well received by parents and community members. It was also available on the 4J website. There would be a parent webinar in the upcoming week to share more information.

Families of secondary school students could request to change their learning options for the upcoming new term until November 15. The deadline for elementary students was January 10, 2022.

Superintendent Vandercar reported that staff were working extra hours to cover shortages. She shared details of new hiring in all areas of the district. She would be asking to add two non-instructional days on November 24 and January 14. This would give staff time to plan and prepare. She recognized that no school days were a burden to families and was asking for the decision to be made early in order to allow families to make alternative arrangements for their children.

She recognized that the upcoming season was a time of added strains on the mental health of many community members and urged everyone to do their best to reduce the stress.

VI. COMMENTS BY BOARD CHAIR

Chair Newman shared the excitement that she felt when her granddaughter enthusiastically reported that she had attended the Ruby Bridges event, for which Chair Newman was also present. Ms. Newman gave a brief history of how Ruby Bridges was the first African American child to attend school at William Frantz Elementary School at age six. She

continued that Ms. Bridges later committed her life to the advancement of civil rights. Ms. Newman shared several quotes from the event and added that November 14 would be a Ruby Bridges day of dialog. She thanked United Way of Lane County and many community businesses for sponsoring the event, and to the district for making the event accessible to all students.

VII. ITEMS RAISED BY THE AUDIENCE

Chair Newman read the requirements for giving comment at a School Board meeting.

Justin McCall expressed his anger over the stress his child was enduring as a result of incidents that occurred at school.

Janet Ayres reported that the additional personal protective equipment required for those who were not vaccinated due to religious exemptions were discriminatory and meant to ostracize. She added that CRT was being added to the curriculum under the guise of social justice reform. She asked that the district move their in-house labor law attorney to a location outside the district grounds. She continued with her demand that the 4J School Board stop all communications with Oregon School Boards Association.

Larry Lewin commended the district for their COVID-19 response to keep everyone safe. He urged the district to begin using the new equity lens immediately. He gave examples of decisions that the Board had recently made where the lens was used or not used properly.

John Simpson considered the recent action taken to move the approval of the equity tool from an item for action as a future meeting to an item for action as inappropriate. He continued that it did not provide adequate time for public comment and review and was an example of bad governance. He added that he was dismayed at the behavior of the board at the recent meeting.

Betsy Boyd congratulated Alicia Hays for being recognized as School Board member of the Year in 2020. Ms. Boyd asked the Board to continue their focus on equity and data and recognize the gains the district had already made. She referred to the inequity that had been created by the school choice system in past years. She planned to send additional examples of inequities across the district.

Harry Sanger expressed his concern that the district was not following the science in terms of their approach to COVID-19 especially as it pertained to children.

Krista Parent added her consternation over the quick approval of the equity tool at the last meeting. She added that leaders in the district needed to provide hope and inspiration, work with collaboration and integrity and make their decisions with children in mind, not create more drama. She shared data regarding turnover in the Superintendent level and asked the Board to recognize that their behavior might impact their ability to find good candidates.

VIII. COMMENTS BY EMPLOYEE GROUPS

Sabrina Gordon, President of the Eugene Education Association presented the results of a member survey that gauged educator exhaustion and stress. 90% rated workload as difficult or extremely unmanageable. 80% reported that workload and stress were higher and more than

half shared that the stress was effecting their emotional health. Additionally, more than half were considering leaving the profession. Heightened student needs, lack of time to plan or prepare and additional workload were given as additional stressors.

Ms. Gordon asked for additional time to plan and prepare and offer relief from overwork. She asked the Board to agree to additional non-instructional days.

Mr. Tromba, representative of Managers, Administrators and Professional Supervisors highlighted the work of MAPS members across the district, beginning with those who worked in Human Resources, Financial Services, and the Superintendent's Office. He detailed the additional work that each department had provided during the recent year, and especially highlighted the work of the Executive Assistant to the Superintendent in creating spaces that are safe and friendly and she is the definition of someone who is trauma informed.

IX. COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS

Alicia Hays thanked all the community speakers and recognized that the behavior of the Board had a direct effect on student achievement, which she hoped to improve. She did not have any committee reports.

Gordon Lafer also commended the courage of those who spoke. He commented on the report given regarding teacher workload increase and urged the district to partner with EEA and OSEA to find more opportunities to hear staff concerns and learn the reasons why some were choosing to leave the profession. He gave suggestions of actions that could be taken immediately, such as providing time for preparation and reporting, and offering mentor teachers.

Laural O'Rourke appreciated public discourse. She expressed her frustration that the original equity tool had not been used even though it had been approved years ago. She urged that it was paramount and foundational to all the work of the district. She added that although she recognized that staff needed additional non-instruction days, she was asking that they begin in December to give working families time to make arrangements for the care of their younger students.

Martina Shabram had attended the Ruby Bridges event and was glad that many students did as well. Ms. Shabram reflected how Ms. Bridges had been encouraged by teachers who valued her personhood. She hoped that the Board would support the upcoming resolution encouraging solidarity and support for student identities. She referred to the work of Newberg School District.

Mary Walston thanked Superintendent Vanderkar for raising the importance of student mental health. She commended staff for introducing the Source of Strength curriculum and for adding additional training in suicide prevention. She called attention to a report called *the State of Mental Health in America* in which Oregon ranked at the very bottom.

She had attended the Eugene Education Foundation meeting in which they determined which grants would be awarded, and a meeting with the City Manager to discuss partnership regarding the Climate Action Plan. She had attended the North Eugene region planning meeting and the Ruby Bridges event. She added that November was Native American Heritage month.

Maya Rabasa referred to the designation of November as Native American Heritage month, and expressed her concern that designating a specific month to a specific heritage group allowed

people to isolate the promotion of better treatment of those groups and not make it a component of ongoing learning. She added that the best antidote to racism was knowledge. She shared that Tik-Tok had become a powerful tool for youth expression and shifting mindsets and urged the audience to explore it.

X. CONSENT GROUP - ITEMS FOR ACTION

1. Bond Project–Edison Elementary School: Furniture Purchase
Prepared by Ryan Spain, Director of Facilities
2. Approve Meeting Minutes: October 6, 2021 and October 13, 2021

Martina Shabram moved and Mary Walston seconded to approve the items in the Consent Group. **The motion passed 7:0.**

XI. ITEM FOR INFORMATION

1. Discussion of 4J's Plan to Implement the Use of an Equity Tool
Discussion led by Judy Newman, Board Chair

Chair Newman commended the Board, Superintendent and staff to commit to using the adopted equity tool. She hoped to create a plan for its use. She summarized that at the prior meeting the Board had voted to use the two-page version of the Lane County tool with the addition of LGBTQIA+ and Religion in the text. She referred to a draft at each Board Member's place.

Mr. Rikhoff, Lane County Director of Operations and Chair of the Equity Subcommittee had sent information regarding how the tool had been developed and how it was being used. The two-page form was augmented by a 42-page document that provided additional information and examples.

Chair Newman asked the Board to consider two topics: first, to share questions and requests for clarification on the provided material; and second, to discuss how the tool would be used.

In response to a question from Ms. O'Rourke, Chair Newman said that the Board had voted to approve the short version on page one of the Equity tool, and the expanded version on page two. There was additional information available in the toolkit online, however, the board did . Superintendent Vandercar reported that she, Mr. Williams and Mr. Flores Gutierrez had used the tool at a recent meeting.

Ms. Rabasa clarified that her understanding in making the original motion at the prior meeting was that the toolkit was integral when using the short or long form. She shared that the toolkit gave examples of how to use the equity tool in certain situations.

Mr. Lafer was confused about the need to have the discussion. He reiterated that the Board had voted to use the equity tool at the prior meeting. Ms. Shabram responded that she hoped the Board would discuss how to functionally use the tool. She wanted to make sure that there was a consistent practice.

Ms. Hays thanked Leadership for the opportunity to gain clarification and also for the provided draft. She looked forward to discussing how the Board would use the equity tool.

Ms. Walston hoped to refine the Lane County toolkit for use in situations that arose in the school district, and stressed that all groups should be defined instead of lumping them under the category of “etcetera”.

Ms. O'Rourke said that an equity tool was either used and was foundational to the district, or it was not. She remembered that the Board had agreed to use the tool presented until the district Equity Team created their own. She considered that it should be part of every presentation.

Ms. Rabasa said that the longer toolkit should be used as a resource because it was an equity lens that led with race. She shared her opinion of the word etcetera and hoped the Board would allow terms to grow and change. She considered the conversation of the prior meeting to be meaningful because it pointed out inequity. She asked to invite a team from Lane County to give a presentation on how they were using the equity tool.

Ms. Hays pondered and Mr. Lafer agreed that there should be further discussion about what would be the most effective way in which the equity tool would be used by the Board and the district. Mr. Lafer gave examples of upcoming Board actions to which the tool should be applied. He wanted clarification on the process.

Chair Newman gave her support to Ms. Rabasa's suggestion to Lane County to provide the district with further information about how they were using the equity tool. She clarified that the purpose of their time that evening was to have a discussion and no motions would be made for further action.

Ms. Hays clarified that in her review of the toolkit, some examples fit into an educational model and some might need to be changed.

Ms. Shabram wanted more specifics about how the equity tool would be used, situation by situation so that there were no misunderstandings. She suggested having a work session.

Chair Newman summarized the suggestions: staff would apply the two-page document and additional toolkit in their decisions; a work session to determine more specific actions would be planned; the district would invite Lane County to offer guidance.

Ms. O'Rourke wanted to make sure that it happened soon.

XII. ITEMS FOR ACTION

1. Appoint Budget Committee Members
Prepared by Kerry Delf, Chief of Staff

Ms. Delf reported that there were fifteen candidates for three open positions on the Budget Committee. Information was available to the Board Members in their packets. Ms. Delf asked each Board member to vote for three candidates.

Alicia Hays voted for Berg, Parac and Thessen.

Gordon Lafer voted for DiLiberto, Hawkins and Thessen.

Judy Newman voted for Hawkins, Munro and Parac.
Laural O'Rourke voted for Boulette, DiLiberto and Thessen.
Maya Rabasa voted for Roulette, DiLiberto and Thessen.
Martina Shabram voted for Berg, DiLiberto and Thessen.
Mary Walston voted for Munro, Parac and Thessen.

Mr. DiLiberto and Ms. Thessen received four and six votes respectively and were assigned the two open three-year positions.

Ms. Delf then asked the Board to vote for one candidate to fill the one-year position. Ms. Hays voted for Parac; Mr. Lafer for Hawkins; Ms. Newman for Parac; Ms. O'Rourke for Boulette; Ms. Rabasa for Boulette; Ms. Shabram for Berg and Ms. Walston for Munro. Mr. Boulette and Mr. Parac remained as possible candidates and the others were removed from the ballot.

In the third round of voting, Mr. Boulette received four votes to be assigned to the one-year open position that would expire in 2022. The votes were: Hays for Parac; Lafer for Boulette; Newman for Parac, O'Rourke for Boulette, Rabasa for Boulette, Shabram for Boulette; and Walston for Parac.

After voting concluded, Ms. Shabram moved to appoint Tom Diliberto and Ericka Thessen to the Budget Committee for terms beginning immediately and ending June 30, 2024, and appoint Dakota Boulette for a term beginning immediately and ending June 30, 2022. Ms. O'Rourke seconded the motion. **The motion passed 7:0.**

2. Select Executive Search Firm
Prepared by Christine Nesbit, General Counsel; Kerry Delf, Chief of Staff; Holly Langan, Director of Support Services

Ms. Shabram moved that the Board initiate a second interview process with the two finalist search firms. In response to a question from Ms. O'Rourke, Ms. Shabram clarified that her second motion contained the parameters with which they would proceed. **The motion carried 7:0.**

Ms. Shabram then moved to refer the creation of question to the subcommittee based on the discussion from the executive session. The Board agreed that the subcommittee would still exist of Mr. Lafer, Ms. Rabasa and Ms. Hays. Ms. Walston seconded the motion. Ms. O'Rourke asked to modify the motion to include that both interviewees would be asked the same set of questions. Ms. Rabasa seconded the amendment. Ms. Shabram read the original motion with the amendment: to refer the creation of question to the subcommittee based on the discussion from the executive session with instructions that one set of questions be developed for both interviews. Ms. Shabram clarified that she was in agreement that her original motion now included the amended language. **The amended motion as read passed 7:0.**

Mr. Lafer agreed that he would reconvene the subcommittee.

XIII. ITEMS FOR ACTION AT A FUTURE MEETING

1. Approve Board Resolution Encouraging Solidarity and Support for Student Identities
Presenter: Judy Newman, Board Chair and Martina Shabram, Vice Chair

Chair Newman introduced the topic by saying that the State Board of Education had adopted a resolution encouraging solidarity and support for student identities and had asked local school districts to follow suit.

Ms. Newman and Ms. Shabram presented their draft of the resolution. Ms. Shabram clarified that the Board would vote on the resolution at a future meeting. Ms. Newman shared that they had added language specific to the school district. She then referred to the highlighted areas and other additions, as shown in the Board Packet.

Ms. Rabasa made suggestions to change the language of the Every Students Belong initiative at a future date to separate it from the State's initiative with a similar name.

Ms. Walston made changes to be incorporated into the draft prior to the second meeting.

2. Consider Revisions to School Calendar
Prepared by: Kerry Delf, Chief of Staff

Superintendent Vandercar shared that she was asking the Board to consider making Wednesday, November 24 and Friday, January 14, 2022 non-instruction days. She expressed that the changes were being requested to assist staff in getting caught up with work that had been deferred as a result of staffing shortages due to the effects of COVID-19.

Ms. O'Rourke asked for information regarding attendance on the Wednesday prior to Thanksgiving for the purpose of determining the impact on certain socio-economic groups (SES).

Ms. Shabram asked how the equity lens had been used in making the decision. Superintendent Vandercar shared that the team making the decision considered who the change would effect the most. She reported that there was typically low enrollment and high teacher absence the day before Thanksgiving and agreed that the decision might effect low SES schools. She shared that all the different facets and groups to be considered made it challenging to apply the equity lens.

Ms. Rabasa gave her support to the idea of giving staff additional non-instructional time, but was concerned that the proposed November 24 did not give working families time to find childcare. She asked whether it was possible to find daycare for some families whose do not have the option to take the day off. Ms. O'Rourke also expressed her concern over children who would be left home alone.

Superintendent Vandercar reported that she would take the Board's concerns back to the team to see whether they could find a date in December. She added that she would provide the data requested.

Ms. Rabasa thanked Superintendent Vandercar for her understanding. Ms. O'Rourke asked whether looking at additional dates ahead of time would be prudent. Ms. Vandercar responded that if they added more, they would need to use instructional time credits. Ms. Rabasa also asked that staff take Hanukkah into consideration when choosing dates.

3. Vote on Oregon School Boards Association (OSBA) Election
Prepared by: Kerry Delf, Chief of Staff

Chair Newman referred the Board to the information in their packet regarding candidates for the OSBA Board of Directors Position and Legislative Policy Committee. Superintendent Vandercar reminded the Board that they would vote as a group, resulting in one ballot cast, for each of the positions.

4. Approve Board Working Agreements
Presenters: Judy Newman, Board Chair and Martina Shabram, Vice Chair

Tabled for a later date.

XIV. SUGGESTIONS BY THE BOARD FOR CONSIDERATION OF ITEMS AT A FUTURE MEETING

In response to a request by Ms. Walston to revisit the Community Benefits Agreement (CBA) in a work session, Chair Newman reported that the CBA would be on the agenda at the next meeting and could be moved to a work session if there was time.

Ms. Walston continued by requesting work sessions on Board Goals and work on climate change. There was agreement amongst the Board to put those items on the agenda and clarification that Leadership would find time on the calendar.

Ms. Rabasa referred to a group of Community members that had begun work on expanding safety efforts in summer of 2020. They had compiled a comprehensive report. She asked whether the group could be invited to give an item for information. She considered it to be timely to the work that was done by SeeChange. Chair Newman suggested that Leadership ask SeeChange to include the community group's work in an upcoming presentation.

Superintendent Vandercar asked Ms. Rabasa to share the report with her. She also asked the Board to clarify who would be asked to make presentations at future meetings.

Ms. Rabasa reminded Leadership of her request to have Ms. Contreras from Community Alliance of Lane County give a report at a future Board meeting.

XV. ADJOURN

Chair Newman adjourned the meeting at 10:00 p.m.

Cydney Vandercar
District Clerk

Judy Newman
Board Chair

(Recorded by Eliza Drummond)

DRAFT



ITEM FOR INFORMATION

Date of Meeting

November 17, 2021

Title

Receive Information About Policies Addressing Racial Harassment

Presenters

Misael Flores Gutierrez, Director – Equity, Inclusion & Instruction

Joel Lavin, Student Services Administrator

Christine Nesbit, General Counsel

Larry Williams, Director – Equity, Inclusion & Instruction

Background

The board will receive information about and 4J policies and procedures for addressing racial harassment and have the opportunity to ask questions about current practices and work that is underway.

Board members have received comments relating to a racial harassment policy from a neighboring district. This policy is included in the board packet and can be discussed.

No action will be taken on this agenda item during this meeting. The board may identify areas of additional research or needs for future policy/practice development.



Student Safety Reporting Form

for students to report bullying, harassment and other concerns

Do the best you can filling out this information. Please do not write on the back of this form. Turn this form in to the school office or a staff member at your school.

Today's date: _____ School: _____

Name of the person(s) who experienced the incident: _____

Contact information: _____

Name of person filling out form (if different): _____

(Note: you may report anonymously if you prefer, but having this information may help us investigate the concern.)

Name(s) of the person(s) of concern: _____

Describe what is happening or has happened: (Use additional paper if you need more room)

Where did it happen? (example: classroom, Instagram, off campus): _____

When did it happen? _____

Who was involved? _____

Who saw it? _____

Has this type of behavior happened before? Yes (please tell us more about it) or No

Do you have a teacher, counselor or advisor supporting you? Who? _____

If possible, would you like this person with you when talking to administration? Yes or No

Besides stopping the unsafe behavior, what would you like to see happen?

(Use additional paper if you need more room)

STUDENTS – Please return this to the school office or to a staff member. **DO NOT WRITE ON THE BACK.**

STAFF – Return this form to the school administrator. If the administrator is alleged to have engaged in wrongdoing, return to the superintendent's office.

This side of the form is to be filled out by an administrator. The reporting person does not write on this side.

Date received: _____ (Initial contact should be within 24 hours.)

Date student was met with: _____

Name of school personnel supporting in this resolution: _____

Area of concern (mark all those that apply):

- | | | | |
|---|---|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Teasing | <input type="checkbox"/> Physical (Hitting, Kicking, Pushing) | <input type="checkbox"/> Threatening | <input type="checkbox"/> Name calling |
| <input type="checkbox"/> Gossip/Rumor spreading | <input type="checkbox"/> Cyberbullying (social media) | <input type="checkbox"/> Intimidating | <input type="checkbox"/> Self-harm |
| <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Sexual assault | | |
| <input type="checkbox"/> Other (please describe): _____ | | | |

Does the issue/situation target the person's: race, color, ethnicity, religion, sex, sexual orientation, gender identity or expression, national origin, marital status, familial status, source of income or disability? Yes, describe or No

Admin should consider:

- *The applicable policies, rules and/or code of conduct (For example: JBA/GBA-AR Sexual Harassment, JFCF Harassment, Intimidation, Bullying, Cyberbullying, Hazing, Teen Dating Violence and Domestic Violence)*
- *Would the student feel safer if there was someone of their gender identity and/or cultural identity present? Who on staff needs to be in the room to support the student?*
- *Has the student experienced this kind of incident before? Who responded in that incident? What was the outcome/resolution and why?*
- *Where is this addressed in the Student Rights and Responsibilities Handbook?*
- *What restorative steps need to be taken?*

Outcome & next steps:

Does the student(s) or adult filling out this form feel the situation has been resolved? Why or why not? How do you know? What is your plan for following up/checking with the student/adult in a few weeks?

Date parent was contacted: _____ **Method of contact:** _____

Response from parent (explain) or Parent not contacted due to student safety concern (explain):

Store these forms in a folder in the administration office.



Eugene School District 4J
Step-by-step complaint process
(including harassment and discrimination)

1. Parents, students and staff work together frequently to address concerns and improve the educational experience for students. You are encouraged to raise concerns directly with the involved employee, school or department because that is often the most effective way to resolve them.

For incidents of bullying or harassment (including harassment, intimidation, cyberbullying, hazing and teen dating violence) or of discrimination, you should contact the school principal or other staff member to report it. Say you would like to report an incident of harassment, intimidation, bullying, cyberbullying, hazing, teen dating violence or discrimination. An optional *Student Safety Reporting Form* is available from your school.

If you believe the principal engaged in the wrongdoing, you don't have to report to him or her. You may instead contact the district superintendent's office.

2. Tell the principal or person assigned by the principal or superintendent your concern and answer any questions they have. Administrators should respond to most concerns within 10 working days.
3. Work with the principal or person assigned by the principal or superintendent to resolve the issue. This could include talking with a teacher and discussing what may happen with the involved people.
4. If you are unable to resolve the issue by working with the school principal and/or school staff, you may send a written request to the administrator's supervisor who should respond within 10 working days. If you are unsure who that is, you may call the superintendent's office at 541-790-7706.

Alternatively you may file a formal complaint with the district at any time. There is a single complaint form for use by anyone. It is available at www.4j.lane.edu/complaints, from school offices and from the 4J superintendent's office, 200 N. Monroe St, 541-790-7706. Complete the form and return it to the 4J superintendent's office.

5. When the superintendent's office receives your complaint, it will assign a decision maker to investigate and resolve the complaint. If the complaint has not yet been addressed at the school level, the superintendent may refer the complaint to the principal. If you have worked with the school but have been unable to resolve the issue, or if the principal is alleged to have acted improperly, the superintendent will assign a different decision-maker.

The superintendent's office will send you a written acknowledgement, postmarked within 10 calendar days of receiving the complaint. The acknowledgement will tell you the date the superintendent received the complaint and who has been assigned to handle the complaint.

CONTINUE TO PAGE 2 

6. The decision maker will review the complaint, conduct interviews, determine the facts, and consider possible ways of resolving the complaint. Your complaint will receive a final written response and decision within 30 calendar days of receipt. Timelines may be extended by mutual agreement.
7. If the issue is not resolved, you may appeal to the superintendent. The appeal needs to be submitted in writing within 10 calendar days of receiving the decision referred to in section 6. The appeal may be by letter or email, and should describe the complaint, the remedy being requested, and why the original decision (in section 6) is incorrect or insufficient. The superintendent (or designee) will review the record and any additional information necessary, and will decide if specific action needs to be taken in response to the complaint, or that no substantial evidence exists and that no further action will be taken in response to the complaint. The superintendent's response will be provided within 30 calendar days of receipt of the appeal, unless timelines have been extended by mutual agreement.
9. The superintendent's decision constitutes the final decision of the district.
10. Certain complaints may be appealed to the Oregon Department of Education (ODE). For more information about appeals, see district administrative regulation KL-AR or contact ODE directly.
11. This step-by-step guide is only a summary. For more information about how the district resolves complaints, visit the district's webpage at www.4j.lane.edu/complaints or call the superintendent's office at 541-790-7706.



Eugene School District 4J
Formal Complaint Form
(including harassment and discrimination)

Parents, students and staff work together frequently to address concerns and improve the educational experience for students. Raising concerns directly with the involved employee, school or department is often the most effective way to resolve them.

While problem-solving at the local, school level is encouraged, some complaints are not resolved at the local level and in some circumstances, a person may wish to raise their concern with district administration immediately.

You may file a formal, district-level complaint by submitting this form to the Office of the Superintendent.

Information about complainant

Name: _____ or **Anonymous**

Person reporting: Student Parent Employee Volunteer Other: _____

I am filing this complaint on behalf of: Myself My child Another student Other

Phone home _____ work _____ cell _____

Address _____ **City** _____ **Zip** _____

Email address _____ **School name** _____

Date of complaint _____

Type of complaint (please check the appropriate box)

Legal compliance

Alleged noncompliance with Oregon school regulations (OAR 581-022 Program Standards) or other law applicable to district programs. Examples include: Special Education, Talented and Gifted, Alternative Education, Instructional Hours, Health and Safety, Nutrition, Restraint and Seclusion, or Title IX.

Discrimination or harassment based on a legally protected characteristic

Please check the actual or perceived characteristic upon which the alleged conduct was based.

- | | | |
|--|---|---|
| <input type="checkbox"/> Age | <input type="checkbox"/> National origin | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Sex or gender |
| <input type="checkbox"/> Gender identity or expression | <input type="checkbox"/> Race or ethnicity | <input type="checkbox"/> Sexual harassment |
| <input type="checkbox"/> Marital status | <input type="checkbox"/> Religion | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Military or veteran status | <input type="checkbox"/> Other (describe) _____ | |

Bullying, harassment, intimidation, cyberbullying or hazing not based on a legally protected characteristic.

Other concern

CONTINUE TO PAGE 2 ➡

Details of complaint

What happened? Please describe the incident or concern you experienced that led to this complaint, including the events and actions in as much detail as possible. Please attach additional pages if you need more space.

Are you making a complaint about a specific staff person? Yes Name _____

Who was involved in the incident or concern?

Who witnessed it?

Where did it happen?

When did it happen and/or when did you learn about it?

Have you attempted to resolve the incident or concern at the school level?

YES Who did you talk to?
What were the results?

NO Why not?

How would you like the district to resolve your complaint?

Submit to: Eugene School District 4J, Superintendent's Office, 200 N. Monroe St., Eugene, Oregon 97402

What comes next? The superintendent's office will send you a written acknowledgement, within 10 working days of receiving this form, telling you who will follow up on your complaint.

Questions? Contact the superintendent's office at 541-790-7706 or find additional information about district complaint procedures at www.4j.lane.edu/complaints.

Nondiscrimination

Eugene School District 4J provides equal educational and employment opportunities

[Información en español](#)

Eugene School District 4J provides equal educational and employment opportunities. District programs, activities and practices shall be free from discrimination and harassment based on race, color, religion, sex, sexual orientation, gender identity or expression, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, familial status, genetic information, military or veterans' status.

The district complies with all applicable state and federal laws and regulations, including but not limited to: Title IX of the Education Amendments of 1972; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008; and Oregon laws prohibiting discrimination. The district's compliance includes all district programs, courses and activities, including extracurricular activities, services, and access to facilities.

Questions and Concerns

The following employees have been designated to respond to questions and complaints from students, parents, staff and members of the public about nondiscrimination and equal educational opportunities, including harassment, sex discrimination and sexual harassment:

Discrimination and Harassment / Acosos	Disabilities / Discapacidades
Students, Parents and Community Members:	
Title VI & IX Coordinator Dawn Strong 200 North Monroe Street Eugene OR 97402 541-790-7558 titleixcoordinator@4j.lane.edu	Disability / Section 504 Coordinator Della Thomas 200 North Monroe Street Eugene OR 97402 541-790-7850 thomas_de@4j.lane.edu
Staff Members:	
EEO Coordinator Karen Hardin Human Resources Department 200 North Monroe Street Eugene OR 97402 541-790-7668 eeo@4j.lane.edu	ADA Accessibility Coordinator for Employees Bernadette Adeniran Human Resources Department 200 North Monroe Street Eugene OR 97402 541-790-7672 hr_ada@4j.lane.edu
Other Contacts The superintendent has overall responsibility for the district's compliance with equal employment and nondiscrimination laws and policies: Superintendent, Eugene School District 4J 200 North Monroe Street, Eugene OR 97405 541-790-7706	

News Archives

News Archives ▾

Recent Posts

- [COVID-19 Vaccine Available for K-6 Students](#)
- [Board Names Three to Budget Committee](#)
- [Online or On-Site? Request Now to Change Learning Location](#)
- [COVID-19 Vaccines for Kids Coming Soon](#)
- [District Considering Calendar Changes](#)
- [Parent Information Webinar: What Do You Want To Know About COVID & Schools?](#)
- [School Kitchens Close Due to Staffing Shortages](#)
- [Board Meeting Summary: October 27, 2021](#)
- [Summer Bond Work Finished for Fall](#)
- [COVID-19 Case Dashboard Upgraded](#)

For questions about accessibility at public meetings, please contact the superintendent's office at 541-790-7706.

No Discriminación

El Distrito Escolar de Eugene 4J provee igualdad de oportunidades educativas y de empleo

El Distrito Escolar de Eugene 4J provee igualdad de oportunidades educativas y de empleo. Los programas del distrito, actividades y prácticas deben de estar libres de discriminación y hostigamientos basados en la raza, color, religión, sexo, orientación sexual, identidad o expresión de género, origen nacional o étnico, estado marital, edad, discapacidad mental, física o percibida, embarazo, estado familiar, información genética, estado militar o veterano.

El distrito cumple con todas las leyes y reglas estatales y federales aplicables, incluyendo, pero no limitado al: Título IX de la Enmienda Educativa de 1972; el Título VI del Acta de Derechos Civiles de 1964; la Sección 504 del Acta de Rehabilitación de 1973; el Acta de Americanos con Discapacidades (ADA) de 1990 y su Enmienda al ADA de 2008; y las leyes de Oregón que prohíben la discriminación. El cumplimiento del distrito incluye todos los programas, cursos y actividades del distrito, incluyendo actividades extracurriculares, servicios y acceso a las instalaciones.

Preguntas y preocupaciones

Los anteriores empleados han sido designados para responder a preguntas y preocupaciones de los estudiantes, padres, personal y miembros del público sobre igualdad de oportunidades educativas y el derecho a la no discriminación, incluyendo hostigamientos, discriminación sexual y acoso sexual:

Eugene School District 4J

Code: AC
Adopted: 4/02/08
Revised/Readopted: 5/06/15; 8/02/17; 11/06/19
Orig. Code: AC

Nondiscrimination

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual’s perceived or actual race, color, religion, sex, sexual orientation¹, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans’ status, or because of the perceived or actual race, color, religion, sex, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans’ status of any other persons with whom the individual associates.

The district prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings. The district also prohibits discriminatory use of a Native American mascot pursuant to OAR 581-021-0047.

The Board encourages staff to improve human relations within the schools, to respect all individuals and to establish channels through which patrons can communicate their concerns to the administration and the Board.

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA), Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments of 1972, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the district’s administrative office and available on the home page of the district’s website.

The district prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

END OF POLICY

¹ “Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

Legal Reference(s):

ORS 174.100	ORS 659A.006	ORS 659A.409
ORS 192.630	ORS 659A.009	OAR 581-002-0001 – 002-0005
ORS 326.051(1)(e)	ORS 659A.029	OAR 581-021-0045
ORS 408.230	ORS 659A.030	OAR 581-021-0046
ORS 659.805	ORS 659A.040	OAR 581-021-0047
ORS 659.815	ORS 659A.103 - 659A.145	OAR 581-022-2310
ORS 659.850 - 659.860	ORS 659A.230 - 659A.233	OAR 581-022-2370
ORS 659.865	ORS 659A.236	OAR 839-003
ORS 659.870	ORS 659A.309	
ORS 659A.003	ORS 659A.321	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2012).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2012); 29 C.F.R Part 1626 (20178).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2012); 29 C.F.R. Part 1630 (2018); 28 C.F.R. Part 35 (2018).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2012).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2012); 34 C.F.R. Part 104 (2018).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2012); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2018).
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012); 28 C.F.R. §§ 42.101-42.106 (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2012); 29 C.F.R. § 1601 (2018).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2012).
The Vietnam Era Veterans’ Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2012).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2012).

Cross Reference(s):

ACA - Americans with Disabilities Act
GBA - Equal Employment Opportunity
JB - Equal Educational Opportunity

Eugene School District 4J

Code: **AC-AR**
Adopted: 11/06/19
Orig. Code(s): G1160; 5205

Discrimination Complaint Procedure

Complaints of discrimination or harassment, based on a legally protected characteristic, will be processed under administrative regulation KL-AR, except that sexual harassment complaints will be processed as provided in administrative regulation GBN/JBA-AR (staff) or JBA/GBN-AR (students).

Eugene School District 4J

Code: ACB
Adopted: 12/02/20
Orig. Code: ACB

Hate Symbols and Bias Incidents

Student safety and inclusion are foundational, necessary conditions for educational equity – a guiding value and core responsibility of the district. All students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin. Similarly, all employees are entitled to work, and visitors entitled to participate, in an environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

“Symbol of hate” means a symbol, image, or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin including but not limited to the noose, swastika, confederate flag, or other symbol of white supremacy and whose display:

1. Is reasonably likely to cause a substantial disruption of or material interference with school activities; or
2. Is reasonably likely to interfere with the rights of students by denying them full access to the services, activities, and opportunities offered by a school.

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups.

A “hate crime” or “bias crime” is a crime motivated by bias against another person’s race, color, religion, gender identity, sexual orientation, disability or national origin.

The district prohibits the use or display of any symbols of hate, bias incidents and hate crimes on district or school grounds or in any district- or school-sponsored program, service, school or activity¹ that is funded in whole or in part by monies appropriated by the Oregon Legislative Assembly, except where used in teaching curriculum that is aligned to the Oregon State Standards.

The district prohibits retaliation against an individual because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

The superintendent is directed to adopt and implement administrative regulation and procedures to process reports of violations of this policy.

¹ The term district-sponsored program or service includes its technology system as defined by administrative regulation IIBGA-AR.

END OF POLICY

Legal Reference(s):

[ORS 659.850](#)
[ORS 659.852](#)

[OAR 581-002-0005](#)
[OAR 581-022-2312](#)

[OAR 581-022-2370](#)

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).

Dariano v. Morgan Hill Unified Sch. Dist., 767 F.3d 764 (9th Cir. 2014).

State v. Robertson, 293 Or. 402 (1982).

Cross Reference(s):

AC - Nondiscrimination

GBN/JBA - Sexual Harassment

JBA/GBN - Sexual Harassment

JFCF - Harassment, Intimidation, Bullying, Cyberbullying, Hazing, Teen Dating Violence and Domestic Violence – Student

JFCF - Harassment, Intimidation, Bullying, Cyberbullying, Hazing, Teen Dating Violence and Domestic Violence – Student

Eugene School District 4J

Code: ACB-AR
Adopted: 8/03/21

Hate Symbol and Bias Incident Response

Purpose

Board policy ACB prohibits the bias incidents, hate crimes, and displays of symbols of hate, on district or school grounds and in any school program, service or activity sponsored by the district. Exceptions are made when symbols are used in teaching curriculum. This regulation provides administrative direction for implementing board policy ACB and is intended to promote a safe, inclusive learning environment, free from hate and oppression, by prioritizing education, restoration and transformation.

Definitions

The term “bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior.

A hate or bias crime is a crime motivated by bias against another person’s race, color, religion, gender identity, sexual orientation, disability or national origin.¹

“Symbol of hate” or “hate symbol” means a symbol, image or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin including the noose, confederate flag, swastika or symbol of neo-Nazi ideology, and whose display is reasonably likely to cause a substantial disruption or material interference with school activities or is reasonably likely to interfere with the rights of students by denying them full access to the service, activities and opportunities offered by a school or program.

Education and Notice

Administration shall ensure appropriate bias incident training and educational materials about policy ACB and this regulation are developed and provided to all students and employees on at least an annual basis. The training will make known policy ACB, this regulation and related practices, including reporting procedures, educational processes potential consequences.

Staff Responsibility

Every staff member who has knowledge of a potential bias incident, display of a hate symbol or hate crime shall immediately report it to the school administrator and will prioritize the safety and well-being of all persons impacted.

¹ Effective January 1, 2022, the intentional displaying of a noose for purposes of intimidation is a crime. SB 398 (2021).

Teachers and other staff who observe students engaging in acts in violation of this policy are responsible for taking action to stop the behavior and address its negative effects, as further described in this regulation.

The school administrator has overall responsibility for compliance with policy ACB, this administrative regulation, and investigations of and responses to bias incidents and hate symbols at the school level.

Reporting a Bias Incident, Hate Crime or Display of Hate Symbol

A person who believes that the district's policy against hate symbols, bias incidents and hate crimes has been violated is encouraged to report the matter promptly to the school administrator or department director. Students may use an optional Student Safety Reporting Form, available from the school and on the district website. Information about alternate reporting is provided below.

Administrative Actions Upon Receipt of a Report

Upon a report or knowledge of a potential bias incident, hate crime or display of a hate symbol, the school administrator, department director or designee shall:

1. Acknowledge receipt of the report and inform the person(s) at whom the behavior was directed, the person alleged to have committed the behavior if known, and students in the school community likely to be impacted by the incident that an investigation has been initiated;
2. Recognize the experience of and impact of the incident on all persons impacted, and commit to immediate action;
3. Take interim actions necessary to maintaining a safe learning environment and preventing further harm against persons impacted by bias incidents;
4. Assess the allegation and consider whether the behavior implicates other district policies or civil rights laws, including but not limited to polices AC – Nondiscrimination, JBA/GBN – Sexual Harassment, JFCF – Harassment and Intimidation; and JFCM – Threats of Violence, and if so, respond accordingly;
5. If applicable, report suspected hate crimes to law enforcement;
6. Conduct a prompt and appropriate investigation;
7. Find the facts and determine responsibility;
8. For substantiated incidents, plan and ensure implementation of an appropriate remedial and/or corrective response designed to prevent the recurrence of the behavior and address its negative effects in the educational or work environment. Remedial and corrective procedures, if any, will:
 - a. Include educational components that address the history and impact of bias and hate, and promote accountability and transformation for people who cause harm, as well as transformation of conditions that perpetuated the harm²; and

² Persons impacted by a bias incident or hate symbol display may not be compelled to attend a restorative conference meeting.

- b. Implement as needed measures that promote the safety, healing, and agency of those impacted by hate. When a bias incident harms a student’s or employee’s educational access or opportunity, the district will work with the person to identify and implement restorative actions that support recovery and that ensure equitable access to the district’s educational programs.
9. Notify all person(s) impacted by the act and the person who committed the behavior of the findings and final determination of the investigation, including the actions taken to prevent recurrence and, to the extent allowed under state and federal law, the actions taken with respect to the person who committed the behavior to remedy the behavior. If any information described in this paragraph cannot be shared, a citation to the law prohibiting the release of information and an explanation of how that law applies shall be provided.³

Other Considerations

1. When responding to a hateful act that has hurt the school community, the administrator should consider an immediate and public denunciation of the act which reiterates the school’s values and commitment to safety and inclusion and notifies the community that an investigation is underway.⁴ Considerations in community communication include the needs of the victim(s) of the bias incident, the severity of the incident, and the primacy of restoring safety and need for transformation versus punishment of the perpetrator.
2. An administrator may request bias response resources from the district to help identify and promote educational, restorative, and communication opportunities, to increase community capacity to address bias, and to connect with community resources.
3. A bias incident as defined in Oregon law is not a hate or bias crime. If an administrator learns of a bias or hate crime that has occurred on a district or school property or within a district program or activity, it should be reported to law enforcement, and when appropriate should be investigated and responded to under policy ACB, this regulation and other applicable district policies and codes of conduct. Administrators may need to delay administrative investigation pending completion of law enforcement investigation.

Anonymous Incidents

Staff who see graffiti or other concerning display in violation of policy ACB or this regulation should immediately notify the building administrator, and if possible, document the incident by taking pictures or a copy of materials. While the content should be covered as soon as possible, the building principal should decide whether removal of the graffiti or other concerning display would interfere with a potential school or law enforcement investigation. The response protocols above apply to anonymous incidents.

³ See policies GBL - Personnel Records, JOA - Directory Information and JOB - Personally Identifiable Information and district legal counsel for guidance in these situations. Possible laws include, but are not limited to, 34 C.F.R. § 99.31 and ORS 342.850.

⁴ For additional guidance, see *Response to Hate and Bias at School* (Teaching Tolerance 2017) at <https://www.tolerance.org/sites/default/files/2017-07/Responding%20to%20Hate%20at%20School%202017.pdf>

Retaliation Prohibited

The district prohibits retaliation against an individual because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

Appeal

If a person is dissatisfied with the school or district's action or inaction in responding to a bias incident, or if the school fails to render a decision within 30 days of the bias incident report, they may appeal by filing a formal complaint with the superintendent's office, using the district complaint form available on the district website at www.4j.lane.edu/contact/complaints or from the superintendent's office. In such a case, the formal complaint procedures and timelines in administrative regulation KL-AR will apply.⁵ These procedures provide for an appeal of final district decisions to the Oregon Deputy Superintendent of Public Instruction as provided in OAR 581-002-0001 to 581-002-00231.

Concurrent Remedies

The use of this procedure does not deny the right of any person to simultaneously report or pursue other administrative, civil or criminal remedies, which may include filing a complaint with agencies including the Oregon Department of Education, the Office for Civil Rights of the U.S. Department of Education, or the Oregon Bureau of Labor and Industries. Civil and criminal remedies not provided by the school or school district may be available through the legal system and such remedies may be subject to statutes of limitation. Hate crimes may be also reported to law enforcement directly.

Alternate Reporting

No person should be required to report a bias incident to a person believed to have a conflict of interest. If the administrator is believed to be involved or to have a conflict of interest, the report should be made to the district Title IX coordinator (titleixcoordinator@4j.lane.edu or 541-790-7558) who will determine next steps. Employees may also report to the Human Resources Director, who serves as the district's Equal Employment Opportunity coordinator for employees (541-790-7668 or eeo@4j.lane.edu). A person may also make a report by submitting a formal, district level complaint form, available on the district website, to the superintendent's office. Reports against the superintendent, a member of the board, or the board as a whole may be directed to the chair of the board of directors. Reports against the board chair may be brought to the vice-chair.

⁵ When a violation of policy ACB is initially reported through the filing of a formal complaint at step one, the appeal shall be heard by the superintendent at step two.

Eugene School District 4J

Code: **JB**
Adopted: 11/28/18

Equal Educational Opportunity

Every student of the district will be given equal educational opportunities regardless of age, sex, sexual orientation¹, race, religion, color, national origin, disability or marital status.

Further, no student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the district. The district will treat its students without discrimination on the basis of sex as this pertains to course offerings, athletics, counseling, employment assistance and extracurricular activities.

The superintendent will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The Board will adopt and the district will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints under Title IX.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051](#)
[ORS 329.025](#)
[ORS 336.067](#)
[ORS 336.082](#)

[ORS 336.086](#)
[ORS 342.123](#)
[ORS 659.850](#)
[ORS Chapter 659](#)
[ORS Chapter 659A](#)
[ORS 659A.003](#)

[ORS 659A.006](#)
[ORS 659A.030](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-022-2310](#)
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2012).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2012).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705 (2012); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2017).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

Americans with Disabilities Act Amendments Act of 2008.

Cross Reference(s):

AC - Nondiscrimination

ACA - Americans with Disabilities Act

¹ “Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual’s sex at birth.

Eugene School District 4J

Code: JFCF
Adopted: 2/03/88
Revised/Readopted: 6/17/98; 4/30/03; 6/06/07;
8/19/09; 9/05/12; 5/20/15;
8/15/18; 11/06/19
Orig. Code: JFCF

Harassment, Intimidation, Bullying, Cyberbullying, Hazing, Teen Dating Violence and Domestic Violence – Student

The district is committed to providing a safe, positive and productive educational environment for all students. Harassment, intimidation, bullying, cyberbullying or hazing of students, by students, staff and third parties is prohibited. Teen dating violence is unacceptable behavior and prohibited. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Students may also be referred to law enforcement officials.

Scope

This policy applies to student behavior on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, in all instances that student discipline applies as provided in the code of conduct. The policy also applies to off campus conduct that causes or threatens to cause a substantial and material disruption at school or other district property, or interferes with the rights of students or employees to be free from a hostile educational or employment environment taking into consideration the totality of the circumstances. This policy also applies to adult behavior when a student is the victim.

Definitions

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance and has the effect of physically harming a student or endangering a student’s property; knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or creating a hostile educational environment, including interfering with the psychological well-being of a student. It may be based on, but is not limited to, the protected class status of a person.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation¹, gender identity or expression, national origin, marital status, familial

¹ “Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

status, source of income or disability.

“Cyberbullying” means the use of any electronic communication device to harass, intimidate or bully.

“Hazing” means intentionally taking action or creating a situation that inflicts physical harm, psychological harm or distress on a student regardless of the consent of the participants. Hazing occurs when the action or situation has the purpose or effect of demeaning or humiliating a student or group of students. Hazing is typically but not exclusively committed as a form of initiation, discipline or rite of passage for a particular club, team or activity, and almost always includes new members showing subservience to existing members. In considering a hazing case, it is not a defense that the student subjected to hazing consented to or acquiesced in the hazing activity

“Teen dating violence” means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

“Domestic violence” means abuse between family and household members, as those terms are described in ORS 107.705.

“Retaliation” means any form of reprisal, harassment, intimidation or bullying, cyberbullying, hazing, or teen dating violence against a person in response to a student for actually or apparently reporting or participating in the investigation of conduct prohibited by this policy.

“District” includes district facilities, district premises and nondistrict property if the student is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district.

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at other district-sponsored programs and activities.

Staff’s Responsibility

Every staff member, including student teachers and practicum students, who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the school administrator. If the administrator is believed to be involved or to have a conflict of interest, the report may be made to the Superintendent’s office.

The school administrator has overall responsibility for compliance with this policy and investigations of alleged violations at the school level.

Staff members are expected to comply with this policy. Violations of this policy, including failure to report an act of harassment, intimidation or bullying, cyberbullying, hazing, or teen dating violence may be subject to remedial action, up to and including dismissal.

Employees are responsible for informing volunteers and other adults working in schools and with extracurricular programs of this policy and for supervising their activities. Volunteers and third parties working in schools and with district programs are encouraged to report concerns as outlined in this policy.

Student Responsibility

Students are expected to follow the standards for student behavior outlined in school board policy and the district's Student Rights and Responsibilities Handbook, which includes the requirement that they refrain from harassment, intimidation or bullying, cyberbullying, hazing, teen dating violence, and retaliation and comply with this policy.

Students are expected to hold their peers and other students to the standards established by this policy and are encouraged to bring violations to the attention of a teacher, counselor or administrator. These reports may be made anonymously.

Students who violate this rule are subject to discipline, suspension or expulsion following the rules established in the Student Rights and Responsibilities Handbook.

Training

The district shall incorporate into existing training programs for students and staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation, bullying, hazing and cyberbullying. The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grades 7 through 12.

The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation, bullying, hazing, cyberbullying, teen dating violence and domestic violence. This policy and implementing regulations will be reviewed annually, in the fall, with each building and department staff.

Reporting and Complaint Procedures

A student, parent or guardian of a student, or a volunteer who believes that the student is the recipient of harassment, intimidation, bullying, cyberbullying, hazing or teen dating violence is encouraged to report the incident to the administrator or assistant administrator, teacher, counselor or other staff member. Information may be presented anonymously. An optional Student Safety Reporting Form is available from the school and on the district website.

Teachers and other staff who observe students engaging in acts in violation of this policy are responsible for taking action to deal with the behavior. Every school employee is responsible for reporting suspected violations of this policy to the school administrator.

Complaints about the school administrator may be reported to the superintendent's office. Complaints about the superintendent shall be reported to the chair of the board of directors.

Upon a report, or knowledge of, an incident, the school administrator or designee shall assess the allegation and conduct an appropriate investigation. The administrator or designee shall promptly take interim action deemed necessary to maintain a safe learning environment. The principal or person assigned

shall work with the complainant and other parties to resolve the issue, which may include corrective and remedial measures designed to prevent the recurrence of the behavior. Parents will be notified of the outcome of the investigation and, as appropriate, that remedial action has been taken.

Students, parents and guardians are encouraged to attempt to resolve concerns through discussions with school staff at the school level. If the student, parent or guardian are unable to resolve the complaint after working with school staff or if they choose to initiate their complaint at the district-level, they may file a formal complaint with the superintendent’s office, using the district complaint form available on the district website, and from the superintendent’s office. In such a case, the complaint procedures in administrative regulation KL-AR will apply.

Tracking

District administration shall track major incidents of conduct violating this policy, and will report the information annually to the board.

Publicizing this Policy

This policy shall be publicized within the district by making the policy annually available to parents, guardians, school employees and students in the student handbook, and readily available to parents, guardians, school employees, volunteers, students, school administrators and community representatives at each school office, the school district office and the district website.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by the ODE.

The superintendent is responsible for developing appropriate administrative rules, procedures or guidelines for implementation of this policy, as needed.

END OF POLICY

Legal Reference(s):

[ORS 107.705](#)
[ORS 166.065](#)
[ORS 166.155 - 166.165](#)
[ORS 174.100\(7\)](#)
[ORS 332.072](#)

[ORS 332.107](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.351 - 339.368](#)
[OAR 581-021-0045](#)

[OAR 581-021-0046](#)
[OAR 581-021-0055](#)
[OAR 581-022-2310](#)
[OAR 581-022-2370](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).

Cross Reference(s):

GBN/JBA - Sexual Harassment
JBA/GBN - Sexual Harassment
JFCM - Threats of Violence

Uniform Complaint Procedure

This administrative rule sets forth specific procedures for the resolution of complaints by students, parents/guardians and people who reside in the district (“complainant”). The district is committed to resolving complaints in a fair and timely manner, treating all parties with respect, and ensuring that its process is accessible. The district will provide translation and interpretation services, and accommodations to complainant to facilitate access.

A. School/ Department-Based Problem Solving Process – Informal

Parents/ guardians, students and district staff work together frequently to problem solve issues and improve district processes with the goal of creating the best possible educational experience for students. This type of collaboration is often the most direct and effective way of resolving concerns. Although complainants can file a formal complaint at any time, they are encouraged to first engage in the problem-solving process outlined in this section.

If the concern relates to a classroom/ school:

1. The complainant is encouraged to first speak to the teacher or staff person involved.
2. If this direct communication does not resolve the concern, the complainant is encouraged to speak with the principal of the school. Administrators/ supervisors have 10 working days to respond to concerns, and to schedule a conference with the parent/ guardian if needed.
3. If the school administrator does not resolve the concern satisfactorily, you may send a written request to the administrator’s supervisor. The supervisor/ director has 10 working days to respond. For help identifying who that person is, you may ask the administrator or call the Superintendent’s office (541-790-7707).

If the concern relates to the district or district department:

1. The complainant is encouraged to first speak with the staff person involved, or the staff person with responsibility for the issue/ program area of concern. For help identifying who that person is, you may call the Superintendent’s office at 541-790-7707 or consult the list below:
 - Instruction 541-790-7550
 - Special Education 541-790-7800
 - Human Resources 541-790-7670
 - Transportation 541-790-7474
 - Facilities 541-790-7400
 - Nutrition Services 541-790-7656
 - Financial Services 541-790-7670
 - Communications 541-790-7707

- Technology 541-790-7770

2. If this direct communication does not resolve the concern, the complainant is encouraged to speak with staff member's supervisor or department director. Supervisors/ directors have 10 working days to respond, which may include an in-person conference.

If a complainant does not feel safe addressing a concern directly with an employee, the complainant may go directly to the employee's supervisor.

If a complainant is not able to resolve the concern through the problem-solving process described above, the complainant is encouraged to use the formal complaint process.

B. Formal Complaint Process

Because most concerns are resolved through the informal, problem-solving process outlined above, the district encourages use of that process before the filing of a formal written complaint. Using the informal, problem-solving process is optional, however, and a formal complaint may be filed at any time using the process below.

The district's receipt of a formal written complaint starts the 90-day completion timeline for purposes of state law. The complaint process at the district level begins at Step 1. If the concern is not resolved at this level, the complainant may proceed to Step 2, which is the final level of appeal within the district. As explained below, the complainant may appeal some final decisions of the district to the Oregon Department of Education. Below are the steps in the formal complaint process.

Step 1 -- District Level

1. A complaint form is available on the district's website at 4j.lane.edu/complaints and upon request from the Superintendent's Office. Complete this form and submit it to the Superintendent's Office. The Office of the Superintendent will acknowledge receipt of your complaint within ten calendar days of receiving it.
2. In most situations, the complaint will be referred to the Director overseeing the involved school or department, who will be responsible for investigating and responding to the complaint at Step 1. The Superintendent may assign a different decision maker at Step 1 as appropriate.
3. When applicable, the Director or other assigned decision maker will consult with district legal counsel about relevant district policy and law.
4. All formal complaints will receive a final written response and decision within 30 calendar days of receipt of the complaint. The response will include information about the next step in the complaint process.
5. Responses to complaints alleging a violation of Oregon Administrative Rules Chapter 581, division 22 (State Standards), ORS 285.285 to 330.303 or OAR 581-021-0050 to 581-021-0570 (Restraint and Seclusion), ORS 659.850 (Discrimination), or ORS 659.852 (Retaliation) must address each allegation in the complaint and contain reasons for the district's decision.

Step 2 – Superintendent Level

If the issue is not resolved to the complainant's satisfaction at Step 1, the complainant may request a review in writing by the Office of the Superintendent.

1. The request for review shall be submitted in writing within 10 calendar days of the complainant receiving the Step 1 written decision. It may be submitted in letter or email form. The request for review should state the nature of the complaint, the remedy being requested, and describe why the complainant believes the Step 1 decision is incorrect or insufficient. It should also include a copy of the written complaint and response at Step 1.
2. The Superintendent or designee will review the record and any additional information that he or she may request. The Superintendent or designee may choose to meet with involved parties.
3. If new concerns are raised at Step 2, the Superintendent or designee may refer the new concern back to Step 1. The original concerns already addressed at Step 1 will continue to proceed through Step 2. If significant new information that would have changed the outcome of the investigation at Step 1 is introduced at Step 2, the Superintendent or designee may refer the complainant back to Step 1 for dispute resolution, or may investigate the matter at Step 2.
4. Following the review, the Superintendent or designee shall decide that no substantial evidence exists and no further action will be taken in response to the complaint, or that specific action will be taken in response to the complaint.
5. The Superintendent or designee will issue a written decision via letter or email within 30 calendar days of receipt of the appeal to Step 2.
6. When a complaint processed under administrative rule KL-AR alleges a violation of OAR Chapter 581, Division 22 (Standards), ORS 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), the final decision will address each allegation in the complaint and contain reasons for the district's decision.
7. The Superintendent's decision at Step 2 constitutes the final decision of the district, unless district rule or policy provides otherwise.

C. Appeal

The district's final decision of a complaint processed under KL-AR that alleges a violation of OAR Chapter 581, Division 22 (Standards), ORS 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), may be appealed to the Deputy Superintendent of Public Instruction as further provided in OAR 581-002-0040. A decision is final when: (1) The complainant has exhausted this complaint procedure and a final, Step 2 decision has been issued; (2) the district has failed to render a written decision within 30 days of the submission of the complaint at either Step 1 or Step 2; or (3) the district has not resolved the complaint within 90 days of the initial filing of the formal complaint, unless the district and complainant have agreed in writing to a longer time period.

The Eugene School District 4J does not determine which complaints the Oregon Department of Education will review.

D. Miscellaneous

1. The timelines above may be extended by mutual agreement.
2. The district is committed to ensuring access to the complaint process. If a complainant would like to proceed with a written complaint but is unable to submit it in writing due to disability, illiteracy, or otherwise, district staff will assist the individual in writing the information. The district will ensure that interpretation and translation services are available to complainants in need of such services.
3. Complainants may file formal complaints on their own behalf, or on behalf of their enrolled student, or about district policies or practices. Complainants cannot file complaints on behalf of another person or student.
4. These complaint procedures do not apply to certain types of complaints. When the district has other policies or administrative rules that require a specific complaint resolution or appeal process, those specific rules will apply rather than the general complaint procedure. Complaints about one or more of the following issues should be addressed using the complaint process available in the following policies, administrative rules and procedures:
 - a. Instructional materials: Board policy IIA; Administrative Rule IIA-AR
 - b. Talented and gifted (TAG) programs and services: Board policy IGBBC; Administrative rule IGBBC-AR
5. If a formal complaint raises concerns that a specific employee engaged in misconduct, the Superintendent's office will ensure that the Human Resources Director is notified so that the complaint may also be processed through the appropriate personnel process and in accordance with the collective bargaining agreement applicable to the employee. Allegations of employee misconduct are taken seriously and will be investigated.
6. No district employee, volunteer, student, or board member may engage in retaliation against any person who files or participates in the complaint process. Any employee or student who engages in any form of retaliation against a person is subject to discipline.
7. In appropriate cases, the Superintendent may refer a Step 2 complaint to the Board for review and final decision at Step 2, which decision shall be made within 30 calendar days of receipt of the Step 2 request for review. In such a case, the Board will be provided with a copy of the complaint record, and may be provided with the Superintendent's Step 2 recommendation together with any written reply of the complainant. The Board will decide in open session what action, if any, is warranted, which decision shall be communicated to the complainant in writing. The Board's decision is the final decision, and may be appealed to the Deputy Superintendent of Instruction as provided by law.
8. A person wishing to make a formal complaint against the Superintendent should complete the complaint form and present it to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board. The Board may refer the complaint to a third party for investigation and presentation of investigation results to the Board. Within 90 calendar days of

receipt of the complaint, the Board will decide in open session what action, if any, is warranted, which decision shall be communicated to the complainant in writing.

9. A person wishing to make a formal complaint against the Board as a whole or against an individual Board member should present the completed complaint form to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board. The Board may refer the complaint to a third party for investigation and presentation of investigation results to the Board. Within 90 calendar days of receipt of the complaint, the board will decide in open session what action, if any, is warranted, which decision will be communicated to the complainant in writing. The Board chair shall provide the complainant a written response to the complaint. Complaints against the Board chair may be made directly to the Board vice chair on behalf of the Board.

JUNCTION CITY SCHOOL DISTRICT

POLICY: RACIAL HARASSMENT

CODE: JFCFA

Racial harassment will not be tolerated in the Junction City School District, on school grounds and the area immediately adjacent to school grounds, district on-line and remote learning programs and platforms, on school-provided transportation, or at any official school bus stop, activity, program, event, internship, or trip sponsored by the District. Additionally, incidents of racial harassment that interfere with or disrupt the educational process are prohibited.

This policy gives notice to all employees, students, and patrons that all racial harassment allegations shall be investigated and dealt with quickly and effectively.

“Racial Harassment” means unwanted behavior of a nonverbal, verbal, written, graphic, sexual or physical nature related to actual or perceived race, color, national origin, ethnicity, cultural background, physical characteristics, or linguistic characteristics of a national origin or ethnic group.

The following examples of racial harassment include, but are not limited to conduct that:

- interferes with an individual’s work or school performance;
- creates an intimidating, hostile, or offensive school or work environment; or,
- includes racial slurs regardless of intent, gestures, insignias, acronyms (e.g. KKK), name-calling or symbols (e.g. swastikas, Confederate flags) that make an individual feel threatened or uncomfortable.

Student Responsibility

Students are expected to follow the standards for student behavior outlined in Board policy, the District’s Student Handbook, and school handbooks. Students who violate this racial harassment policy are liable for discipline, suspension, or expulsion following the rules established in the Student Handbook. In addition, violators of this policy will be provided with appropriate education regarding racial harassment, discrimination and racial equity and show a level of understanding and their responsibility going forward before reintegrating back into the educational environment.

Students are expected to hold themselves, their peers, and other students to the standards established by this policy. Students are expected to bring violations to the attention of a teacher, counselor, building administrator, or other staff member.

District Staff Responsibility

Teachers, other staff members, and volunteers who observe students, staff, volunteers, or other adults engaging in racial harassment must take action to stop the behavior and report such acts to an administrator. A building administrator will investigate as soon as possible and take appropriate action. An employee who permits racial harassment to continue or does not respond to a racial harassment complaint may be subject to disciplinary action.

School Responsibilities

1. All racial harassment allegations, or incidents that may suggest that racial harassment has occurred, will be treated as a racial harassment allegation.
2. A building administrator will conduct a thorough, sensitive, and timely investigation of all racial harassment allegations as soon as possible and take appropriate action. Disciplinary actions and educational opportunities will be implemented contingent upon the outcome of the conclusions of the investigation. Retaliatory behavior of any kind against any complainant or any participant in the complaint process is defined as harassment and will not be tolerated.
3. The school will notify parents/guardians of the victim(s) and perpetrator(s) regarding the outcome of the investigation.
4. Necessary support structures will be available and implemented for victims of racial harassment.

5. Each racial harassment allegation will be documented and information will be forwarded to the District Title VI coordinator in a timely fashion.

District Responsibilities

The District will:

1. provide an educational program that teaches students to be respectful of others in a diverse society and to understand the impact of racial harassment on students, staff, and community;
2. ensure sensitive and full investigations of each and all racial harassment allegations;
3. ensure appropriate documentation of all reported incidences;
4. conduct an annual review of racial harassment violations and make recommendations for improvement;
5. ensure appropriate education and discipline for racial harassment violations are available for perpetrators;
6. ensure support structures are provided for victims of racial harassment; and
7. publicize this policy in the Junction City School District Student Handbook, school handbooks, and employees manuals and make it available on the Junction City School District website.

Training

The District shall provide for the training and orientation of staff, students, volunteers, and District representatives on the contents of this policy. Training will be mandatory. Through this training, staff will learn to create positive learning and social environments throughout the District; and prevent, recognize, discourage, and deal with racial harassment.

Reporting Harassment / Investigation / Complaints

Anyone who believes that racial harassment has occurred shall, at the earliest opportunity, report the incident verbally or in writing to a staff member on duty at the time, or to the student's teacher, or to a building administrator. This report may be made anonymously. The incident shall be investigated by a building administrator and discipline enforced, as necessary, at the building level. Anyone reporting racial harassment shall be free from retaliation.

Complaints against a building administrator shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chair.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Anyone reporting racial harassment shall be free from retaliation. Retaliation is defined as harassment, which includes intimidation, bullying, hazing, menacing, or cyberbullying, toward a person in response to a previously reported racial harassment incident. Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry, is prohibited. Such retaliation shall be considered a serious violation of Board policy independent of whether a complaint is substantiated. If the complaint is found to be without merit or cannot be substantiated, all parties shall be so notified. Individuals determined to be guilty of racial harassment shall have the right to appeal the determination to the superintendent and the Board of Directors. Reports may be submitted anonymously.

Any person found to knowingly make false accusations of racial harassment shall be subject to discipline procedures following the rules established in the Student Handbook.

END OF POLICY

Legal References:

Title VI of Civil Rights Act of 1964

Adoption: August 24, 2020



ITEM FOR INFORMATION

Date of Meeting

November 17, 2021

Title

Receive Student Investment Account Annual Report

Prepared By

Kerry Delf, Chief of Staff

Eric Anderson, Director of Curriculum

Description

The 2019 Oregon Legislature approved the Student Success Act (SSA) to invest more funds in public schools. About half of the SSA funds were to go directly to Oregon school districts and eligible charter schools through the Student Investment Account (SIA) to increase academic achievement for all students, reduce academic disparities for historically underserved groups of students, and meet students' behavioral or mental health needs.

The district developed its plan for how to invest this additional education funding to best support student success with extensive community engagement including input from staff, students and families from historically underserved communities.

Eugene School District 4J was expected to receive \$13.4 million in SIA funding per year—approximately \$12.9 million for the district, and \$440,000 for charter schools. Due to the economic impacts of the coronavirus pandemic, however, the legislature reduced the amount of SIA funding available in the first year. The reduced funding provided \$4,347,000 for the district and charter schools for the 2020–21 school year, about one-third of the amount originally planned for.

The district's Student Investment Account Plan, approved by the school board in March 2020, included initiatives to improve early reading skills, increase access and inclusion, extend afterschool and summer school learning opportunities, support emergent bilingual students, reduce class sizes in targeted grades, and add more mental health, behavioral and wraparound supports for students. This plan was scaled back to meet the reduced funding level in 2020–21.

Districts are required to submit periodic grant reports to the state and to present on their annual report to their school board in a public meeting that provides an opportunity for public comment.

Staff will provide information about the district's SIA plan and annual report.

Our Students. Our Success.



Student Success Act Student Investment Account Annual Report

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Eugene School Board Meeting
November 17, 2021



Purpose of Student Investment Account

- **Increase academic achievement for all students**
- **Reduce academic disparities for:**
 - students of color
 - students with disabilities
 - emerging bilingual students
 - students navigating poverty, homelessness, foster care
 - other groups that have historically experienced academic disparities
- **Meet students' behavioral or mental health needs**

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Student Success Act Investments

Pre-pandemic, the Student Success Act marked a turning point for education funding in Oregon.

Anticipated \$2 billion biennial investment for preK–12 education:

\$1 Billion

per year investment

when fully implemented

\$100M

State School
Fund

at least

50%

Student
Investment
Account

up to

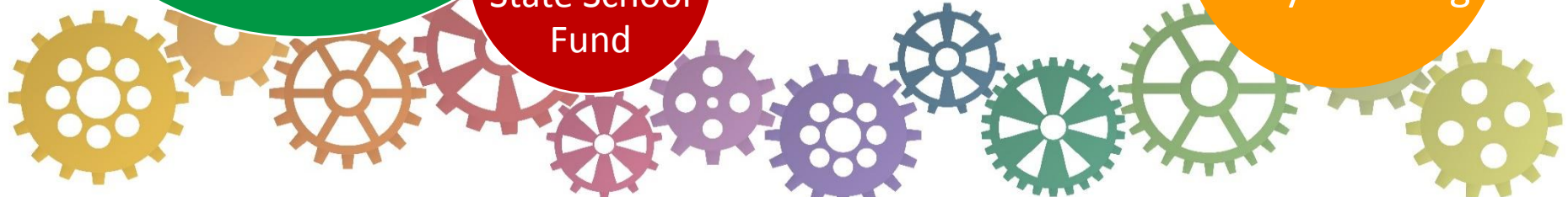
30%

Statewide Ed
Initiatives⁶⁰

at least

20%

Early Learning



Student Success Act Investments

Legislature reduced 2020–21 funding to 1/3 of planned amount due to the pandemic's economic impacts.

**SIA funding
reduced by
more than 2/3**

in first year,
2020–21

\$100M

carved out for
State School
Fund

Statewide SIA
funding reduced to

\$150 M

from \$472 M
originally
planned

4J funding
reduced to

\$4.3 M

from \$13.4 M
originally
planned

4J submitted
reduced plan
in Oct. 2020



Investment Plan Development

Community Input



District Priorities



Student Data



Academic Impact



Equity Lens



Investment Plan



Well-Rounded
Education



Health and
Safety

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Class Size



Instructional
Time

Nine Initiatives

- Improve 3rd Grade Reading
- Learning for All Model
- Enhancing NATIVES Program
- Emergent Bilingual Students Success Plan
- Behavior Framework and Support Services
- Wraparound Support Teams
- BEST Afterschool and Summer Programs
- Reducing Class Size (not funded with SIA)
- Full Schedules for Grades 9–12 (not funded with SIA)

Improve 3rd Grade Reading

Summary: Developed a core team that created an implementation plan for improving reading by 3rd grade. This includes the launch of the elementary adoption for language arts; professional development on early literacy including phonemic awareness, phonics, fluency, vocabulary and comprehension; and expanded KITS program.

64

Intended Outcomes:

- Students will increase proficiency and close achievement gaps in grade 3 literacy
- Research-based professional development provided for staff in early literacy best practices

Original Plan:

\$2.27 million
10.75 licensed FTE

Reduced Plan:

\$1.0 million
1.75 licensed FTE



Learning For All Model

Summary: The Learning For All model is a proactive way to increase access and inclusion for all of our underserved students by improving instructional strategies including differentiation and expanding the continuum of services in each school. This will be a 3- to 5-year rollout to include all schools.

65

Intended Outcomes:

- Close achievement gaps for our students experiencing disabilities.
- Increase the time students are served in their least restricted environments

Original Plan:

\$1.5 million
6.5 licensed FTE
1 classified FTE
1 admin FTE

Reduced Plan:

\$694,500
4 licensed FTE



Enhancing the NATIVES Program

Summary: All 4J students, particularly Native American students, have long benefited from the experiences, education and support provided by the NATIVES program. Expanding and enhancing the program increases direct student support services, such as tutoring, summer camp and cultural programming.

66

Intended Outcomes:

- Close achievement, attendance and graduation gaps for Native American students
- Strengthen relationships with Oregon's recognized tribes

Original Plan:

\$240,000

1 licensed FTE

1 classified FTE

Reduced Plan:

\$93,600

1 classified FTE



Emergent Bilingual Student Success Plan

Summary: We increased support for our developing multilingual, migrant, and recent arrival students and families by providing school success navigators, systematic English development training, and collaboration time for teachers. The reduced plan is funded primarily through district general funds in year 1.

67

Intended Outcomes:

- Multilingual students make adequate yearly growth in English development & toward graduation requirements.
- Multilingual students & families experience a sense of belonging in 4J.

Original Plan:

\$927,000

0.5 licensed FTE
3.25 classified FTE

Reduced Plan:

\$50,000

3.5 licensed FTE
from general fund



Behavior Framework and Support Services

Summary: Expanded and revamped the 4J Behavior Framework. We have increased supports for schools to improve behavior, social emotional learning, and mental health by adding FTE and providing PD to staff and administrators so students and staff feel more supported and students develop strong behavioral and social emotional skills.

68

Intended Outcomes:

- Increase students' sense of belonging and safety
- Reduce behavior incidents
- Increase instructional time for all students (time in class)

Original Plan:

\$2.04 million
14 licensed FTE
8 classified FTE

Reduced Plan:

\$1.01 million
4.5 licensed FTE
8 classified FTE



Wraparound Support Teams

Summary: Created Regional Wraparound Teams for behavioral and mental health supports for students experiencing a crisis, chronic absenteeism, and other social and emotional needs. The Regional Wraparound Teams include a social worker, three nurses, regional navigators, and community providers for mental health crisis support.

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Intended Outcomes:

- Increase graduation rates and attendance rates in our underserved population of students
- Create a comprehensive holistic system to support students' needs

Original Plan:

\$1.5 million
8 licensed FTE
4 classified FTE

Reduced Plan:

\$788,000
4 licensed FTE
2 classified FTE



BEST Afterschool & Summer Programs

Summary: Expanded Title I summer school to support students from all elementary schools in need of summer reading supports. Original SIA plan would also have expanded the BEST afterschool program to support two more Title I elementary schools.

70

Intended Outcomes:

- Increase access to summer programming to our Title I schools
- Improve academic skills and decrease gaps for economically disadvantaged students

Original Plan:

\$1.13 million
5 classified FTE
0.5 admin FTE

Reduced Plan:

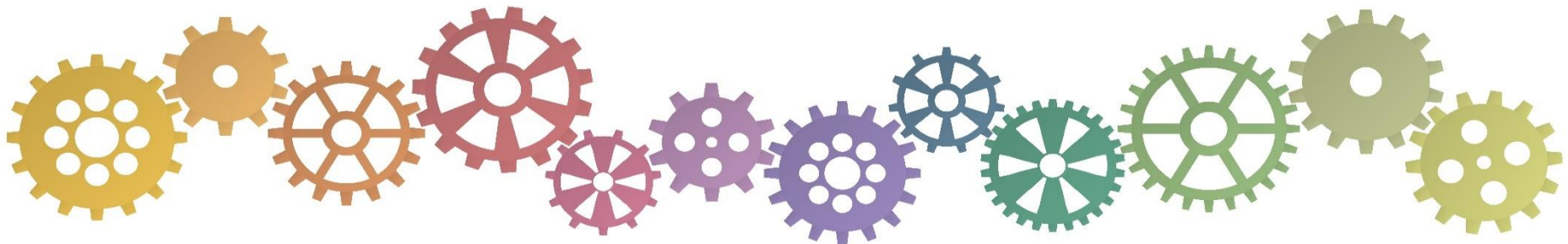
\$359,000
Summer temporary staff (licensed & classified)

Annual Report: State Requirements

Required steps:

- Publish annual report on district website
- Present annual report to board in an open meeting
- Provide opportunity for public comment in meeting
- Submit report to Oregon Department of Education

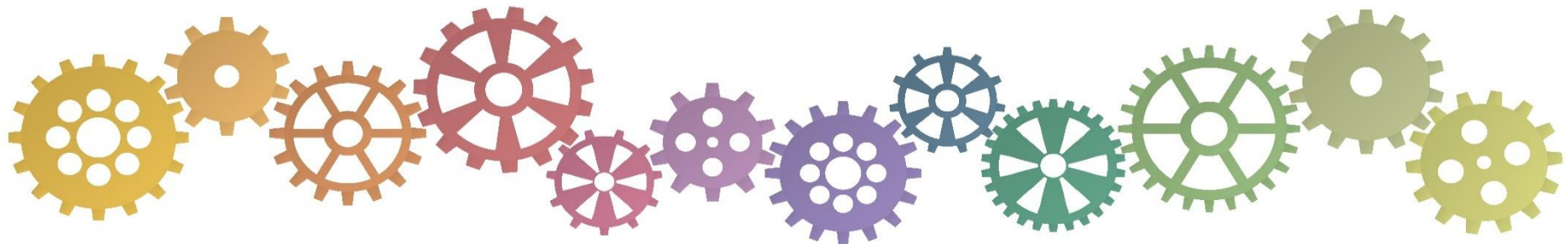
71



Annual Report: Narrative Responses

Annual report addresses:

- Progress and positive impacts from implementing reduced SIA plan
- Barriers, impediments and challenges to implementation
- Successes and challenges of maintaining engagement ⁷²
- Prioritization efforts in reduced SIA plan implementation



- 1. There are clear impacts from the reduction in SIA funding and from the direct efforts to respond to COVID-19. While you can't fully set those aside, what is important for your community, including focal student groups, families, and educators, to understand about your SIA implementation efforts during the 2020-21 school year and the positive impacts that have occurred? How were you able to make progress towards the goals and outcomes you were aiming at with SIA funding and processes? (500 words or less)**

Despite the reduction in funding and the pandemic which has shifted many aspects of our work, the implementation of the district's SIA plan has had numerous positive impacts. Given the limited funds and the aim to have ongoing costs attributed to SIA be sustainable, some one-time purchases were prioritized at the front end of the district's SIA planning.

The district has significantly increased staffing to support student needs aligned with our district vision. This includes greater support for early literacy practices, inclusive practices, and high-leverage instructional strategies to meet the needs of all learners. Highly trained, caring educators make a difference every day for our students. Having funds available to create and fill these positions will lead toward academic and behavioral growth.

During the pandemic, we have prioritized meeting the immediate needs of students and families, connecting our families most impacted by the pandemic with needed services, and supporting students' mental and behavioral health. The immediate needs of our students and families have been supported with SIA funds and initiatives, other district funds, and partnering with outside agencies. Examples include professional development for staff on suicide prevention and trauma-informed practices, and providing direction to community resources to families in need.

Other impactful efforts that were prioritized include extended learning opportunities such as our summer reading program to address the learning losses that were realized over our time in distance learning, focused professional development on early literacy best practices and the Learning For All model, and forming the elementary adoption team and launching the adoption process to update language arts and social studies materials.

- 2. What barriers, impediments, or challenges to your SIA implementation have you faced or identified that are helpful for your community and/or state leaders to be aware of? (500 words or less)**

There have been significant and real challenges to the implementation of the SIA plan, largely due to the pandemic. First has been the inability to hire staff to fill positions that have been created. The district is experiencing extreme staffing shortages and unfilled district positions including SIA-funded positions. Second, with the focus on mental health and safety and COVID response, many instructional initiatives have been paused. District staff did not have the bandwidth to take on more at this time, and needed to prioritize a level of care and connection over some of our academic goals established before the pandemic. Finally, the constantly changing public health conditions and state guidance for schools necessitated repeated shifts in planning and implementation of changes in learning programs, making it difficult to focus on implementing initiatives beyond the daily operations of Comprehensive Distance Learning, Limited In-Person Instruction, and then the Hybrid Learning Model. Some areas of the district's SIA plan that have experienced more implementation progress and completion of tasks have been in the area of health and wellness.

3. SIA implementation includes ongoing engagement with focal students, the families of focal students, and educators. What successes and challenges, if any, have you experienced in maintaining engagement? (500 words or less)

The district engaged extensive staff and community input in 2019–20 to inform development of its SIA plan to best support student success. Throughout the process, the district sought and collected substantial community input, applying an equity lens by prioritizing focused engagement with historically underserved students and families to inform our plan, and by disaggregating data to focus on our students in greatest need of additional support and identify the most pressing student needs. District staff participated in 49 engagement events and collected over 1,400 responses from two surveys.

Many priorities identified in the SIA development process have not been initiated to the full extent due to reduced funding and other pandemic-related priorities that have needed to be implemented. Focused feedback on the district's SIA plan and implementation progress has not been solicited during the pandemic so there is little information directly about SIA gathered from stakeholders during 2020–21. However, stakeholder engagement and input has continued throughout the pandemic.

Additional stakeholder input was solicited in spring 2021 to inform planning for federal ESSER funds. More than 1,550 responses were received from staff, parents, students and other community members. Stakeholder feedback also was solicited on other topics throughout the year, including more than 5,100 student responses on school climate and distance learning, and more than 2,300 parent and 550 staff responses to surveys about distance learning and support services while school buildings were closed.

All community engagement in 2020–21 was virtual for COVID safety reasons. Families were informed and engaged online at the school and district level. Schools engaged with their communities in a variety of virtual events for learning, care and connection, such as open houses, learning management system tutorials, bingo nights, family fitness nights, cooking nights, and more. Supports were offered to families throughout the year.

The district increased communication to parents to record-setting levels, and developed our platforms to engage with students and families at a distance. The district held virtual meetings and information sessions on different topics. While some virtual formats were less interactive than regular in-person events, attendance and participation was often higher than usual due to the ease of accessing events online.

4. Please share your professional assessment of what guided your choices and prioritization efforts in the first year of SIA implementation? What stands out? Anything important or surprising to report back or reflect on? How were key decisions on scaled down implementation made? What impacts, if any, are helpful to name in how you navigated through the last year, specifically as it relates to SIA implementation? (500 words or less)

4J's prioritization of investments during the first year of SIA implementation with reduced funding was informed by key factors including:

- Our district's data on student needs and disparities between groups of students
- Our community's input on values and priorities
- Impacts of the pandemic including learning losses and mental health needs
- Immediate needs of impacted students and families
- Future sustainability

The district prioritized services directly supporting historically underserved groups of students, supports for the mental and emotional wellbeing of our students, extended summer learning opportunities to help address learning losses realized during distance learning, and early steps toward improving student reading by 3rd grade (a key factor for future student outcomes and identified as a high community priority), including beginning the elementary language arts adoption process and plan.

Finally, much of 4J's original SIA plan included additional staffing for services to students and families. With the significant reduction in funding for 2020–21, we pushed forward one-time purchases so that ongoing staffing costs in future years will be sustainable.



ITEM FOR INFORMATION

Date of Meeting

November 17, 2021

Title

FY22 1st Quarter Financial Report

Presenter

Andrea Belz, Director of Financial Services

Description

Discussion of the 1st Quarter update on fiscal year 2022 General Fund and Nutrition Services balances as of September 30, 2021.

EUGENE SCHOOL DISTRICT NO. 4J, EUGENE, OREGON
APPROPRIATION LIMITATION as of September 30, 2021



Fiscal Year 2022

	<u>BOARD APPROVED BUDGET</u>	<u>EXPENDITURES TO DATE</u>	<u>REMAINING AUTHORITY</u>
General Fund			
1000 Instruction	125,613,322	19,042,396	106,570,926
2000 Support Services	79,973,629	16,007,130	63,966,499
3000 Enterprise & Community Services	565,623	98,411	467,212
4000 Facilities Acquisition & Construction	1,000	-	1,000
5000 Debt Service/Transfers	5,777,000	-	5,777,000
6000 Contingency/Reserves	41,086,584	-	41,086,584
7000 UEFB	7,570,440	-	7,570,440
GENERAL FUND	260,587,598	35,147,937	225,439,661
Federal, State & Local Programs Fund			
1000 Instruction	53,855,836	7,468,749	46,387,087
2000 Support Services	31,568,099	2,299,758	29,268,341
3000 Enterprise & Community Services	2,737,104	183,923	2,553,181
4000 Facilities Acquisition & Construction	6,204,793	687,750	5,517,043
FEDERAL, STATE & LOCAL PROGRAMS FUND	94,365,831	10,640,180	83,725,651
School Resources Fund			
1000 Instruction	7,356,669	129,303	7,227,366
2000 Support Services	3,596,331	204,863	3,391,468
3000 Enterprise & Community Services	1,000	-	1,000
4000 Facilities Acquisition & Construction	1,000	-	1,000
5000 Debt Service/Transfers	1,000	-	1,000
6000 Contingency/Reserves	3,040,000	-	3,040,000
7000 UEFB	1,500,000	-	1,500,000
SCHOOL RESOURCE FUND	15,496,000	334,166	15,161,834
Debt Service Fund			
5000 Debt Service/Transfers	31,709,598	-	31,709,598
7000 UEFB	1,854,815	-	1,854,815
DEBT SERVICE FUND	33,564,413	-	33,564,413
Capital Projects Fund			
1000 Instruction	3,948,916	3,360	3,945,556
2000 Support Services	15,253,249	640,543	14,612,706
3000 Enterprise & Community Services	1,000	-	1,000
4000 Facilities Acquisition & Construction	153,765,941	14,872,196	138,893,745
5000 Debt Service/Transfers	223,550	222,549	1,001
6000 Contingency/Reserves	2,250,000	-	2,250,000
CAPITAL PROJECTS FUND	175,442,656	15,738,648	159,704,008
Nutrition Services Fund			
3000 Enterprise & Community Services	6,832,763	1,150,216	5,682,547
NUTRITION SERVICES FUND	6,832,763	1,150,216	5,682,547
Insurance Reserve Fund			
1000 Instruction	1,000	-	1,000
2000 Support Services	38,364,018	7,769,906	30,594,112
3000 Enterprise & Community Services	1,000	-	1,000
5000 Debt Service/Transfers	2,000	-	2,000
6000 Contingency/Reserves	500,000	-	500,000
7000 UEFB	8,173,293	-	8,173,293
INSURANCE RESERVE FUND	47,041,311	7,769,906	39,271,405
Postemployment Benefits Fund			
2000 Support Services	1,612,000	140,045	1,471,955
7000 UEFB	2,753,432	-	2,753,432
POSTEMPLOYMENT BENEFITS FUND	4,365,432	140,045	4,225,387
Private Purpose Trust Fund			
1000 Instruction	130,994	-	130,994
3000 Enterprise & Community Services	116,537	-	116,537
PRIVATE PURPOSE TRUST FUND	247,531	-	247,531
Grand Total	76 637,943,535	70,921,098	567,022,438

EUGENE SCHOOL DISTRICT NO. 4J, EUGENE, OREGON
GENERAL FUND BUDGET, FORECAST and EXPENDITURES as of September 30, 2021



Fiscal Year 2022

	ADOPTED BUDGET	CURRENT BUDGET ¹	YTD ACTUALS	MAY 2021 FORECAST ²	YTD to Current Budget +%/(-%)
REVENUES					
State School Funding (formula)					
Current Property Tax	\$ 77,072,000	\$ 77,072,000	\$ 105,751	\$ 77,011,000	0%
Prior Year Property Taxes	1,358,000	1,358,000	63,658	1,419,000	5%
State School Fund (SSF)	97,813,695	97,813,695	33,768,028	97,814,000	35%
High Cost Disability	1,800,000	1,800,000	-	1,800,000	0%
Other SSF (Common & County)	2,067,142	2,067,142	465	2,067,000	0%
Local Option Taxes (current & prior)	20,211,000	20,211,000	41,944	20,210,000	0%
State Funding (ESD flow-through funds)	2,781,337	2,781,337	-	2,781,337	0%
Other	2,730,424	2,730,424	355,724	2,730,663	13%
Total Revenues	<u>205,833,598</u>	<u>205,833,598</u>	<u>34,335,570</u>	<u>205,833,000</u>	<u>17%</u>
Interfund Transfers-in	4,000	4,000	-	4,000	0%
Beginning Fund Balance (unaudited)	54,750,000	54,750,000	63,962,451	54,751,000	
TOTAL RESOURCES	<u>260,587,598</u>	<u>260,587,598</u>	<u>98,298,021</u>	<u>260,588,000</u>	
EXPENDITURES					
Salaries	108,223,627	108,223,627	18,975,012	108,089,000	18%
Employee Benefits	71,397,086	71,413,616	11,218,322	71,462,000	16%
Purchased Services ³	19,100,341	19,153,281	3,023,715	19,158,000	16%
Supplies and Materials	5,843,683	5,774,213	692,739	5,853,000	12%
Capital Outlay	176,179	176,179	-	178,000	0%
Other accounts	1,413,658	1,413,658	1,238,149	1,411,000	88%
Total Expenses	<u>206,154,574</u>	<u>206,154,574</u>	<u>35,147,937</u>	<u>206,151,000</u>	<u>17%</u>
Interfund Transfers-out	5,776,000	5,776,000	-	5,776,000	0%
Contingency					
**Spendable	1,401,850	1,401,850 ⁴	-	1,402,000	
**Held per Board policy	2,721,240	2,721,240	-	2,721,000	
Unappropriated Ending Fund Balance	7,570,440	7,570,440	-	7,571,000	
Subtotal	<u>11,693,530</u>	<u>11,693,530</u>	<u>-</u>	<u>11,694,000</u>	
Reserves					
Operations Reserve	27,963,494	27,963,494	-	27,967,000	
PERS Reserve	9,000,000	9,000,000	-	9,000,000	
TOTAL REQUIREMENTS	<u>\$ 260,587,598</u>	<u>\$ 260,587,598</u>	<u>\$ 35,147,937</u>	<u>\$ 260,588,000</u>	

Notes:

¹Current Budget includes the Adopted Budget, Supplemental Budgets (SB) and Resolutions approved by the Board to date.

²The May Forecast for 2021-22 as reported in the 2021-22 Adopted Budget.

³Purchased services includes Charter School payments.

⁴Contingency funds not yet committed for FY 2022.



Nutrition Services 1st Quarter Status Report

Eugene School District 4J serves meals at 31 schools and supports nine other educational programs. Due to the COVID-19 pandemic and school closure, Nutrition Services has provided free meals to students through the USDA waivers for child nutrition programs. Waivers extended the Seamless Summer Option (SSO) through June 30, 2022 and allowed for a variety of meal distribution options, including a weekly meal box for students learning offsite. Outlined below is the first quarter and year-to-date profit and loss summary, average daily participation rates, and supporting financial information as of September 30, 2021; rates may not be comparable to prior quarterly reports.

AVERAGE DAILY PARTICIPATION & FREE AND REDUCED MEAL ELIGIBILITY RATES

Level	Average Daily Participation		Free or Reduced Meals Eligible		
	Breakfast	Lunch	Non-CEP	CEP*	Total
Elementary	46%	45%	25%	59%	49%
Middle	13%	40%	36%	66%	50%
High	5%	18%	35%	56%	37%
Total	32%	39%	44%		



*Community Eligibility Provision (CEP) participation eliminates applications for free and reduced eligibility. Eligibility is reported students listed as direct certification from the state multiplied by a factor of 1.6.



During the summer, on average, 1,700 students received a breakfast and lunch daily to support both onsite 4J summer instruction and grant-funded summer activities for students. September breakfast participation was greater than normal due to both universally free meals and distribution changes during breakfast. In September, 4J served 4,400 breakfasts, 6,000 lunches, and 460 after-school meals across all schools and programs, which includes the weekly meal boxes.

Also notable is all students could participate in school meals at no cost last year and this year. The district cleared all negative meal balances during the pandemic, resulting in no negative meal balances through August 2022.

2021-22 Nutrition Services Profit & Loss		2021-22 Budget	2021 July-August	2021 September	2021-22 YTD
REVENUES	Federal Funding	\$4,243,763	\$529,634	\$632,547	\$1,162,181
	Student Food Payments	753,000			
	Grants & Matching Funds	1,836,000			
		<u>\$6,832,763</u>	<u>\$529,634</u>	<u>\$632,547</u>	<u>\$1,162,181</u>
EXPENDITURES	Salaries & Benefits	\$3,809,108	\$357,253	\$336,069	\$693,322
	Services/Supplies	140,353	28,501	5,502	34,003
	Food/Smallwares	2,883,302	165,250	257,897	423,147
		<u>\$6,832,763</u>	<u>\$551,004</u>	<u>599,468</u>	<u>\$1,150,472</u>
Revenues over/(under) Expenditures		78 \$0	(\$21,370)	\$33,079	\$11,709



ITEM FOR ACTION

Date

November 17, 2021

Title

Select Superintendent Search Firm

Prepared by

Christine Nesbit, General Counsel and Kerry Delf, Chief of Staff

Background

The services of a consultant are needed to assist the school board with the search plan and recruitment process for a permanent superintendent of schools.

The district received four proposals in response to the Informal Request for Proposal (IRFP). At the October 27 board work session, the board interviewed three search firms.

At the November 3 meeting, the board decided to conduct second interviews of the search firm finalists.

On November 16, the board held a work session to conduct second interviews of the search firm finalists.

At the November 17 meeting the board is scheduled to make their final selection and choose the search firm that will support the board with the recruitment process for a permanent superintendent of schools.



Resolution Encouraging Solidarity and Support for Student Identities

WHEREAS, Oregon state law requires school districts to provide a free appropriate public education to all children between the ages of 5 and 19 who reside within the district (ORS 339.115); and

WHEREAS, public schools and school districts in Oregon are subject to all federal and state laws and constitutional provisions prohibiting discrimination; and

WHEREAS, the Oregon State Board of Education promotes nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, gender identity or expression, national origin, marital status, age or disability; and

WHEREAS, the Oregon Legislature has determined that a person may not be subjected to discrimination in any public elementary, secondary or community college education program or service, school or interschool activity or in any higher education program or service, school or interschool activity where the program, service, school or activity is financed in whole or in part by moneys appropriated by the Legislative Assembly; and

WHEREAS, it is the policy of the Oregon State Board of Education that all students, employees, and visitors in public schools are entitled to learn, work, and participate in an environment that is safe and free from discrimination, harassment, and intimidation.

WHEREAS, the Oregon State Board of Education's mission is to provide leadership and vision for Oregon's schools and districts by enacting policies and promoting educational practices that lead directly to the educational and life success of all Oregon PK - 12 students; and

WHEREAS, the Oregon State Board of Education reaffirms its commitment to equity and access to education as a core value,

manifested by a steadfast commitment to creating a welcoming environment for all students and families and direction of the supports and resources needed to eliminate barriers and promote student success; and

WHEREAS, the Oregon State Board of Education is committed to ensuring in words and actions that every student has access to the resources and supports they need to thrive in school; and that [Every Student Belongs](#); and

WHEREAS, signs, flags, placards, and symbols showing solidarity with those who have shown incredible resilience in the face of institutional and systemic underrepresentation and minoritization can help contribute to a sense of safety and belonging in school settings; and

WHEREAS, the U.S. Office of Special Counsel issued an [advisory opinion](#) that it is not a violation of the Hatch Act for federal employees to show support for the Black Lives Matter movement and the Black Lives Matter Global Network while on duty, including wearing or displaying materials related to the cause, because they address issues such as racism, which are not inherently aligned with a single political party; and

WHEREAS, in believing that silence and inaction allow racism to remain prevalent in our schools, the Oregon State Board of Education [formally declared in 2020](#) that “Black Lives Matter” in order to reinforce that the lives of Black educators, staff, students, and everyone in school communities are just as valuable as anyone else’s life; and that Black students matter and belong in our classrooms, just like all other students; and

WHEREAS, the Oregon State Board of Education has adopted an [LGBTQ2SIA+ Student Success Plan](#) to address barriers to educational success for Oregonian students who identify as lesbian, gay, bisexual, non-binary, transgender, gender queer, two-spirit, intersex, asexual (+) and establish a framework for creating safe, inclusive and welcoming schools for LGBTQ2SIA+ students and families, and

WHEREAS, we recognize that there are people who hold power in education, including on school boards in Oregon, who have taken action or are considering action to limit staff from displaying symbols and signs celebrating student identity and fostering safe and welcoming spaces for students; instead labeling student identity as controversial and divisive; and

WHEREAS, we recognize that there are people who hold power in education, including on school boards in Oregon, who have taken action or are considering action to limit the display of signs, flags, placards, and symbols conveying that Black Lives Matter and showing solidarity and safety for LGBTQ2SIA+ students, families, and employees; in opposition to their communities, colleagues, and the values of the Oregon State Board of Education.

THEREFORE BE IT RESOLVED that the Oregon State Board of Education:

- (1) Renews its commitment to anti-racism, equity, student belonging, and access to education as a core value, manifested by a steadfast commitment to creating a welcoming environment for all students and families and direction of the supports and resources needed to eliminate barriers and promote student success; and
- (2) Urgently requests that all Oregon school districts, public charter schools, and education service districts affirm that “Black Lives Matter” by striving to make space in classrooms and within the school community for dialogue and support for issues of race and equity; and
- (3) Urgently requests that Oregon school districts, public charter schools, and education service districts validate that “Black Lives Matter” through resolutions consistent with this Resolution; and
- (4) Urgently requests that Oregon school districts, public charter schools, and education service districts support educators and others who are making a special effort to let Black students and families know that they belong and are valued members of the school community; and
- (5) Urgently requests that Oregon school districts, public charter schools, and education service districts both protect and encourage the proactive creation of safe spaces for LGBTQ2SIA+ students, staff and families through use of symbolism of pride and affirmation across gender identities and sexual orientations, as well as additional supportive measures beyond symbolism; and
- (6) Urgently requests that Oregon school districts, public charter schools, and education service districts communicate to students, families, employees, and their communities their policies and practices

and their commitment to providing all students with a high quality public education regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, marital status, age or disability; and

(7) Fully supports all efforts by Oregon school districts, public charter schools, and education service districts to ensure the safety and well-being of all students, regardless of national origin, immigration status, or documentation status by adopting local resolutions consistent with this resolution; and

(8) Fully supports all efforts by the Oregon Department of Education, Oregon school districts, public charter schools, education service districts, and educational leaders to create and nurture an inclusive and welcoming environment for all students, families, and employees, in which [Every Student Belongs](#); and

(9) Calls on the Newberg School Board to reverse course on its clear and continuous effort "...to remove all Black Lives Matter (aka BLM) signs, flags, and placards, apparel, buttons, and all other modes of display, and all instances of the symbol known as the Pride Flag from District facilities," and to validate that student identities are not inherently political or controversial, but welcomed and affirmed; and

(10) Further calls on the Newberg School Board to encourage district staff to celebrate and stand in solidarity with students through the use of signs, flags, placards and symbols, and affirm in words, policy and action that [Every Student Belongs](#) and is welcome, appreciated and ensured an equitable access to a high quality education in Newberg Public Schools regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, native language, immigration status, documentation status, marital status, age or disability.

DRAFT 10.20.21

Resolution #2022–09 Encouraging Solidarity and Support for Student Identities

WHEREAS, Oregon state law requires Eugene 4J School District and all school districts to provide a free appropriate public education to all children between the ages of 5 and 19 who reside within the district (ORS 339.115); and

WHEREAS, Eugene School District 4J and all school districts in Oregon are subject to all federal and state laws and constitutional provisions prohibiting discrimination; and

WHEREAS, the Eugene 4J School District promotes nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, gender identity or expression, national original, marital status, age or disability; and

WHEREAS, the Oregon Legislature has determined that a person may not be subjected to discrimination in any public pre-kindergarten, elementary, or secondary education program or service, school or interschool activity where the program, service, school or activity is financed in whole or in part by moneys appropriated by the Legislative Assembly; and

WHEREAS, it is the policy of Eugene 4J School Board that all students, employees, and visitors in public schools are entitled to learn, work, and participate in an environment that is safe and free from discrimination, harassment, and intimidation.

WHEREAS, the Eugene 4J School Board provides leadership and vision for the Eugene 4J School District by enacting policies and promoting educational practices that lead directly to the educational and life success of all Eugene 4J, pre-kindergarten through 12th grade students; and

WHEREAS, the Eugene 4J School Board reaffirms its commitment to equity and access to education as a core value, manifested by a steadfast commitment to creating a welcoming environment for all students and families and direction of the supports and resources needed to eliminate barriers and promote student success; and

WHEREAS, the Eugene 4J School Board is committed to ensuring in words and actions that every student has access to the resources and supports they need to thrive in school; and that **Every Student Belongs**; and

WHEREAS, signs, flags, placards, and symbols showing solidarity with those who have shown incredible resilience in the face of institutional and systemic underrepresentation and minoritization can help contribute to a sense of safety and belonging in school settings; and

WHEREAS, the U.S. Office of Special Counsel issued an advisory opinion that it is not a violation of the Hatch Act for federal employees to show support for the Black Lives Matter movement and the Black Lives Matter Global Network while on duty, including wearing or displaying materials related to the cause, because they address issues such as racism, which are not inherently aligned with a single political party; and

WHEREAS, in believing that silence and inaction allow racism to remain prevalent in our schools, the Eugene 4J School Board passed a resolution on June 24, 2020 Affirming the Board's Commitment to Anti-Racism and Equity in which they formally declared "Black Lives Matter" in order to reinforce that the lives of Black educators, staff, students, and everyone in school communities are just as valuable as the lives of anyone else; and that Black students matter and belong in our classrooms, just like all other students; and

WHEREAS, the Eugene 4J School District is committed to addressing barriers to educational success for Eugene 4J students who identify as lesbian, gay, bisexual, non-binary, transgender, gender queer, two-spirit, intersex, asexual (+) and creating safe, inclusive and welcoming schools for LGBTQ2SIA+ students and families, and

WHEREAS, the Eugene 4J School District is committed to addressing barriers to educational success for Eugene 4J students who experience disability and to creating safe, inclusive, and welcoming schools for students of all abilities.

THEREFORE BE IT RESOLVED that the Eugene 4J School Board:

- (1) Renews its commitment to anti-racism, equity, student belonging, and access to education as a core value, manifested by a steadfast commitment to creating a welcoming environment for all students and families and direction of the supports and resources needed to eliminate barriers and promote student success; and
- (2) Supports educators and others who are making a special effort to let Black students and families know that they belong and are valued members of the school community; and
- (3) Supports educators and others who are making a special effort to let Indigenous, students and students of color and families know that they belong and are valued members of the school community; and
- (4) Encourages and protects the proactive creation of safe spaces for LGBTQ2SIA+ students, staff, and families through use of symbolism of pride and affirmation across gender identities and sexual orientations, as well as additional supportive measures beyond symbolism; and
- (5) Is committed to providing all students with a high-quality public education regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, marital status, age, or disability; and
- (6) Is committed to ensuring the safety and well-being of all students, regardless of national origin, immigration status, or documentation status; and
- (7) Is committed to creating and nurturing an inclusive and welcoming environment for all students, families, and employees in which **All Students Belong**.

10.20.21



ITEM FOR ACTION (Second Read)

Date of Meeting

November 17, 2021

Title

Approve Board Resolution 2022–09 Encouraging Solidarity and Support for Student Identities

Presenter

Judy Newman, Board Chair and Martina Shabram, Vice Chair

Description

The board will discuss proposed board resolution

School districts can welcome and affirm student identity by modeling the use of inclusive language, encouraging the proactive creation of safe and affirming spaces, and engaging in honest and authentic dialogue with students on who they are and how best to serve their needs.



ITEM FOR ACTION (Second Read)

Date of Meeting

November 17, 2021

Title

Consider Revisions to School Calendar

Presenter

Cydney Vandercar, Interim Superintendent

Background

The superintendent recommends that the school calendar be revised to change Wednesday, November 24, and Friday, January 14 to non-instruction days.

The district is committed to the health, safety and wellbeing of our staff, students and community. It is our collective and institutional responsibility to help slow the spread of COVID-19 and make our schools safe and stable for our students. Our priority is to enable students to come to school in-person—as many students as possible, for as many days as possible, all school year, for effective learning time.

The measures we are taking to make our schools safe and stable and support all students during the continuing pandemic, combined with the ongoing extreme staffing shortage, have resulted in an unprecedented administrative workload for staff. It is critical that district staff have the opportunity to absorb the added workload and time set aside in which to do so.

Previously the calendar was revised to convert October 18 from an instruction day to a non-instruction day. The day provided critically needed transition time to address staffing changes and accommodations and program shifts related to the statewide vaccine mandate. The day also provided planning, preparation and catchup time for teachers and other staff to address potential student quarantines and other COVID-specific needs, along with their regular work.

The superintendent proposes that November 24 and January 14 be converted from instruction days to non-instruction days. These would be work days for staff and no-school days for students.

Considerations

November 24 is the Wednesday before Thanksgiving. This day traditionally has a higher rate of student and staff absences than other days, and is often requested to be made a no-school day. January 14 is the Friday before Martin Luther King Jr. Day. This would provide a four-day weekend for students and concentrated non-operations time for district departments and staff.

The board may consider converting a different day to a no-school day. The superintendent recommends that any date considered be a Friday, both because fewer instructional hours would be lost for students on that day, and because absences are typically higher on Fridays so it would affect fewer students. However, this may not meet the goal of providing substantial notice to families.

Families were given notice of the potential calendar change on November 2, slightly more than three weeks in advance of the first proposed change. Most alternate dates in November or December would provide less notice to families. The Friday before winter break would provide more notice and would fall on a higher-absence day, but would not meet the intended purpose of providing a staff work day in the middle of an instruction period, to provide workload relief and preparation time for the weeks ahead.

If the proposed change is approved, instruction time provided by district schools will continue to meet state instruction time requirements with the exception of a few hours for seniors. These days would not be made up at the end of the year. If hazardous winter weather or other circumstances cause the loss of additional school hours such that there is a projected or actual shortfall in the amount of instruction time, the superintendent would seek to schedule makeup days and/or request board approval to apply allowable credits for instructional hours.

Changes Already Made:

October 18 - revised to convert a student day to a work day

November 12 - revised to convert a professional development day to a work day

In addition, all required professional development on Friday's was paused until after January 1, 2022.

Recommendation

Board approval is required to change the school calendar. The superintendent recommends adoption of the proposed revisions to the school calendar, to provide non-instruction days on Wednesday, November 24, 2021, and Friday, January 14, 2022.

Options and Alternatives

The board may approve the calendar change as recommended, approve a revised calendar change, direct the superintendent to bring a revised proposal to the board for future consideration, or not approve the calendar change.



ITEM FOR ACTION (Second Read)

Date of Meeting:
November 17, 2021

Title:
Vote on Oregon School Boards Association (OSBA) Election

Prepared by:
Kerry Delf, Chief of Staff

Description:
The Oregon School Boards Association (OSBA) is organized as one general state association with up to 23 regionally elected representatives established across 14 geographic regions to support member participation and representation. Eugene School District 4J is in the Lane Region and is represented by Position 6.

In even-numbered years an election is held for odd-numbered positions on the OSBA Board of Directors. Member boards also vote on the OSBA Legislative Policies and Priorities (LPC).

In odd-numbered years an election is held for the even-numbered positions on the OSBA Board of Directors. Member boards also elect the Legislative Policy Committee.
The OSBA 2021 election for this region includes one resolution:

- Candidates for Board of Directors Position 6
- Candidates for LPC Position 6

Voting is open from November 15 to December 17, 2021.

Action:
At the November 17, 2021 meeting, the board will vote their candidate for Board of Directors Position 6 and their candidate for LPC for Position 6

The board will vote as a body and staff will record the vote with OSBA.



2021 OSBA Election

* Board of Directors Position 6 (Vote for one)

- Mark Boren, Fern Ridge 28J
- Linda Hamilton, Lane ESD
- Abstain
- No action taken

* LPC Position 6 (Vote for one)

- Austin Folnagy, Lane CC
- Judy Newman, Eugene 4J
- Abstain
- No action taken

*** Type the name of the district, ESD, or community college board that officially made this vote.**

*** Type the meeting date when the board officially made this vote.**

*** Type your name and title.**

To retain a record of your vote, you **MUST** print this page before clicking the Done button.

Done

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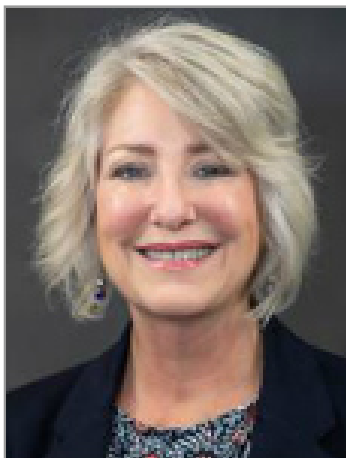
OSBA Board of Directors election

The [2021 elections calendar](#) lists the nomination and election dates. For your reference, we've posted this list of the [currently open positions with the incumbents](#).

Candidate materials are posted here as they are submitted, as per OSBA board adopted policy.

2021 Board Candidates

Position 1 (Eastern Region)



Chris Cronin

Grant ESD

[Nomination Form](#) (Nominated by ⁹³Grant ESD)

[Resume](#)

Incumbent

Position 2 (Gorge Region)



Jacob Cain

Morrow 1

[Nomination Form](#) (Nominated by Morrow 1)

[Resume](#)



Emily Smith

Helix 1

[Nomination Form](#) (Nominated by Helix 1)

[Resume](#)

Position 4 (Southeast Region)



Lori Therros

Klamath Falls City Schools

[Nomination Form](#) (Nominated by Klamath Falls City Schools)

[Resume](#)

Incumbent

Position 6 (Lane Region)



Mark Boren

Fern Ridge 28J

[Nomination Form](#) (Nominated by Fern Ridge 28J)

[Resume](#)



Linda Hamilton

Lane ESD

[Nomination Form](#) (Nominated by Lane ESD)

[Resume](#)

Incumbent

Position 8 (Clackamas Region)



Libra Forde

North Clackamas 12

[Nomination Form](#) (Nominated by North Clackamas 12)

[Resume](#)

Incumbent

Position 10 (Linn/Benton/Lincoln Region)



Jeff Davis

Alsea 7J

[Nomination Form](#) (Nominated by Alsea 7J)

[Resume](#)

Position 11 (Marion Region)



Anthony Medina

Woodburn 103

[Nomination Form](#) (Nominated by Woodburn 103)

[Resume](#)

Incumbent

Position 12 (Marion Region)



Melissa LaCrosse

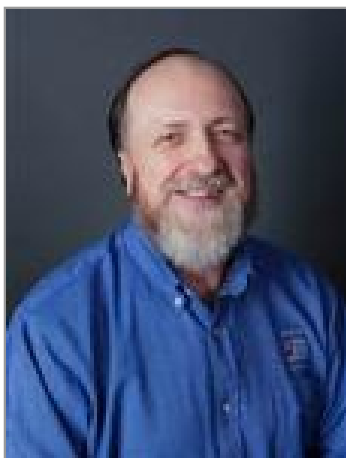
Jefferson 14J

[Nomination Form](#) (Nominated by Jefferson 14J)

[Resume](#)

Incumbent

Position 14 (North Coast Region)



Greg Kintz

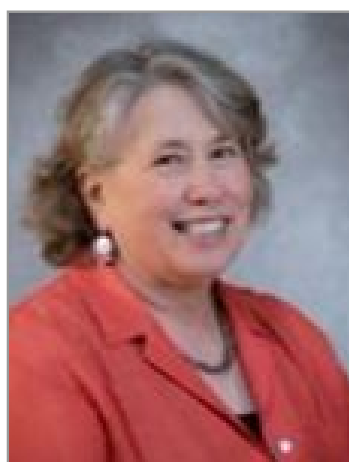
Vernonia 47J

[Nomination Form](#) (Nominated by Vernonia 47J)

[Resume](#)

Incumbent

Position 15 (Washington Region)



Susan Greenberg

Beaverton 48J

[Nomination Form](#) (Nominated by Beaverton 48J)

[Resume](#)

Incumbent

Position 18 (Multnomah Region)



Kris Howatt

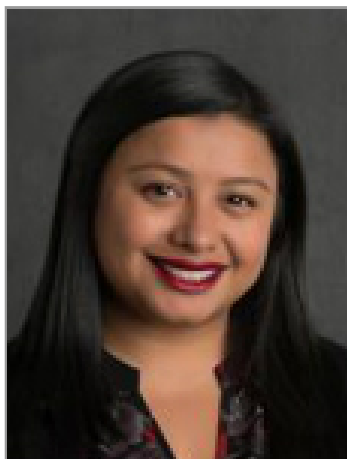
Gresham-Barlow 10

[Nomination Form](#) (Nominated by Gresham-Barlow 10)

[Resume](#)

Incumbent

Position 20 (Washington Region)



Erika Lopez

Hillsboro 1J

[Nomination Form](#) (Nominated by Hillsboro 1J)

[Resume](#)

Incumbent

Home > About OSBA > Election Center > OSBA Elections-LPC

OSBA Legislative Policy Committee election

In odd-numbered years, elections are held for all OSBA Legislative Policy Committee (LPC) positions. The [2021 elections calendar](#) lists the nomination and election dates. For your reference, we've posted this list of the [currently open positions with the incumbents](#).

Legislative Policy Committee candidate materials are posted here as they are submitted.

2021 LPC Candidates

Position 1 (Eastern Region)



Bruce Kevan

La Grande 1

[Nomination Form](#) (Nominated by La Grande 1)

[Resume](#)



Pat Morinaka

Nyssa 26

[Nomination Form](#) (Nominated by Nyssa 26)

[Resume](#)

Incumbent

Position 2 (Gorge Region)



Judy Richardson

102

North Wasco County 21

[Nomination Form](#) (Nominated by North Wasco County 21)

[Resume](#)

Position 3 (Central Region)



Courtney Snead

Jefferson Co 509J

[Nomination Form](#) (Nominated by Crook County)

[Resume](#)

Incumbent

Position 4 (Southeast Region)



Steve Lowell

Klamath County

[Nomination Form](#) (Nominated by Klamath County)

[Resume](#)

Incumbent

Position 5 (Southern Region)



Sara Crawford

Phoenix-Talent 4

[Nomination Form](#) (Nominated by Phoenix-Talent 4)

[Resume](#)



Ray Williams

Prospect 59

[Nomination Form](#) (Nominated by Prospect 59)

[Resume](#)

Position 6 (Lane Region)



Austin Folnagy

Lane CC

[Nomination Form](#) (Nominated by Lane CC)

[Resume](#)



Judy Newman

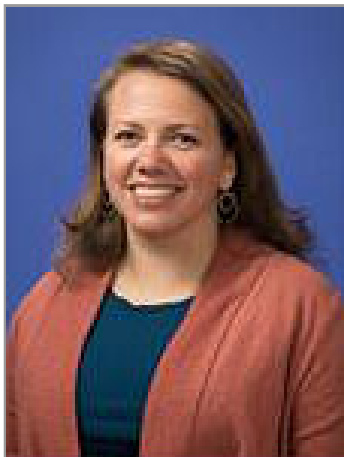
Eugene 4J

[Nomination Form](#) (Nominated by Eugene 4J)

[Resume](#)

Incumbent

Position 7 (Clackamas Region)



Chrissy Reitz

Hood River County

[Nomination Form](#) (Nominated by Hood River County)

[Resume](#)

Incumbent

Position 8 (Clackamas Region)



Kathy Wai

North Clackamas 12

[Nomination Form](#) (Nominated by North Clackamas 12)

[Resume](#)

Incumbent

Position 9 (Douglas/South Coast Region)



Fred Brick

South Coast ESD 7

[Nomination Form](#) (Nominated by South Coast ESD 7)

[Resume](#)

Incumbent



Candice Voynick

Glide 12

[Nomination Form](#) (Nominated by Glide 12)

[Resume](#)

Position 10 (Linn/Benton/Lincoln Region)



Sarah Finger McDonald

Corvallis 509J

108

[Nomination Form](#) (Nominated by Corvallis 509J)

[Resume](#)

Incumbent

Position 11 (Marion Region)



Maria Hinojos Pressey

Salem-Keizer 24J

[Nomination Form](#) (Nominated by Salem-Keizer 24J)

[Resume](#)

Position 12 (Marion Region)



Ashley Carson Cottingham

Salem-Keizer 24J

[Nomination Form](#) (Nominated by Salem-Keizer 24J)

[Resume](#)

Position 13 (Yamhill/Polk Region)



Rebecca Piros

Newberg 29J

[Nomination Form](#) (Nominated by Newberg 29J)

[Resume](#)

Incumbent

Position 15 (Washington Region)



Mark Watson

Hillsboro 1J

[Nomination Form](#) (Nominated by Hillsboro 1J)

[Resume](#)

Incumbent

Position 16 (Washington Region)



Becky Tymchuk

Beaverton 48J

[Nomination Form](#) (Nominated by Beaverton 48J)

[Resume](#)

Position 17 (Multnomah Region)



Elizabeth Durant

Parkrose 3

[Nomination Form](#) (Nominated by Parkrose 3)

[Resume](#)

Position 18 (Multnomah Region)



Jessica Arzate

Multnomah ESD

[Nomination Form](#) (Nominated by Multnomah ESD)

[Resume](#)

Incumbent

Position 20 (Washington Region)

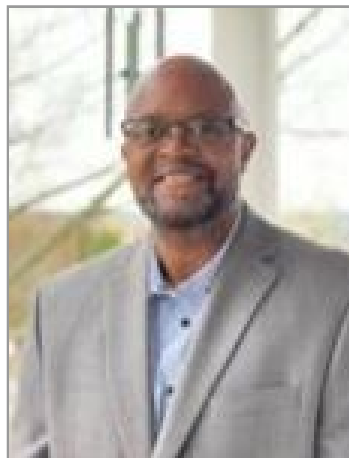


TJ Johnson

Gaston 511J

[Nomination Form](#) (Nominated by Gaston 511J)

[Resume](#)



Marvin Lynn

Tigard-Tualatin 23J

[Nomination Form](#) (Nominated by Tigard-Tualatin 23J)

[Resume](#)

2021 OSBA Elections Calendar
Adopted by the Board February 5, 2021

Nomination and election of regional members of the OSBA board of directors holding even-numbered positions and <u>all</u> LPC representatives		
August 23, 2021		Notice of position vacancies, candidate information packets, and official nomination forms shall be distributed to all incumbent directors and boards in eligible regions.
August 23, 2021 through October 1, 2021		A school board nominating one or more of its regional board members to the OSBA board of directors and/or LPC must do so by formal resolution of the board and timely submission of the nomination forms to the office of the OSBA. Nominations are closed after this date.
No later than October 15, 2021		Official ballots are distributed to member boards in each region 30 days prior to the date of the election, but no later than October 15.
No earlier than November 1, 2021		Member boards are asked to vote on the candidate(s) of their choice for their region no earlier than November 1, 2021, following the conclusion of all OSBA Fall Regional Meetings.
November 15, 2021 through December 17, 2021		Submission of votes to OSBA. Each member board in the appropriate region shall have one vote in the regional elections for members of the OSBA board of directors and LPC. The person receiving a majority of the votes cast for any position on the OSBA board of directors and LPC shall be elected.
As soon as possible		In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes cast shall be declared elected.
January 1, 2022		Newly elected officers and regional members of the OSBA board of directors and LPC officially take office.

OSBA Resolution Election		
No later than September 30, 2021		All resolutions to be submitted to the membership for a vote must be received at the OSBA offices.
No later than October 15, 2021		Resolution details, along with an official ballot, will be sent to the membership.
November 15, 2021 through December 17, 2021		Each member board in the state shall vote in the general election on resolutions, bylaws amendments, and Legislative Policies and Priorities (even-numbered years only) using the weighted voting system outlined in the bylaws.

OSBA Officer Elections		
September 17-18, 2021, or no later than October 31, 2021		The currently seated OSBA board of directors meets to elect officers. Candidates receiving a majority of the votes cast for any officer position on the OSBA board shall be elected.



ITEM FOR ACTION

Date of Meeting

November 17, 2021

Title

Approve Resolution of Complaint

Presenter

Judy Newman, Board Chair

Background

Board policy KL and implementing regulation KL-AR describe the board process for resolving complaints made by members of the public. On October 13, 2021, the board reviewed and considered such a complaint in an executive session on October 13, 2021 held pursuant to ORS 192.660(2)(b).

A proposed motion is below.

Proposed Motion

I move that the board find that the evidence does not substantiate the complaint and that the complainant be notified of this decision within the timelines provided by KL-AR.



ITEM FOR ACTION AT A FUTURE MEETING (First Read)

Date of Meeting

November 17, 2021

Title

Consider Resolution 2022-10 – Authorizing Community Benefits Contracts

Presenters

Carole Knapel – Capital Improvement Program Manager

Christine Nesbit, General Counsel

Ryan Spain, Director - Facilities

Background

Purpose:

If approved, this resolution would authorize on a trial basis the use of community benefits contracts on a portion of the Camas Ridge Elementary rebuild project. Use of a community benefits agreement is one tool by which the board may achieve policy objectives for the betterment of the community. This resolution is necessary in order to allow a district public improvement contract to be designated as a community benefits agreement.

Prior Board Discussion:

In May 2019, the board of directors adopted a statement of values regarding consideration of identified community benefits in the design and construction of large capital projects. The values and community benefits then identified by the board included supporting local businesses, paying prevailing wages, and supporting learning opportunities for students and community. On May 5, 2021, the board expressed interest in community benefits contracting procedures used by a neighboring agency, and a desire to further consider how the district could develop and implement community based contracting processes. On June 2, 2021, the board received information about using a prequalification process to achieve a community benefits contract.

Based on prior board discussion, it is understood that the board's policy goals are to promote the following:

- Employer-paid family medical insurance benefits
- Opportunity for women, minority-individual and disabled veterans and businesses owned by such individuals to perform project work
- Opportunity for participation by apprentices in project work
- The payment of wages at or above prevailing wage rates

Legal Framework:

In June 2021, the Oregon legislature passed legislation (SB 420) which expressly permits public agencies or local contract review boards to authorize the designation of a public improvement

contract as a community benefits contract. A “community benefits contract” is defined by law as a public improvement contract that includes, but is not limited to, identified contract elements that are in addition to and not in lieu of any other legal requirement of public improvement contracts. Examples of terms include requiring a contractor to provide apprenticeship training and/or to provide employer-paid family health insurance.

The law passed in June 2021 applies to procurements advertised or contracts entered into on or after January 1, 2022, but permits a contracting agency or local review board to adopt a resolution before that date as necessary to enable the agency to exercise the rights created by the legislation on or after January 1, 2022.

State contracting law creates a strong policy preference for awarding bids to the lowest responsible bidder, and it precludes limiting competition to local providers. The law also provides for protests by adversely affected bidders. In determining the lowest responsible bidder, the bidder must demonstrate to the district that it has the appropriate financial and personnel resources and expertise, or the ability to obtain the same, necessary to discharge the responsibilities of the contract. Thus, it is permissible for the district to evaluate, consider and require that a bidder demonstrate capacity to meet certain *personnel or workforce* related expectations. Additionally (and effective January 1, 2022), in determining whether a bidder is responsible, the district may consider whether the bidder has agreed to be bound by the terms and conditions of a community benefit contract, if applicable.

Board policy DJC provides that the board is the local contract review board (LCRB) for the district; as such the board may decide that the district will undertake community benefits agreements.

Context

The district has not previously used a community benefits agreement or community benefits prequalification process before, and there are a number of practical, policy and financial issues to consider. Similar to the approach taken by other local agencies, staff believe it critical to have the opportunity to develop procedures for and implement community benefits agreements at a manageable pace and on a pilot basis. The district is managing multiple major projects resulting from the 2018 bond; staffing challenges, supply-chain delays, and other current market conditions along with these proposed CBA changes will compound schedule and cost impacts that are already in excess of what was forecasted in 2018.

Last month the Oregon Department of Transportation (ODOT) convened a Stakeholder Advisory Committee to provide recommendations for an ODOT Community Workforce/Community Benefits Agreement process for statewide projects. The Committee includes representatives from contractors, organizations which support women and minority contractors, trade organizations and local government agencies. The goals of this Committee are to expand the workforce pipeline, improve access to training programs and career opportunities, increase contracting opportunities for certified firms and maximize the benefit to the communities in which ODOT initiates projects. ODOT anticipates completing the work of the Committee by March 2022.

Staff proposes to combine the best thoughts and recommendations from this statewide effort, current and updated community benefits contracting programs by other community partners, and our pilot project experience to develop a “best practices” process for future 4J construction projects.

The next major public improvement project underway is Camas Ridge Elementary School. The district is already under contract with a general contractor, and current project estimates were created long before discussion of a CBA. It is anticipated that bidding will begin spring 2022.

After conferring with the general contractor, staff identified a subset of anticipated contracts for the Camas rebuild that appear suitable to achieving the policy goals previously identified by the board (i.e., are suitable for being designated as community benefits agreements). Those contracts are the tier one contracts for electrical, plumbing, mechanical (HVAC), fire sprinklers, framing, drywall, and ceiling systems.

Staff will need time to develop and implement community benefits program details, including use of a prequalification process. Prequalification is one way to ensure the selection of a responsible bidder while delivering identified community benefits. When a prequalification procedure is used, only companies that have been prequalified to bid on a project may do so, and an applicant who is found ineligible through the prequalification process would have the opportunity to protest and have a hearing on the same - a process that would occur before bidding. Thus, a prequalification process would be expected to provide the district with information early in the process about a potential or actual dispute. Staff will require sufficient time in advance of bidding to develop the prequalification process as well as the necessary bid documents. For example, the statute requires that prior to advertising for a community benefit contract, the terms must conspicuously identify the provisions to which a contractor will be subject, including the percentage of work hours for which the contractor must employ apprentices and the standards that will apply to the health plan that the contractor must provide.

Summary of Resolution

The resolution authorizes the district to designate certain contracts as community benefits contracts and establishes policy goals to be advanced through such contracts. The policy goals identified include:

- Employer-paid family health care benefits
- Promoting the use of apprentice programs
- Increasing opportunity for women, minority individual and disabled veterans and businesses owned by the same to perform work under the contract
- Supporting students enrolled in the district's construction CTE program by permitting site tours and through other means identified by the superintendent
- Paying wages at or above the BOLI prevailing wage rate

The resolution contains delegates authority for the superintendent to create procedures and regulations necessary to carry out the resolution. In addition, it provides an "offramp"; specifically, if application of the terms of a community benefits agreement will limit bidding to fewer than three qualified bidders, or result in substantial cost increases or delays, the superintendent would have authority to bid/rebid the contract without those terms.

Options and Alternatives

To be discussed.

Recommendation

The board chair will request a motion to adopt Resolution 2022-10 at a future meeting.

RESOLUTION 2022-10
EUGENE SCHOOL DISTRICT 4J BOARD OF DIRECTORS
Authorizing Community Benefits Contracts

WHEREAS:

1. The Eugene School District 4J board of directors acts as the local contract review board (LCRB) for the district;
2. The board has recognized the value of community benefits in the design and construction of capital projects, including but not limited to: providing jobs that pay prevailing wages; employing local businesses, contractors and workers; promoting diversity and equity in all workplaces; and supporting learning opportunities for students and community members;
3. On June 2 and November 17, 2021, the board received information about how the district could implement community benefits contracts on a trial basis;
4. Oregon law relating to public improvement contracts:
 - a. Provides that in determining the lowest responsible bidder, the agency shall determine whether a bidder is responsible, and has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or has the ability to obtain the resources and expertise, necessary to meet all contractual responsibilities;
 - b. Expressly permits a public improvement contract entered into on or after January 1, 2022 to be designated as a community benefit contract, in addition to and not in lieu of any other requirement that applies to such contracts;
 - c. Authorizes the district to adopt a rule, resolution, ordinance or other regulation permitting or requiring mandatory prequalification of a prospective bidder to prequalify for public improvement contracts including community benefit contracts;
 - d. Authorizes the district to establish contract specifications consistent with the Oregon public contracting code; and
 - e. Authorizes the board to delegate and subdelegate the exercise of its authority under the public contracting code;
5. The district has not previously used a community benefits contract or prequalification procedure in a public improvement project and desires to do so on a trial basis;
6. The district has contracted with a construction manager general contractor (CM/GC) for the rebuild of Camas Ridge Elementary School;
7. Staff have identified anticipated subcontracts to the CM/GC in connection with that project that could be designated as community benefits contracts;
8. The board intends for some of the Camas Ridge Elementary School rebuild subcontracts to the CM/GC to be designated as community benefits contracts.

THEREFORE, SO BE IT RESOLVED:

1. The board authorizes the superintendent to designate certain subcontracts to the CM/GC in connection with the rebuild of Camas Ridge Elementary School as community benefits contracts, including

subcontracts with tier one subcontractors in the following trades: framing, drywall, and ceiling systems; plumbing; mechanical (HVAC); fire sprinklers; and electrical.

2. The superintendent is authorized to use a prequalification process by which a prospective bidder or proposer may prequalify for a subcontract designated as a community benefit subcontract as a result of this resolution.
3. The community benefit subcontract will include, as material provisions of the subcontract, terms and conditions that require the subcontractor to:
 - a. Provide employer-paid full family health insurance coverage.
 - b. Be approved to participate in at least one apprenticeship program registered with the State of Oregon Bureau of Labor and Industries (BOLI), or federal equivalent.
 - c. Establish and execute a plan to promote opportunities for minority individuals, women, and disabled veterans and businesses owned by the same to perform work on the contract.
 - d. Provide wages at or above the BOLI prevailing rate of wage.
 - e. Support the district's construction CTE program by permitting construction site tours or through other means identified by the superintendent.
4. The superintendent shall reserve the right to bid/re-bid work without the requirements of the CBA when bidding participation under the CBA does not provide sufficient coverage, (i.e., a minimum of 3 qualified bids), or would cause significant expense or delay.
5. The board delegates authority to the superintendent to create administrative regulations and/or procedures necessary to carry out the terms of this resolution. This delegation includes but is not limited to the authority to designate a public improvement contract under ORS Chapter 279C as a community benefit contract, establish additional terms and conditions for prequalification and community benefit subcontracts not inconsistent with this resolution.
6. The superintendent may sub-delegate the authority granted by this resolution.

By: _____

Date: _____

Judy Newman, Board Chair
Board of Directors, Eugene School District 4J

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 420 - B

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Michael Graham
Reviewed by: John Borden, Laurie Byerly, Michelle Deister, Paul Siebert, Doug Wilson, Ben Ruef
Date: May 27, 2021

Measure Description:

Permits local contract review board or local contracting agency to enact or adopt, as appropriate, ordinance, resolution, rule, regulation or other legislative or administrative measure to designate certain public improvement contracts or subcontracts with anticipated costs of \$200,000 or more as community benefit contracts.

Government Unit(s) Affected:

Statewide, Bureau of Labor and Industries (BOLI), Department of Administrative Services (DAS), Department of Justice (DOJ), Oregon Department of Transportation (ODOT), Counties, Cities, School Districts, Special Districts, TriMet, Metro

Summary of Fiscal Impact:

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

Analysis:

Senate Bill 420, B-engrossed, amends the public contracting code to allow a state contracting agency or a local contract review board to designate a public improvement contract or subcontract with an anticipated contract price of \$200,000 or more as a “community benefit contract.” A public improvement contract that a contracting agency or local contract review board designates as a community benefit contract may include, but need not be limited to, terms and conditions that require a contractor to register as an apprentice training agent, employ apprentices to perform a specified percentage of work hours in occupations with viable apprenticeships, provide employer-paid family health benefits for each worker, establish and implement a plan to conduct outreach for recruiting and retaining women, members of minority groups and service-disabled veterans, and meet any other requirements established by the contracting agency. The measure allows a contracting agency or, if appropriate, a local contract review board, to adopt a rule, resolution, ordinance or other regulation that permits or requires a prospective bidder or proposer to prequalify for public improvement contracts, including community benefit contracts, for which the contracting agency intends to conduct a procurement. The rule, resolution, ordinance or other regulation must include the time for submitting prequalification applications and a general description of the type and nature of the contracts for which the contracting agency intends to conduct a procurement. A person who wishes to prequalify must submit a prequalification application to the contracting agency, and the contracting agency must determine whether the applicant is qualified within 30 days of receipt. The measure applies to procurements solicited or contracts entered into after the measure’s operative date. The measure takes effect 91 days after adjournment *sine die* and becomes operative on January 1, 2022.

State Agencies and Political Subdivisions

The measure is anticipated to have a minimal fiscal impact on state agencies and local governments. The measure is permissive to state contracting agencies and local contract review boards. Consequently, if a state contracting agency or a local contract review board do not designate a public improvement contract as a public benefit contract, the measure would have no fiscal impact on state and local government. Assuming a state contracting agency were to designate a public improvement contract as a public benefit contract, the agency in question would need to engage in rulemaking to guide this new process, which would present only a minimal fiscal impact. However, the measure also has the potential to increase construction costs for public improvement

contracts. If a contracting agency or a local contract review board were to designate a project as community benefit contract, the construction costs would likely increase. In order to qualify, a contractor in a community benefit contract must employ apprentices and provide employer-paid family health insurance, which would likely increase the cost of the contract bid to the contracting agency or local contract review board. Since the measure would limit the number of contractors that qualify for public improvement contracts, that in turn would limit competition amongst bidding contractors and, especially in more rural and remote areas, could substantially increase the cost of contracts or make it more difficult to secure a qualified contractor. It is unclear, though, how much these additional requirements on qualifying contractors would increase project costs.

Enrolled
Senate Bill 420

Sponsored by Senator MANNING JR; Representatives KOTEK, WILDE (at the request of Joe Berney) (Pre-session filed.)

CHAPTER

AN ACT

Relating to community benefit contracts; creating new provisions; amending ORS 279C.375 and 279C.430; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 279C.300 to 279C.470.

SECTION 2. (1) As used in this section:

- (a) "Apprentice" has the meaning given that term in ORS 660.010.
- (b) "Apprenticeable occupation" has the meaning given that term in ORS 660.010.
- (c) "Community benefit project" means a public improvement project that is subject to the terms and conditions of a community benefit contract.

(2) As used in this section and in ORS 279C.375 and 279C.430, "community benefit contract" means a public improvement contract that includes, but is not limited to, the elements described in subsection (3)(b) of this section.

(3)(a) A contracting agency or local contract review board may enact or adopt, as appropriate, an ordinance, resolution, rule, regulation or other legislative or administrative measure that authorizes the contracting agency or local contract review board to designate a public improvement contract as a community benefit contract.

(b) In addition to and not in lieu of any other requirement that applies to a public improvement contract under this chapter, a public improvement contract that a contracting agency or local contract review board designates as a community benefit contract may include as material provisions of the contract, but need not be limited to, terms and conditions that require the contractor to:

(A) Qualify as a training agent, as defined in ORS 660.010, or provide apprenticeship training that meets applicable federal and state standards for apprenticeship training;

(B) Employ apprentices to perform a specified percentage of work hours that workers in apprenticeable occupations perform on the community benefit project;

(C) Provide employer-paid family health insurance; and

(D) Meet any other requirements that the contracting agency or local contract review board sets forth in the ordinance, resolution, rule, regulation or other legislative or administrative measure that authorizes procurements of community benefit contracts.

(c) A contracting agency or local contract review board shall:

(A) Ensure, before advertising or soliciting a community benefit contract, that all advertisements and solicitation documents state clearly that the procurement is for a com-

munity benefit contract and identify conspicuously all of the provisions to which a contractor will be subject, including the percentage of work hours for which the contractor must employ apprentices and the standards that will apply to the health plan the contractor must provide; and

(B) Require, before accepting and evaluating bids or proposals for a community benefit contract, that each bidder or proposer include with the bid or proposal a signed statement that acknowledges that the bidder or proposer understands and agrees to be bound by the requirements that apply to the community benefit contract.

(4) Except as otherwise provided in this section, a solicitation and award of a community benefit contract is subject to all applicable provisions of the Public Contracting Code.

SECTION 3. ORS 279C.375 is amended to read:

279C.375. (1) After a contracting agency has opened bids and determined that the contracting agency will award a public improvement contract, the contracting agency shall award the contract to the lowest responsible bidder.

(2) At least seven days before awarding a public improvement contract, unless the contracting agency determines that seven days is impractical under rules adopted under ORS 279A.065, the contracting agency shall issue to each bidder or post, electronically or otherwise, a notice of the contracting agency's intent to award a contract. This subsection does not apply to a contract to which competitive bidding does not apply under ORS 279C.335 (1)(c) or (d). The notice and the manner in which the notice is posted or issued must conform to rules adopted under ORS 279A.065.

(3) In determining the lowest responsible bidder, a contracting agency shall do all of the following:

(a) Check the list created by the Construction Contractors Board under ORS 701.227 for bidders who are not qualified to hold a public improvement contract.

(b) Determine whether the bidder is responsible. A responsible bidder must demonstrate to the contracting agency that the bidder:

(A) Has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or has the ability to obtain the resources and expertise, necessary to meet all contractual responsibilities.

(B) Holds current licenses that businesses or service professionals operating in this state must hold in order to undertake or perform the work specified in the contract.

(C) Is covered by liability insurance and other insurance in amounts the contracting agency requires in the solicitation documents.

(D) Qualifies as a carrier-insured employer or a self-insured employer under ORS 656.407 or has elected coverage under ORS 656.128.

(E) Has made the disclosure required under ORS 279C.370.

(F) Completed previous contracts of a similar nature with a satisfactory record of performance. For purposes of this subparagraph, a satisfactory record of performance means that to the extent that the costs associated with and time available to perform a previous contract remained within the bidder's control, the bidder stayed within the time and budget allotted for the procurement and otherwise performed the contract in a satisfactory manner. The contracting agency shall document the bidder's record of performance if the contracting agency finds under this subparagraph that the bidder is not responsible.

(G) Has a satisfactory record of integrity. The contracting agency in evaluating the bidder's record of integrity may consider, among other things, whether the bidder has previous criminal convictions for offenses related to obtaining or attempting to obtain a contract or subcontract or in connection with the bidder's performance of a contract or subcontract. The contracting agency shall document the bidder's record of integrity if the contracting agency finds under this subparagraph that the bidder is not responsible.

(H) Is legally qualified to contract with the contracting agency.

(I) Possesses an unexpired certificate that the Oregon Department of Administrative Services issued under ORS 279A.167, if the bidder employs 50 or more full-time workers and submitted a bid

for a procurement with an estimated contract price that exceeds \$500,000 in response to an advertisement or solicitation from a state contracting agency.

(J) Has agreed in the bid or proposal to be bound by the terms and conditions of a community benefit contract, if the public improvement contract is a community benefit contract.

[(J)] **(K)** Supplied all necessary information in connection with the inquiry concerning responsibility. If a bidder fails to promptly supply information concerning responsibility that the contracting agency requests, the contracting agency shall determine the bidder's responsibility based on available information, or may find that the bidder is not responsible.

(c) Document the contracting agency's compliance with the requirements of paragraphs (a) and (b) of this subsection in substantially the following form:

RESPONSIBILITY DETERMINATION FORM

Project Name: _____
Bid Number: _____
Business Entity Name: _____
CCB License Number: _____
Form Submitted By (Contracting Agency):

Form Submitted By (Contracting Agency Representative's Name): _____
Title: _____
Date: _____

(The contracting agency must submit this form with attachments, if any, to the Construction Contractors Board within 30 days after the date of contract award.)

The contracting agency has (check all of the following):

- Checked the list created by the Construction Contractors Board under ORS 701.227 for bidders who are not qualified to hold a public improvement contract.
- Determined whether the bidder has met the standards of responsibility. In so doing, the contracting agency has found that the bidder demonstrated that the bidder:
 - Has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or the ability to obtain the resources and expertise, necessary to meet all contractual responsibilities.
 - Holds current licenses that businesses or service professionals operating in this state must hold in order to undertake or perform the work specified in the contract.
 - Is covered by liability insurance and other insurance in amounts required in the solicitation documents.

- Qualifies as a carrier-insured employer or a self-insured employer under ORS 656.407 or has elected coverage under ORS 656.128.
 - Has disclosed the bidder's first-tier subcontractors in accordance with ORS 279C.370.
 - Has a satisfactory record of performance.
 - Has a satisfactory record of integrity.
 - Is legally qualified to contract with the contracting agency.
 - Possesses a certificate that the Oregon Department of Administrative Services issued under ORS 279A.167.
 - Agrees to be bound by the terms and conditions of a community benefit contract if the public contract is a community benefit contract.**
 - Has supplied all necessary information in connection with the inquiry concerning responsibility.
 - Determined the bidder to be (check one of the following):
 - Responsible under ORS 279C.375 (3)(a) and (b).
 - Not responsible under ORS 279C.375 (3)(a) and (b).
- (Attach documentation if the contracting agency finds the bidder not to be responsible.)

(d) Submit the form described in paragraph (c) of this subsection, with any attachments, to the Construction Contractors Board within 30 days after the date the contracting agency awards the contract.

- (4) The successful bidder shall:
- (a) Promptly execute a formal contract; and
 - (b) Execute and deliver to the contracting agency a performance bond and a payment bond when required under ORS 279C.380.

(5) Based on competitive bids, a contracting agency may award a public improvement contract or may award multiple public improvement contracts when specified in the invitation to bid.

(6) A contracting agency may not exclude a commercial contractor from competing for a public contract on the basis that the license issued by the Construction Contractors Board is endorsed as a level 1 or level 2 license. As used in this section, "commercial contractor" has the meaning given that term in ORS 701.005.

SECTION 4. ORS 279C.430 is amended to read:

279C.430. (1) A contracting agency **or, if appropriate, a local contract review board**, may adopt a rule, resolution, ordinance or other regulation [*requiring mandatory prequalification for all persons desiring to bid for public improvement contracts that are to be let by the agency*] **that permits**

or requires a prospective bidder or proposer to prequalify for public improvement contracts, including community benefit contracts, for which the contracting agency intends to conduct a procurement. The rule, resolution, ordinance or other regulation authorized by this section must include the time for submitting prequalification applications and a general description of the type and nature of the contracts *[that may be let]* for which the contracting agency intends to conduct a procurement. The prequalification application must be in writing on a standard form prescribed under the authority of ORS 279A.050.

(2) *[When]* If a contracting agency or local contract review board permits or requires prequalification of bidders, a person who wishes to prequalify shall submit a prequalification application to the contracting agency on a standard form prescribed under subsection (1) of this section. Within 30 days after *[receipt of]* receiving a prequalification application, the contracting agency shall investigate the applicant as necessary to determine if the applicant is qualified. The determination *[shall]* **must** be made in less than 30 days, if practicable, if the applicant requests an early decision to allow the applicant as much time as possible to prepare a bid on a contract that *[has been]* the contracting agency advertised. In making *[its]* the determination, the contracting agency shall consider only the applicable standards of responsibility listed in ORS 279C.375 (3)(b). The agency shall promptly notify the applicant whether or not the applicant is qualified.

(3) If the contracting agency finds that the applicant is qualified, the notice must state the nature and type of contracts *[that the person is qualified to bid on]* for which the prospective contractor may submit a bid or proposal and the period of time for which the qualification is valid under the contracting agency's rule, resolution, ordinance or other regulation. If the contracting agency finds the applicant is not qualified as to any contracts covered by the rule, resolution, ordinance or other regulation, the notice must specify the reasons found under ORS 279C.375 (3)(b) for not prequalifying the applicant and inform the applicant of the right to a hearing under ORS 279C.445 and 279C.450.

(4) If a contracting agency has reasonable cause to believe that *[there has been]* a substantial change **has taken place** in the conditions of a prequalified person and that **because of the substantial change** the person is no longer qualified or is less qualified, the agency may revoke or may revise and reissue the prequalification after reasonable notice to the prequalified person. The notice shall state the reasons found under ORS 279C.375 (3)(b) for revocation or revision of the prequalification of the person and inform the person of the right to a hearing under ORS 279C.445 and 279C.450. A revocation or revision does not apply to any public improvement contract for which publication of an advertisement, in accordance with ORS 279C.360, commenced before the date the notice of revocation or revision was received by the prequalified person.

SECTION 5. Section 2 of this 2021 Act and the amendments to ORS 279C.375 and 279C.430 by sections 3 and 4 of this 2021 Act apply to procurements that a contracting agency or local contract review board advertises or otherwise solicits, or if the contracting agency or local contract review board does not solicit the procurement, to public contracts into which the contracting agency or local contract review board enters on or after the operative date specified in section 6 of this 2021 Act.

SECTION 6. (1) Section 2 of this 2021 Act and the amendments to ORS 279C.375 and 279C.430 by sections 3 and 4 of this 2021 Act become operative on January 1, 2022.

(2) A contracting agency or local contract review board may enact or adopt, as appropriate, an ordinance, resolution, rule, regulation or other legislative or administrative measure before the operative date specified in subsection (1) of this section that is necessary to enable the contracting agency or local contract review board, on and after the operative date specified in subsection (1) of this section, to undertake or exercise all of the duties, functions and powers conferred on the contracting agency or local contract review board by section 2 of this 2021 Act and the amendments to ORS 279C.375 and 279C.430 by sections 3 and 4 of this 2021 Act.

SECTION 7. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Passed by Senate April 29, 2021

Repassed by Senate June 21, 2021

.....
Lori L. Brocker, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House June 9, 2021

.....
Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2021

Approved:

.....M,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2021

.....
Shemia Fagan, Secretary of State

Date: November 12, 2021
From: Judy Newman, Board Chair
To: The Eugene 4J School Board Members
Re: A summary of Information about Local CBB/CBA Experiences

What efforts are there to increase women and minorities and other under represented groups in these trades?

Below is some basic information about the apprenticeship programs registered in Oregon received from Oregon’s State Labor Commissioner Val Hoyle.

For reference, nationally just less than 4% of apprentices in the building and construction industry are female.

With the expansion of apprenticeship requirements in public projects we have seen a proliferation of programs. We have a state registration and support system which ensures that programs deliver a proficiency in the industry standard. BOLI oversees programs and assists employers in recruiting apprentices that reflect the community they are working in.

It is important to give 4J students the opportunity to learn and to attain the skills to earn a living wage and high quality apprenticeships are one avenue to accomplish this. In fact, a person can earn a 6-figure salary without any debt after completing some apprenticeship programs 4J school district can work towards providing these opportunities and in the future we can explore how the CBB/CBA process could assist with this.

Apprentice Demographics:

At the end of Fiscal Year 2021, Oregon had 10,082 registered apprentices. The table below shows the flow of female identified and BIPOC into and out of apprenticeship in FY 20-21.

	Total	Female	Female % of Total	BIPOC	BIPOC % of Total
Registrations – FY 20-21	2965	285	9.6%	746	25.1%
Completions – FY 20-21	1474	114	7.7%	334	22.6%
Cancellations – FY 20-21	1794	153	8.5%	380	21.1%

The Lane Community College (LCC) CBA process asks Contractors to provide information on women and minorities working on their projects. LCC shared that some or all of this information is reported by Contractors already and they need to pull it out of

state reports to provide a report specific to LCC. (*Note: This information is updated monthly by LCC staff.)

How many women and minorities and Vets are working on the LCC projects?

14% goes to **COBID** subcontractors which means women- and minority-owned businesses plus emerging small businesses.

In Oregon Certification from Office for Business Inclusion and Diversity (COBID) provides certification for minority-owned, women-owned, service-disabled veteran-owned businesses, and emerging small businesses.

How many local workers are working on the LCC projects?

36% of total construction contract goes to Lane County businesses
 57% goes to Valley + Lane County - meaning I-5 corridor Salem and south plus Lane County.

(*Note: This information is updated monthly by LCC staff.)

EXHIBIT B - Cost Breakdown

Lane Community College Building 19 Seismic Renovation

GMP

100% Construction Documents, Permit Set
 May 10, 2021

SP#	Description	5 - Subcontractor	GMP Scope Package Total	Lane County Business	Valley + Lane Co. Business	COBID Amount	Prequal (Y/N)
Subcontractor Work							
01.70	FINAL CLEANING	WFJ	\$ 9,530		\$ 9,530	\$ 9,530	YES
03.30	CAST-IN-PLACE CONCRETE	Pence Kelly	\$ 55,250	\$ 55,250	\$ 55,250		YES
04.20	MASONRY	Kraft	\$ 12,109		\$ 12,109		YES
05.10	STRUCTURAL AND MISC. STEEL	Gibson / Norse	\$ 236,589	\$ 236,589	\$ 236,589		YES
06.10	ROUGH CARPENTRY	TGC	\$ 268,010		\$ 268,010		YES
06.40	MILLWORK AND CASEWORK	Fortis	\$ 2,000				YES
07.40	METAL PANELS	Smith SM / Stedman / McGilchrist	\$ 722,143	\$ 441,580	\$ 722,143	\$ 205,755	YES
08.40	GLASS AND GLAZING	Culver Glass	\$ 15,326	\$ 15,326	\$ 15,326		YES
09.20	METAL STUDS, GYPSUM BOARD, AND CEILINGS	WPI	\$ 144,860	\$ 144,860	\$ 144,860		YES
09.50	FLOORING	Floor Solutions	\$ 24,860			\$ 8,204	YES
09.90	PAINTINGS AND COATINGS	WPI	\$ 9,806	\$ 9,806	\$ 9,806		YES
11.24	FALL PROTECTION	Allowance	\$ 15,000				n/a
12.20	WINDOW TREATMENTS	Superior Interiors	\$ 5,690			\$ 5,690	YES
21.00	FIRE SUPPRESSION	Allowance	\$ 15,000				n/a
22.00	PLUMBING	Allowance	\$ 12,000				n/a
23.00	MECHANICAL	Allowance	\$ 50,000				n/a
26.00	ELECTRICAL	OEG	\$ 56,190	\$ 56,190	\$ 56,190		YES
31.00	SITework, DEMOLITION AND UTILITIES	UWD PreBuild	\$ 144,475			\$ 144,475	YES
99.01	EXPANSION JOINT	Allowance	\$ 5,000				n/a
SUBTOTAL SUBCONTRACTOR WORK			\$ 1,803,838	\$ 959,601	\$ 1,529,813	\$ 373,654	
Fixed Sum for General Conditions Work			\$ 543,991	53%	83%	21%	
SUBTOTAL			\$ 2,347,829	(of subs cost)	(of subs cost)	(of subs cost)	
1	Design Contingency		\$ -				
2	Escalation		\$ -				
3	Construction Contingency		\$ 135,000				
6	All Risk Insurance		\$ 13,656				
7	Liability Insurance		\$ 29,958				
8	Sub Bond Program		\$ 30,317				
9	Contractor Bond		\$ 23,011				
10	Fee		\$ 67,074				
	EWA 1 - Exploratory Work / BRB Engineering		\$ 34,145				
11	Preconstruction		\$ 11,800				
SUBTOTAL DIRECT JOB COST			\$ 344,961				
TOTAL			\$ 2,692,790	36%	57%	14%	

Full family Benefits:

4J is required to hire contractors that pay prevailing wage. The prevailing wage includes a % for fringe benefits. In the CBB/CBA we would be requiring contractors who fall under the agreement to pay full family benefits. They can use the fringe benefit amount to pay full family benefits to employees working on our projects if they choose to do this.

Increased costs.

We received data from Lane County about their anticipated costs and actual costs. They reported that the bids that came in and were awarded were slightly under their projections. This was provided by Shawn Waite, Facilities and Capital Planning Manager for Lane County. (* Note: The cost estimates were completed prior to the Board approving the implementation of the CBB program.)

Shawn Waite shared that they did not yet do a formal write up, but will be compiling one in November or December once our first project is complete. The analysis they conducted was a comparison of their cost estimates and the actual contract costs. Their projections are compiled by the architects they contract with for design and cost estimators that their architects work with. High and a low estimates are provided.

Here is the breakdown by project.

Developmental Disabilities Services:

Estimated cost for construction contract: \$11,300,000

Contract Total: \$10,367,340

Parole and Probation:

Estimated cost for construction contract: \$4.8 to \$8.1 for high/low estimates. We normally go with a lower/mid-range, so we anticipated approximately \$5.6M (I am not sure why we don't have the same type of spreadsheet for this project as we do for the DDS project to share with you. I will look into that.)

Contract Total: \$4,406,405

These projects are both prevailing wage, so the conversation with the contractors was primarily about what to do with the fringe benefit. The fringe benefit under prevailing wage can be paid directly to the employee and the employee can use that to pay their portion of the premium costs for insurance coverage. **Lane County's program requires that the fringe not be paid to the employee and the employer use that to pay for the insurance premium in full.**

In reviewing the companies' GL reports and certified payroll, there has been no additional cost charged back to the county. The mark-up and administration costs percentage remained the same as what was estimated and what has been charged on previous projects.

Note: Shawn included one of their cost estimate sheets from the Developmental Disabilities Service Project for our reference. Let us know if you want a copy. Note that the construction costs on the spreadsheet state \$12,054,000, but part of that was for demo and the change order contingency was not included in the contract amount. That was for our budgeting purposes only.

I spoke with someone involved with the University of Oregon's Project Labor Agreement (PLA). A PLA is different than a CBB or CBA but has many of the same requirements and goals. He reported that it:

- Drove up costs from 2-5 %
- In some areas they struggled to get bids, especially union bids
- Difficult to get data on diversity except in the category of veterans- both men and women -because they worked with a local organization that served vets



ITEM FOR ACTION AT A FUTURE MEETING (Third Read)

Date

November 17, 2021

Title

Approve Board Working Agreements

Presenter

Judy Newman, Board Chair

Background

The board annually reviews, affirms or revises Board Working Agreements.

DRAFT September 2021

School Board Working Agreements - 2021-2022

The Board of Directors is the educational policy making body for Eugene School District 4J.. The Board is responsible to guide practices, processes and programs with the goal of producing the highest educational achievement for all students. The board is charged with accomplishing this goal while also being responsible for prudent management of available resources. To ensure student success, members of the school board and the superintendent agree to function together with integrity and commitment as a leadership team. To help the Board function together effectively and efficiently, the Board establishes Working Agreements that provide a set of guidelines, shared agreements and expectations and hold each other accountable to follow them.

These agreements are intended to augment and detail section A and B of the Eugene School District 4J Policies. (See <http://www.4j.lane.edu/board/policies/>)

Board Organization and Governance

1. The board will seek to work with the superintendent in a cooperative and collaborative partnership aligned toward a common mission and goals.
2. The board will focus on the responsibilities of policy making, planning and evaluation of the superintendent, and fiscal oversight.
3. The board will make decisions in the best interest of students and the district as a whole.
4. The board will actively solicit input, listen to all perspectives and give careful consideration to all issues presented to the board.
5. Individual board members have no authority to take individual action regarding policy or district and school administrative matters.
6. Individual board members will respect decisions of the majority after honoring the right of the individual members to express opposing viewpoints and vote their convictions.
7. Each year the board will select a chair and vice chair, and this constitutes "Board Leadership".
8. Newly elected or appointed board members will be offered and expected to participate in orientation sessions to be provided by Eugene 4J staff and supplemented by outside training as deemed appropriate. And Board leadership will work to support new Board members in their onboarding process, including helping them connect with resources."

Meeting Agreements

1. Board members will arrive on time for meetings and will carefully review all meeting materials in advance of the meeting.
2. Board meetings will begin at the designated start time and members will work to end meetings on time.
3. Board members will attend all regular meetings of the board. Members will contact board leadership and the superintendent, in advance of the meeting if unable to attend. Attending meetings via phone or web conference (i.e. Zoom) is an option but should be used only in rare occasions when in-person attendance is not possible.
4. Board members will cast a vote on all matters before the board, except when a board member must recuse themselves from the vote, such as in circumstances of a conflict. Abstentions are not allowed.
5. Board meetings will be held only at accessible locations.
6. Board meetings will be properly noticed and adhere to Oregon Public Meeting Law requirements as per Oregon Revised Statutes 192.610–192.690.
7. The Board may hold an executive session as defined in ORS 192.660 and ORS 332.061. Board members must respect and adhere to the confidentiality of all matters and all materials discussed within an executive session of the board. Information shall not be shared with anyone outside of an executive session.

Duties, Responsibilities and Role of Board Leadership

1. Board leadership is the annually elected chair and vice chair of the board. Terms for these roles begin on July 1 and end on June 30. A confirmation vote will take place at the first Board meeting on or after July 1st in those years when incoming new Board members are unable to vote for leadership.
2. The board chair and vice chair will meet regularly with the superintendent to develop, set, and review agendas for board meetings. A single board member will attend each leadership meeting and agenda review in a rotation format. The schedule of attendance at leadership will be included in the board calendar.
3. Board leadership, in conjunction with the superintendent, will provide a list of board meetings and topics at least once a month. Leadership will take extra care to prioritize items that have been supported by at least three members of the Board. This list is subject to change by a majority vote of the Board.
4. Board leadership will informally survey each member of the board to determine preference and interest for the various board committees. The chair will present the annual board assignments during a regular meeting of the board of directors and will seek ratification of these assignments at that same meeting. When making committee assignments, the chair will consider the preferences expressed by individual board members, and will strive to rotate assignments to maximize opportunities to gain a broader understanding of the district. At the same time, the board chair will assign mentor relationships with the student board representatives. The chair retains the right to make these assignments should ratification not occur.

5. Board members who are not the official appointee to a committee may attend meetings of any committee, but the board member(s) should take caution and be aware that four members of the board constitute a quorum of the board.
6. Board leadership will be responsible for the board self-assessment.
7. Board leadership will be responsible to ensure the annual evaluation of the superintendent occurs in a timely manner and is consistent with the superintendent's contract.

Communication by Board Members

1. Board member communication is subject to the Oregon Public Meetings Law as defined and established in ORS 192.610–192.690. Board members should not deliberate toward any public decisions in any format except for public meetings. A discussion by more than three board members in a non-public forum on any board matter is not allowed.
2. Board members will communicate directly with the superintendent when relaying a concern, complaint or problem received from a community member, Eugene 4J School District staff member or another stakeholder. Any request for information, data or reports, other than a simple distribution of an existing document or report, must be made through the superintendent.
3. Information requests supported by a majority of the Board will be honored as soon as is possible.” Information requests by individual Board members which require 15 minutes or more of staff work or staff resources will be referred by the superintendent to board leadership or the full board to determine if the request to use resources aligns with board and district priorities.
4. When attending meetings or speaking directly to district staff, board members are expected to respect and understand their status as the elected leaders of the school district and how this position will be perceived. It is important to keep communication on district issues focused to the superintendent.
5. Board members will communicate questions or concerns about agenda items to the superintendent and board leadership.
6. The board chair or designee is the official spokesperson for the board. If a media request is made to another member who is not the chair, that member may speak with the media as an individual member, and, should inform the board as a whole.
7. The board chair will be responsible to answer in writing all correspondence sent to the board. All board members will be copied on responses. However, board members should be cautious to abide by the Oregon Public Meetings Law (ORS 192) with regard to serial meetings via electronic communication; avoid the use of “reply to all”. The board chair will strive for a response timely response to correspondence.
8. In some instances, board members may have an existing professional relationship or volunteer relationship with schools, programs or Eugene 4J staff that necessitates interactions in the board member's capacity as a private citizen or volunteer. The board member must clearly state the visit or interaction has no official board-related purpose. The board member should inform the

superintendent and building administrator of this visit or interaction. When visits or interactions are as a part of a work or volunteer schedule, the board member should inform the superintendent, to the extent possible, of the schedule of meetings.

9. Board members, at times, may wish to learn more about a specific topic, issue or program within the school district. These requests should first be made to the superintendent (see #2 above). If a site or program visit is requested, this should also be made first to the superintendent who can inform the building administrator and or program staff. Further, from time to time, building administrators or program staff may proactively invite board members to a site or program visit as learning opportunities; these are encouraged. Again, board members should be in communication with the superintendent when such requests are received and should be mindful of the Oregon Public meetings Law.
10. With the popularity and availability of photography for social media purposes, photos of students in which students can easily be identified should not be posted without prior and explicit consent of the parent or guardian of the student.
11. If a Board member is experiencing threats, bullying, or insults, they should alert Board Leadership as soon as they are comfortable doing so. If the behavior is being delivered via Board email or during a Board meeting, then Board Leadership will respond on behalf of the entire Board to ensure the personal safety of Board members and that interactions with the public are respectful and constructive. If Board members are receiving threats, insults, or bullying that affect their feelings of safety and ability to perform their duties, or that may affect other Board members, they are encouraged to alert Board leadership as soon as possible. Leadership and the Board member will decide on appropriate action.

Agenda Planning

1. The agenda of each regular board meeting is developed in collaboration between the superintendent and board leadership and is based on an annual calendar and board goals set by the board at a summer retreat.

2. At each regular meeting of the board there will be an opportunity for any member to request an item to be considered for further information or inclusion on the agenda for an upcoming meeting. Board leadership will assess interest or agreement by other members of the board with a straw poll. In order to better plan and manage board time and staff and district resources, the request will be considered if it is supported by at least three members of the board. A request for an agenda item can also be sent to board leadership for consideration via an email message.

3. Each request will be reviewed by board leadership and will be considered for next steps, which may be information provided to the board in the superintendent's weekly memo, an item for information or an item for future action on an upcoming board meeting agenda. Leadership will communicate the next steps decided for the proposed topic to the requesting board member.

4. Regular meeting agendas will include a short verbal report by the chair to preview upcoming meetings and the major topics to be considered. The weekly memo from the superintendent will also include the working calendar of agenda topics for upcoming meetings.

5. In general, agendas will not be changed after they are published.

- On occasion, an item may be removed, postponed or changed by board leadership with proper notice to the board and the public in advance of the meeting.
- On occasion, with a majority vote of the board during agenda review at the beginning of the meeting, an agenda may be changed to remove, postpone or change an item.
- In exceptional circumstances, with a majority vote of the board during agenda review at the beginning of the meeting, an agenda may be changed to add an item. This is discouraged, as it is not transparent to the public and does not allow for staff preparation and therefore should be done only for a time-sensitive matter under circumstances that could not have been foreseen. This will

Planning and Evaluation

1. Board members will conduct an annual self-assessment of the board's performance; the annual review ideally should be completed within the context of the board's spring retreat.
2. Board members will review the "Board of Director's Guiding Beliefs and Values" statement and "Working Agreements" at least annually.
3. Board members will participate in establishing annual expectations and goals for the superintendent.
4. Board members will objectively evaluate the superintendent's annual performance and provide appropriate feedback.
5. The board will annually set goals for itself, which will be reviewed and evaluated within the agenda of the summer board retreat.

I _____, have read and understand these working agreements. I agree to work under these agreements during my term as an elected school board member.

(Signature)

1. [Board Policy Sections A and B](#)
2. List of Board Committees

3. Role of Student Representatives ([Board Policy BCBA](#))
4. ORS 192.610-690, (Oregon Public Meetings Law)
<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual-2014/> OSBA: Public Meetings
http://www.osba.org/Resources/Article/Board_Operations/PublicMeetings.aspx