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

Date: January 12, 2022

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held an executive session at 5:30 p.m. (cancelled) 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, January 7, 2022, and published in *The Register-Guard* on Wednesday, January 12, 2022.

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
Kerry Delf, Chief of Staff
Brooke Wagner, Assistant Superintendent for Administrative Services
Andy Dey, Director of Secondary Education
Christine Nesbit, General Counsel
Steve Menachemson, Director of Technology
Andrea Belz, Director of Finance
Misael Flores Gutierrez, Director of Equity
Larry Williams, Director of Equity
Eric Anderson, Director of Curriculum
Casandra Kamens, Curriculum Administrator
Lisa Fjordbeck, Executive Assistant / Board Secretary

MEDIA: KRVM, The Register-Guard

EMPLOYEE ASSOCIATIONS:
Sabrina Gordon, Eugene Education Association (EEA)

I. CANCELLED: 5:30–6:45 p.m. Executive Session:
The executive session to conduct deliberations to consider the dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, pursuant to ORS 192.660 (2)(b), was cancelled.

Executive Sessions are closed 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.

II. REGULAR MEETING – CALL TO ORDER

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

III. ROLL CALL, FLAG SALUTE, LAND ACKNOWLEDGEMENT

Chair Newman noted that all board members were present via video conference. After the board recited the Pledge of Allegiance, Chair Newman read the Land Acknowledgement.

IV. AGENDA REVIEW

Ms. O'Rourke asked that the policy on racial harassment be moved from an item for action at a future meeting to an item for information. She said that the policy was not done and wanted the Equity Committee to have an opportunity to work on it before it was presented as an item for future action. Chair Newman responded that placing it as an item for action at a future meeting did not imply that it would be voted on at the next meeting. Mr. Lafer said that the policy was not in a place where it should be considered ready to go to a vote. In response to a comment by Ms. Rabasa, Chair Newman said that having the policy as an item for action at a future meeting indicated the urgency of the item. Chair Newman called for the vote. **The motion to move the item for action at a future meeting to consider Revisions to Policies Related to Bias Incidents and Nondiscrimination and to Consider Adoption of Policy Addressing Racial Harassment to items for information was approved 7:0.**

Ms. O'Rourke also asked that the item to approve board working agreements be removed from the agenda. Ms. Rabasa seconded the request. Ms. Hays supported the request. Ms. Walston asked whether the item was being tabled indefinitely. Chair Newman said that she had a date to reconsider the board working agreements. **The board approved the motion to remove the working agreements 7:0.**

The agenda was approved with the above amendments 7:0.

V. INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Superintendent Vandercar recognized those in the audience who were attending in support of the Twin Rivers Charter School renewal for which there would be a public hearing later in the meeting. She added that the Oregon Department of Education would be releasing graduation rates in the near future. She reported that four-year graduation rates had increased and that thirteen demographic groups had improved their graduation rates. She commended all the staff who had worked to bring about the improvement. She looked forward to receiving the complete report from ODE.

Superintendent Vandercar said that she had met with the Committee Against Hate to share with them the harassment policy that would be an item for information later in the meeting. The group also discussed the recent hate speech incidents and how to make clear to those who participated in acts of hate speech that there would be consequences for their actions which would be outlined in the administrative rule to accompany the board policy.

Ms. Vandercar referred to an increase in COVID-19 cases immediately following the return to school, and added that the cases were decreasing. She said that cohort tracing would replace

contact tracing for students. She added that school was still the best place for students because mask wearing and social distancing were observed.

Ms. Vandercar reported that the district had received requests to implement online school again. She cautioned that technology needs would need to be assessed before moving forward.

Superintendent Vandercar also reported that the district had posted four new positions for regional equity managers to support affinity group leaders and to be available for students when something arose that was beyond their capability to deal with. The district also agreed to meet with Margot Helphand, Chair of the Jewish Community Relations Council to discuss whether it would be possible to receive grant funds to implement No Place for Hate. Superintendent Vandercar said that in order to make progress in the area of racial bias and harassment it would be important to build an infrastructure. Mr. Gutierrez-Flores and Mr. Williams would report on the work to date later in the evening.

VI. COMMENTS BY BOARD CHAIR

Chair Newman shared an excerpt from a speech by Dr. Martin Luther King, Jr. days before he was assassinated. It was given at Stanford University on April 14, 1967 and was titled "The Other America". The excerpt referred to creating genuine equality:

> I submit that however unpleasant it is we must honestly see and admit that racism is still deeply rooted all over America. It is still deeply rooted in the North, and it's still deeply rooted in the South.
>
> But we must see that the struggle today is much more difficult. It's more difficult today because we are struggling now for genuine equality. And it's much easier to integrate a lunch counter than it is to guarantee a livable income and a good solid job. It's much easier to guarantee the right to vote than it is to guarantee the right to live in sanitary, decent housing conditions. It is much easier to integrate a public park than it is to make genuine, quality, integrated education a reality. And so today we are struggling for something which says we demand genuine equality.
> What I'm trying to get across is that our nation has constantly taken a positive step forward on the question of racial justice and racial equality. But over and over again at the same time, it made certain backward steps. And this has been the persistence of the so-called white backlash.
>
> And so in a real sense our nation's summers of riots are caused by our nation's winters of delay. And as long as America postpones justice, we stand in the position of having these recurrences of violence and riots over and over again. But in the final analysis, a riot is the language of the unheard. And Social justice and progress are the absolute guarantors of riot prevention.
>
> One Myth is the notion that only time can solve the problem of racial injustice Somewhere we must come to see that social progress never rolls in on the wheels of inevitability. It comes through the tireless efforts and the persistent work of dedicated individuals. And without this hard work, time itself becomes an ally of the primitive forces of social stagnation.

But I want to close by saying this afternoon that I still have faith in the future. And I still believe that these problems can be solved.

After reading the excerpt, Chair Newman asked the audience how long it would take.

Chair Newman added that the board had received many comments from the community on topics which resonated with her including responses to racial harassments, student safety, and teacher burnout. She said that the board needed to stop fighting with each other and to commit to the pressing and important work before them.

VII. CONDUCT A PUBLIC HEARING REGARDING THE RENEWAL OF THE PUBLIC CHARTER SCHOOL CONTRACT WITH TWIN RIVERS CHARTER SCHOOL

Chair Newman read the requirements for making comment during a public hearing.

Jeff Orlandini, Chair of the Twin Rivers Advisory Board, spoke on behalf of the board of directors and alumni of Northwest Youth Corps. He thanked the board for allowing settings that provided students success. Mr. Orlandini described the ways in which Twin Rivers provided hands-on learning in an outdoor setting along with CTE training. He said that students left school with valuable skills that they could use on the job. He added that Northwest Youth Corps created a model for outdoor learning and working, and a stable financial foundation. He asked the board to renew the Twin Rivers school charter.

Autumn Woodford was a current student of the Twin Rivers Charter School. She spoke of the support and respect she received from teachers and wished that more of her school years had been spent at Twin Rivers. She said that the school treated her as a unique individual and she shared that the challenges she faced to get to school every day were worth the effort. She concluded that she felt a part of something in an environment where people shared with each other.

Eli Cox was the community school coordinator at Twin Rivers Charter School. Previously, he worked on sexual violence protection and the root causes of violence and its prevention. He valued the community model at the charter school and the support that the school gave to both students and their families; the work that the school was doing to promote health, safety and wellness; and the skillset and practices that were taught at Twin Rivers.

Tony Phifer was an advisory board member for Twin Rivers Charter School and a parent of a senior. He shared that the school had quickly, creatively and collaboratively worked over the past two years to solve issues that came before them. He appreciated how students were encouraged to speak and be a part of the school, and how hands-on learning taught trades skills. He supported the renewal of the charter.

Emma Garner was the youth education coordinator with the Middle Fork Willamette Watershed Council. She said that Twin Rivers Charter School was teaching environmental education through locally relevant hands-on education and partnerships with other environmental organizations. She gave the example of a four-week outdoor education program that occurred at Elijah Bristow State Park. Students from Twin Rivers partnered with middle school students and acted as leaders and guide. She added that Twin Rivers students and AmeriCorps staff had performed a study of

beaver activity in the park and would be expanding their study in 2022 to provide restoration modeling. She said that students would be creating a park management plan for Log Jam State Park in Jasper. She appreciated the opportunity to work with students promoting ecological education.

Jay Breslow was the principal of Twin Rivers Charter School. He remembered how prepared the school had been for the 2020 school year and the opportunity that becoming an online school provided them. He reported that in the early years of the school, many students were in their junior and senior year. More recent registration shows students who were choosing to attend Twin Rivers starting as early as eighth grade. He saw it as an opportunity to create a positive culture that ran through a student's high school career. He commended his fierce and dedicated staff. He also mentioned the partnerships the school was engaged in and reported that Twin Rivers had received a grant to fund their work in Log Jam State Park for the next eighteen months.

VIII. ITEMS RAISED BY THE AUDIENCE

Chair Newman read the procedures for making public comment at a board meeting.

Rose Wilde was glad to see that work was progressing on the board policy on racial harassment. She hoped that the reporting procedure would collect demographic information in order to determine which groups were being impacted by racial harassment. She encouraged a transformative justice program. She believed that fostering student belonging in schools was necessary. She was also concerned that teachers were not being offered weekly COVID-19 testing. She asked for school-supplied KN95 masks.

Harry Sanger shared his concerns about a variety of issues including vaccinations, racially-biased hiring, and wondered why funding was not being used as it was prescribed.

Linda Ague, former school shared a quote by Journalist Walter Lippman: "Where all think alike, no one thinks very much." She considered it important to hear many voices and share thinking and beliefs. She had attended recent anti-hate marches and remembered the same actions fifty years prior. She asked to listen to all voices and protect their source, and to embrace radical change instead of being threatened by it. She considered the board fortunate in its opportunity to make the changes necessary.

Roscoe Caron, retired middle school teacher, asked teachers what was needed to help them immediately. He gave a list of teacher concerns including teacher burnout, confrontational students, non-essential demands, and absenteeism. He suggested asking teachers on special assignment to lend their experience and skills to new teachers who were having issues with classroom management.

Melissa McCormack. asked whether the board was aware there were many studies and reports that stated that mask-wearing was not effective and could harm. She also referred to a report that gave the negative effects of mask mandates on student health and wellness. She asked Chair Newman to attend to the emotional health needs of students by ending mask mandates.

Larry Lewin, retired teacher, referred to his comments of December 1, 2021 and the Oregon Department of Education's Care and Connection guidelines which recommended that teachers

attend to the emotional and social needs of their students instead of trying to catch up on learning after a stressful year of online education. He thanked Superintendent Vandercar for her response to his questions and looked forward to hearing updates on the progress. He added that the district should not consider the past year a loss of learning, rather unfinished. He asked central district staff to assist teachers by reducing time spent on non-classroom requirements.

Georgianne Jones was the project manager of the restorative practices program. She thanked the board and superintendent for their support in launching a new program through matching funds and a grant from the AFT Innovation Fund. She gave a report on the work to date.

Marcy Hellman, a teacher and parent, asked the district to provide staff with KN95 masks. She referred to Chicago Public Schools which had reached an agreement to provide masks to staff. She gave a brief report of the actions she was taking in her own kindergarten classroom to educate her students.

Chair Newman thanked all the speakers for taking the time to speak to the board. She asked Superintendent Vandercar to respond to comments by the audience. Superintendent Vandercar reported that the district had 90,000 KN95 masks to be distributed to staff.

IX. COMMENTS BY EMPLOYEE GROUPS

Sabrina Gordon, president of the Eugene Education Association, said that COVID was still wreaking havoc on the system. The district remained committed to teaching in-person school. Ms. Gordon was glad to hear that KN95 masks would be distributed. She also commented on having inadequate staffing, which might require temporary closures in lieu of asking staff to give up prep time or perform functions outside their normal job.

Ms. Gordon continued that the district and EEA had been in bargaining over the current contract for the past two years. The longer it took to reach an agreement, the less staff felt respected. She asked the contract to be settled immediately.

Ms. Gordon continued that the position of Assistant Superintendent of Instruction had not been filled since December 2021. Meanwhile the important work of curriculum adoption, professional development and instructional focus was being managed in a patchwork style. She asked that the position be filled or that it be considered unnecessary and the funds be distributed to provide more teaching and special education staff.

She asked the board to focus on three things: guiding the district through the COVID crisis; developing a response to racial harassment and bias; and selecting a permanent superintendent. She said that each voice on the board was important and necessary.

X. COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS

Mr. Lafer commented on the recent complaint from one board member against Ms. Rabasa and Ms. O'Rourke prohibiting statements made on social media. He referred to the court ruling about statements that Mr. Julian Bond had made. He said that it was important to stop silencing people when there was disagreement.

Mr. Lafer continued that everyone on the board was committed to racial equity and anti-racism. People used to being on the dominant side of power relations needed to understand that their assumptions sometimes counted others out. The new members of the board were pointing out these unfair power relationships. It was time to recognize that people on the bottom of power relationships were telling the truth. He hoped that the complaint would be withdrawn.

Ms. Shabram read a statement from a student she knew who was experiencing harassment because of race, religion and gender:

> For those who don't know me, My name is Nona Solomon-Burt and I am a senior at North Eugene High School. You've probably heard my name and my story in these last few weeks. I was a victim of the racist harassment on social media. I have been threatened with sexual assault and have had people tell me that everyone should kill me. I have been called the N-word a number of times, there have been Instagram accounts made about me and have said really horrible things to and about me. These incidents have made it harder to trust my peers, focus at school and exist in my community. I don't feel safe in my school or even just walking around my town and neighborhood. I have had countless meetings with my school principal to try and combat this problem so it doesn't happen to other people. The cycle is still going on and I'm afraid that it'll happen again to me or to other people. When this happened to me I didn't know how to react. Even having to work with the cops, knowing they want to help me is still really triggering. I want to do everything in my power to make sure this doesn't happen again, but I also haven't had the proper time to grieve and feel how I want to feel. It's been hard to share my story and it's been hard to speak up in areas where I know I can get the most support. I'm extremely grateful for all the resources and support that I've gotten through this time. As for the school, I wish that they would offer more education on prevention and how to support victims of crimes like this.

Ms. Rabasa also commented on the complaint by a board member against her. She said that it was a waste of time and resources. She wanted to focus on the students and the staff who served them. She reported that testing was beginning, students were starting new classes, the district was in the midst of a mental health emergency, and there was ongoing racial and religion-based harassment, there were record staffing shortages and low morale, and the board was in the midst of a superintendent search. Additionally the district was seeking reliable sources of COVID testing and masks and medical care, while the district managed the care of those who tested positive. Ms. Rabasa said that she would focus her efforts on providing the best educational experience for students. She hoped that the board would focus on creating emergency disaster plans. Ms. Rabasa referred to the current rebuilding and renovation of three schools which could be used as community centers in times of emergency if a clear policy supporting a plan was created by the board. She said that she and Ms. Hays would be meeting the next day to create a list of those persons to be members of the new Equity Committee, including students, staff, community members and student caregivers. She said it would be a unique resource. She was ready to get the work done. She finished by extending her heartfelt sympathy to the South Eugene district for their loss.

Ms. Hays also referred to the meeting with Ms. Rabasa. She had also attended the finance and audit committee and would be attending the charter school review committee. She appreciated the distribution of KN95 masks in the district and referred to her work with the county, which was recommending those who were not wearing KN95 masks to double mask. She responded to Mr.

Lafer by saying that the board approached their work in different ways and that it was important not to put the district in a position where there were legal ramifications for things said. She referred to hard lessons learned at the county. She agreed that statements made by the board could negatively affect student achievement. She recognized that the board was powerful and if they came together, they could make great change. She also thanked Ms. Shabram for reading the statement from the student. Ms. Hays said that her intent was to listen and learn.

Ms. Walston said she cared deeply about the staff and their hard work and because of that was withdrawing her complaint. She did not want her complaint to become a focus of the work of the newly formed Equity Committee because the work of the Equity Committee was far reaching and important. Ms. Walston continued that as a condition of the withdrawal of her complaint, she was asking the board to have a work session with an outside facilitator to discuss staff and board communication. She wanted to have productive, positive conversations.

Ms. Walston wondered whether it might be worth putting the building of Camas Ridge Elementary School on hold in order to give time for ongoing discussion about its design and so that the district could finish other projects across the district such as North Eugene High School. She also wondered about whether invitations had gone out for upcoming meetings regarding the superintendent search and wanted to get an update on school resource officers.

Ms. Walston concluded by asking the board to focus on climate change. She said that at the recent City Club meeting, four high school students and their teacher on special assignment had given a report. She hoped that the board would focus their efforts similarly.

Ms. O'Rourke considered Ms. Walston's complaint an attempt to use board policy to silence the voices of black and brown board members. In the past five months she had been called names and a bully. She said that her comments on social media were about the white supremacy and trauma she experienced on the board. She asked the board to change for the sake of all marginalized students. She wanted policies that would protect people. She did not want racial harassment to be allowed, and that the bullying stop. She asked that the board have diversity, equity, and inclusion training at least monthly.

Chair Newman thanked Ms. Walston for withdrawing the complaint. She understood that withdrawing the complaint did not make the issues go away, but thought that it would give the board time to learn from each other how to communicate better. She was committed to ensuring work sessions and trainings on the topic.

XI. CONSENT GROUP - ITEMS FOR ACTION

1. Approve Meeting Minutes: December 15, 2021 Work Session and Regular Board meeting; January 4, 2022 Special Board Meeting
2. Approve Sidewalk Replacement at Edgewood Elementary School and Spencer Butte Middle School
   Presenter: Ryan Spain, Director of Facilities
3. Approve Bond Project: Monroe Middle School and Spencer Butte Middle School Roofing
   Presenter: Ryan Spain, Director of Facilities

Chair Newman reported that as a result of a request from a board member, the minutes recorder had agreed to add the names of those who were voting for and against to the tally. Vice Chair Shabram moved to approve the consent agenda. Ms. Walston seconded the motion to approve. **The motion passed unanimously 7:0.**

XII. ITEM FOR INFORMATION

1. Receive Update on District Equity Work
   Presenters: Larry Williams, Director of Equity, Inclusion and Instruction; Misael Flores Gutierrez, Director of Equity, Inclusion and Instruction; Andy Dey, Director of Secondary Education

Superintendent Vandercar introduced Mr. Flores Gutierrez, who in turn introduced his colleagues and shared what portions of the presentation each would cover. He and Mr. Williams would discuss the documents that had been sent ahead of time; Mr. Dey would speak about the BIPoC Educator Pipeline Project; Mr. Flores Gutierrez would present on the hate and bias incident advisory team, and Mr. Williams would conclude by sharing the community photo project. Mr. Flores Gutierrez thanked the superintendent and the board for their support. Mr. Williams said that the document showed all the work that was being done by the team. He continued that the plan was to update the board regularly on the team's progress. He hoped by giving more regular updates the amount of requests for individual updates would diminish.

Mr. Williams thanked Georgianne Jones for her work on restorative practices. He said that the district would be working alongside her team to add to her work. Mr. Flores Gutierrez shared information about the Newcomer Program. He said they would also be expanding early childhood programs and childcare. Mr. Williams then shared that the student affinity groups were operating in high schools and middle schools and they hoped to add groups in elementary school as early as 2022-23. Mr. Flores Gutierrez said that in the future they would be starting a program aligned with Social Emotional Learning that focused on racial harassment and bias. They recognized that the board policy on racial harassment was a good step forward and hoped to add preventative work.

Mr. Flores Gutierrez continued that book study groups had begun in elementary schools and with TOSAs and focused on white fragility and the book *Caste* by Isabel Wilkerson.

Mr. Williams highlighted the work the group was doing with Human Resources focusing on recruitment and retention of staff of color.

Mr. Andy Dey spoke about the 4J BIPoC Educator Pipeline Project. Along with support from the district, the group was working with Lane Community College, Pacific University, Lane ESD, EEA, and OSEA to create a program to support BIPoC students and employees to pursue careers in education. Pathways would start with those who had a bachelor's degree, two years of a licensure program and those with master's degrees to become teachers and administrators. Mr. Dey recognized that other programs already existed, and added that this program would encourage BIPoC students and staff to stay and work to build a more diversified community.

Mr. Flores Gutierrez shared information regarding the new racism, hate and bias incident advisory team which was developing a process for responding to incidents that would bring together key staff to provide a calculated response to incidents. The goals of the group were to

create and implement a clear plan. The work was new and still in progress. Mr. Williams added that they would meet regularly to plan instead of meeting around a specific crisis. They would offer support to administrators in buildings where incidents occurred.

Mr. Williams said that the family photo project hoped to get the community involved by diversifying the hallways in schools through photo-documenting the different types of work that families in schools did in the community. Along with the images were notes of inspiration. They had completed twenty which were in schools and at the district offices. Mr. Williams said the project was ongoing until the images in schools matched the diversity of the community.

Mr. Lafer asked about the role of OSEA in the teacher pipeline project. He asked whether there would be benchmarks for the programs, recognizing that accomplishing any progress in the current pandemic laden time was welcome. Mr. Dey said that they would need a pathway advisory group from OSEA to assist in the work. He said that the plan would be to start with a cohort of ten to use as a baseline: a small enough group to be able to offer full support. Mr. Williams added that starting small would allow them to grow capacity. Mr. Lafer offered that numerical goals would be instructive in measuring success.

Ms. Shabram encouraged looking at metrics of success that were more humanistic, but still gave a concrete understanding of how things were moving. She wondered what the team needed from the board to move the work forward. Mr. Williams said that getting to know the board would help. It would give the team an understanding of how each board member might support them. He referenced conversations with Chair Newman regarding the early education programs. He pointed out that many students came into the district already behind. He asked the board to be ready to give their expertise and input.

Ms. Rabasa recognized that there was much left unsaid because of a constraint in time and the extent of the work the team was doing. She asked Mr. Dey whether he had been in contact with Springfield about a similar program. She wondered whether as they were developing programs for retention and recruitment, the team had also done an analysis of why recruitment and retention had been an issue in the past. She asked whether doing exit interviews would be possible to determine how to create a safer environment. Mr. Williams said that although the district had reached out to other districts to find out what programs they had developed, the team was working to develop a program to “grow their own” from the district.

Chair Newman was impressed with all the initiatives. She was glad to hear that the team was getting added staffing because it showed the commitment of the district. She also was glad to hear that the team was working with all departments across the district especially with regard to the equity work. She was glad to hear about the commitment to early learning and offered to help in any way. She had not heard about the family photo project and wondered whether there might be ways to share the artwork on the district web site as well as in schools. Mr. Williams said that he would reach out to families to make sure they were comfortable having their images on the website.

Ms. O’Rourke asked whether the photos were being shown anywhere. Mr. Williams said they had just received the first set. Ms. O’Rourke clarified that her question was regarding the fact that the photos only showed black people and she wanted to know more about the motivation behind that. She added that she was receiving a mixed message that staff wanted to reach out to her, but at the same time she was being told she was not allowed to communicate with staff.

She wondered whether there would be a committee that would work with Mr. Williams' team. Mr. Williams said they had contacted people of all races and ethnicities and who worked in all different jobs and clarified that the photos were not just of black people. Mr. Dey added information regarding the BIPoC educator pipeline and who might be contacted to be a part of the work. Ms. O'Rourke said that the board had been told many times that Black, Indigenous and Latinx staff did not feel heard or valued. She thanked the team for their hard work.

Ms. Hays mentioned that she felt very fortunate to be on the equity committee as a board representative and wanted to make sure that the board's questions were being heard. She agreed with Ms. O'Rourke that exit interviews were not a good way to get feedback and preferred "stay" interviews. She hoped that the board would use both in order to get more of an understanding of how to retain teachers.

Mr. Lafer agreed that it would be good to have interviews with BIPoC staff who had left. He wondered whether it would be possible. Ms. Vandercar said that exit interviews were offered by email and were not mandatory. She said she was on the multi-agency committee that Ms. Hays had referred to which met monthly. The purpose of the committee was to determine how to keep staff employed.

Chair Newman thanked the team for their report and their work.

2. Accept Eugene School District 4J Annual Comprehensive Financial Report (ACFR) for 2020-21 Fiscal Year
   Presenters: Andrea Belz, Director of Finance; Brooke Wagner, Assistant Superintendent for Administrative Services

3. Accept Financial Report for KRVM 91.9 – 1280 KRVM AM for the 2020–21 Fiscal Year
   Presenter: Andrea Belz, Director of Financial Services

Ms. Belz referred to the two reports that were in the board packet. The district financial auditors had reviewed both the Annual Comprehensive Financial Report and the Financial Report for KRVM Radio and had found no changes in the presentation of the statements and deemed them suitable for presentation to readers. She added that the auditors had not found any significant material weaknesses or deficiencies. Ms. Belz said that if that had been the case, she would ask the board to make an action plan to correct the deficiencies.

Ms. Belz said that audit procedures had also been performed for the Student Investment Account Grant and that no concerns were noted.

Chair Newman clarified that the board could ask questions on both financial reports.

Ms. Walston congratulated the financial staff for having clean audits. Ms. Hays also congratulated Ms. Belz and her team for their good work. She asked for clarification that the Department of Financial Services would soon be sending a request for proposal for auditing services. Ms. Belz confirmed that the department was very happy with the services they were receiving but would find out whether they should change to a new firm through the RFP process which would be completed in March, 2022.

Ms. O'Rourke asked whether the RFP had equity questions, to which Ms. Belz responded that there were equity questions regarding the policies of the audit firm. In response to Ms. O'Rourke's request that she see the RFP, Ms. Belz said she would send it. Chair Newman asked it to be put in the Friday Memo.

Chair Newman also congratulated Ms. Belz and her team on their good work.

4. Discuss Board Member Email Responses
   Presenter: Judy Newman, Board Chair

Chair Newman shared her understanding of her role regarding the process of responding to emails. She said that she was using the board working agreements as her guide, which cautioned against emails between board members being construed as a serial meeting. She added that she also used the guidelines for the board chair from the Oregon School Boards Association which stated that the chair was the representative of the board.

Ms. Newman said that she tried to get information from the departments doing the work to respond in a factual matter.

Ms. O'Rourke said that often responses to questions to the board seemed to be a response from the Chair and the Superintendent, and that there had been no vote or discussion on what was sent. She said that in other public boards, the role of the Chair was to acknowledge the receipt of the communication and to then pass it to staff to write a response. Ms. O'Rourke was concerned that Chair Newman referred to items that had not yet been voted on but were referred to as being completed. She said that many of Chair Newman's responses did not reflect her voice and thoughts.

Mr. Lafer appreciated the work that Chair Newman put into her responses. He said that it would be challenging to respond for the board as a group if not all board members agreed on the subject.

Ms. Walston said that staff would not be able to answer many of the emails that the board received, and the board may or may not have taken a position on the subject. She complimented Chair Newman on her timely responses.

Vice Chair Shabram said that in her time on the board, not every response had matched her opinion. She had also experienced the challenge of responding to emails when Chair Newman was away. She shared that she had heard positive comments from the community for the personal responses they received from Chair Newman. She hoped to find a middle ground that included genuine engagement with the public while finding a way to satisfy the board.

Ms. Hays wondered whether there could be statements in the emails that clarified that not all board members might agree. She saw an opportunity for the board to discuss their differences of opinion on the topics that Chair Newman responded to in the emails.

Chair Newman said that saw an opportunity to have a wider discussion amongst board members on certain topics when they did not agree with Chair Newman's emails.

Mr. Lafer gave some suggestions on how Chair Newman could respond for the board as a whole and from her personal perspective.

Ms. O'Rourke said that she thought Chair Newman was using Superintendent Vandercar's responses to questions rather than her own or those of the board. She said that she would bring up the emails in question when they came up.

Chair Newman said that she appreciated learning that she needed to make changes to her responses and would do her best to take everyone's feedback. She did not want to speak out of turn.

5. Consider Revisions to Policies Related to Bias Incidents and Nondiscrimination and Consider Adoption of Policy or Regulation Addressing Racial Harassment.

The two items for action at a future meeting were then discussed as items for information as per the change to the agenda. They were: Consider Revisions to Policies Related to Bias Incidents and Nondiscrimination and Consider Adoption of Policy or Regulation Addressing Racial Harassment.

Christine Nesbit, General Counsel said that the board would be looking at three policies, two of which were existing and needed revision. The other policy was new.

Ms. Nesbit introduced Policy AC-Nondiscrimination which was the district's policy against unlawful discrimination and harassment, including discrimination based on race, national origin, religion, gender identity, sexual orientation, gender, and other legally protected characteristics. The policy was required by law. The reason there was a revision necessary was because legislation enacted in 2021 (the CROWN Act) expanded the definition of "race" for purposes of prohibiting racial discrimination to include physical characteristics that were historically associated with race. Ms. Nesbit referred to information in the board packet. Ms. Nesbit asked if the board had questions regarding the first read on this revision.

In response to a question from Ms. O'Rourke. Ms. Nesbit clarified that all the amendments were coming directly from the statutory definition that had just been revised.

Ms. Nesbit continued with revisions to Policy ACB-Hate Symbols and Bias Incidents. She clarified that the board's definitions of hate symbols were more broad than those of the state, as provided in the board packet. She said it would be the board's decision to revise the district's policy to be as narrowly defined as the state's. She added that the administrative rule was created by the superintendent to follow the policy, and it was included as part of the discussion on policy ACB and the new policy being considered that solely addressed racial harassment.

Mr. Lafer asked for clarification on the possible revisions. Ms. Nesbit said that the board could choose to add the list of the specific symbols "noose, swastika, confederate flag, or other symbol of white supremacy."

Ms. O'Rourke said that in some cases hate symbols and bias incidents were separate policies. Ms. Nesbit said that Oregon Department of Education considered them in one policy. Ms. O'Rourke also asked the intention of removing language from the policy. Ms. Nesbit said she considered the crossed-out parts of the policy to limit the scope of the policy. She clarified that the bias incident must be a hostile expression of animus based on race, sexual orientation and

other enumerated characteristics. Ms. Nesbit said that the board could make additional changes but she would need to consider their effect on other policies and they would need to be legally compliant.

Chair Newman gave an example of an incident in which a symbol that was not in the state's policy had been used at a board meeting, and the board's more broad policy covered its use.

After a brief discussion, Ms. Rabasa said she would send her questions to Ms. Nesbit regarding the differences between the board policy and the state's Every Student Belongs bill.

Ms. O'Rourke asked who handled bias and racial harassment incidents at the school to which Ms. Nesbit said that school administrators with support from district staff responded to the incidents. Mr. Williams clarified who was on the incident response team, including building administrators, safety officers, equity committee persons, and staff from the legal department. The group was approximately nineteen people. They were working very hard to shorten the time between incident and response. Mr. Lavin added that the level directors reviewed the steps to follow when an incident occurred and all administrators had been trained on the process.

Ms. Hays thanked the group for the in-depth level of response that they had developed. Ms. Rabasa understood that Lane ESD was having a training with ODE in the near future and wondered whether 4J would be participating. Superintendent Vandercar said she would get the details and share them with the board.

Ms. O'Rourke observed that the response team seemed to be comprised of mostly administrators and wondered whether training would occur regarding bias in the schools. Mr. Williams said that eight of the nineteen on the group were persons of color. They had been strategic about who was on the team in order to minimize the issues she commented on. Mr. Williams continued that the team met once a month to review incidents that had occurred and whether the response had been successful. Ms. Nesbit said that they were looking at ways to collect specific data including a portal that would allow live tracking and communication and adding data to the student information system. Chair Newman asked to receive regular reports.

Chair Newman then moved the conversation to the new racial harassment policy. Ms. Nesbit said that bias incident was a subset of a larger phenomenon of manifestations of personal racism for which 4J did not have a specific policy. The policy in the board packet was a starting point for a policy that would fill the gap. Existing policies prohibited legally actionable discrimination in very specific instances. A new policy would also include behaviors that had not been seen as being covered. It would include racially harassing conduct, conduct that was prohibited, would establish expectations for student and staff, and would outline the kinds of actions to be taken to ensure the impacted person's safety and thorough and sensitive investigations. Ms. Nesbit added that there might be restoration and accountability measures, educational programs for students, an annual review, and mandatory training.

Mr. Williams said that different staff and community members had been involved in the creation of the policy and were giving feedback.

Chair Newman asked whether board members had questions. Vice Chair Shabram appreciated that community members had been involved in the creation of the policy. She referred to item five on the second page of the draft policy and asked how the rights of the person making the

violation would be weighed against the needs of the person impacted for resolution. Mr. Williams said it was the most difficult issue in cases of harassment. He said that the team was trying to earn the community's trust that they were doing proactive work which would result in disappearance of incidents. Ms. Shabram acknowledged that Mr. William's team was working hard to reduce institutional betrayal trauma.

Ms. Rabasa credited community member Mica Contreras for her work in contributing to the policy development. She wanted to move from restorative work to transformative work. She felt the district would be more inclined to achieve the goal of prevention if it were done transformative. She added that it would be important to put emphasis on the statutory reasons why certain actions could not always be taken. She thanked Superintendent Vandercar, Ms. Nesbit and Mr. Williams for the work they had done to include the community in the development of the policy.

Ms. O'Rourke appreciated Ms. Nesbit's care of language in drafting of the policy.

XIII. ITEMS FOR ACTION

1. Consider Renewal of the Public Charter School Contract with Twin River Charter School
   Presenters: Casandra Kamens, Curriculum Administrator and
   Eric Anderson, Director of Curriculum

Ms. Kamens presented two amended motions: to approve the renewal of the charter; and to execute a five-year agreement if the charter was renewed.

Ms. Walston asked whether the low enrollment was a concern and how it might add to financial instability. Ms. Kamens believed that the school could reach their enrollment cap of 100 in the next few years. She added that Northwest Youth Corps was committed to supporting the school financially.

Ms. O'Rourke shared that her son had worked the during the summer with Northwest Youth Corps. She was excited that the school provided an avenue for success. She commented on the high number of students on individualized education programs and asked whether they were successful. Ms. Kamens said that the school was working very hard to increase graduation rates among their students on IEPs.

Mr. Lafer said the school was innovative, creative and respectful. He wanted leadership from the school to present to the board what lessons could be shared with other schools.

Ms. Rabasa expressed her gratitude to the district's commitment to have schools such as Twin Rivers. She supported the program enthusiastically.

Chair Newman agreed with the others giving their support. She appreciated Mr. Breslow's presentation on enrolling students earlier than eleventh and twelfth grade.

Vice Chair Shabram moved that the board direct the superintendent or designee to negotiate and execute a five (5) year charter agreement between Twin Rivers and the district. Mr. Lafer seconded the motion. **The motion passed unanimously 7:0.**

Vice Chair Shabram moved that the board finds that Twin Rivers Charter School's request for renewal meets the criteria for renewal in ORS Chapter 338. Ms. O'Rourke seconded the motion. **The motion passed unanimously 7:0.**

2. Approve Superintendent Evaluation Process
   Prepared by: Judy Newman, Board Chair
   Chair Newman presented the process and timeline for the Superintendent's evaluation as described in the packet. Vice Chair Shabram moved approval of the 2021-22 Superintendent Evaluation Process. Ms. Walston seconded the motion. **The motion passed unanimously 7:0.**

XIV. ITEMS FOR ACTION AT A FUTURE MEETING

1. Consider Revisions to Policies Related to Bias Incidents and Nondiscrimination
   Consider Adoption of Policy or Regulation Addressing Racial Harassment
   Presenter: Christine Nesbit, General Counsel
   This item was moved to Items for Information.

2. Approve Board Working Agreements
   Presenters: Judy Newman, Board Chair and Martina Shabram, Vice Chair
   This item was tabled for a future meeting. The board will review working agreements during their retreat on January 26.

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

Chair Newman shared with the board and the audience that the board would have an orientation for student board representatives and a work session on anti-bias training with Alma Advisory Group on January 19. She asked the board to save January 26 for a work-session on board working agreements.

Chair Newman said that there would be a work session on climate and the environment.

Ms. Hays said that people were not being notified about superintendent search meetings. She hoped that more notices would be going out soon to alert the community of times.

Mr. Lafer asked to reach out to a facilitator on Diversity, Equity and Inclusion training. Ms. Rabasa, Vice Chair Shabram and Ms. O'Rourke agreed to put it on the agenda. Mr. Lafer then requested to receive more and regular information on COVID-19 at board meetings, which Ms. Hays and Ms. O'Rourke agreed to put on the agenda. Mr. Lafer also asked to get information on hiring an Assistant Superintendent for Instruction, which Chair Newman requested in a Friday Memo, and an update on teacher resignations, which also reached consensus for inclusion on the agenda.

Ms. Rabasa supported Brenda Brainard as a consultant for the work session on Board working agreements, and wanted to make sure that she would be paid her full consultancy fee. Superintendent Vandercar said she would check into the particulars.

Ms. O'Rourke asked to add mandatory KN95 mask wearing in schools. Chair Newman asked for clarification on how that requirement would be made. Ms. Nesbit said that it would possibly need to be part of bargaining.

Ms. O'Rourke added that she also was concerned about the lack of communication regarding the superintendent search process and other key resignations and searches in the district. Chair Newman said that it would be covered in the board meeting on January 26 as part of the check in on board goals.

Ms. Hays asked for clarification on the requirement of KN95 mask wearing. Ms. Hays asked to have general counsel return at a future meeting with the process to make it a requirement. After a discussion it was agreed that the report would be part of the COVID presentation at a future meeting.

Ms. Hays then asked when time would be set aside for a conversation on communication among board members. Chair Newman said that it would be calendared for as soon as possible.

XV. ADJOURN

Chair Newman adjourned the meeting at 11:04 p.m.

_____ _____

Cydney Vandercar
District Clerk

Judy Newman
Board Chair

(Recorded by Eliza Drummond)