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

Date: March 2, 2022

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 board meeting at 7:00 p.m. via zoom. The planned executive session was cancelled. Notice of the meeting was mailed to the media and posted in the Education Center on Friday, February 25, 2022 and published in *The Register-Guard* on Monday, February 28, 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
Jeff Johnson, Director of Elementary Education
Melissa Ibarra, Director of Elementary Education
Andy Dey, Director of Secondary Education
Kat Lange, Director of Educational Support Services
Christine Nesbit, General Counsel
Ryan Spain, Director of Facilities Management
Steve Menachemson, Director of Technology
Kyle Tucker, Chief Operations Officer
Karen Hardin, Director of Human Resources
Oscar Loureiro, Director of Research and Planning
Art Hart, Director of Transportation
Andrea Belz, Director of Finance
Misael Flores Gutierrez, Director of Equity
Larry Williams, Director of Equity
Eric Anderson, Director of Curriculum
Lisa Fjordbeck, Executive Assistant / Board Secretary

STUDENT ADVISORY PANEL MEMBERS:
Joselin Godinez, Churchill High School
Johanna Glibert, Sheldon High School
Teryn Rios, North Eugene High School

EMPLOYEE ASSOCIATIONS:
None

MEDIA:
KRVM, KMTR, KLCC, the Register-Guard

I. BOARD WORK SESSION – 5:30 P.M.

Receive Update on the Superintendent Selection Process from Alma Advisory Group
Presenters: Judy Newman, Board Chair

Chair Newman called the work session to order. All board members were present via video conference. Monica Santana-Rosen introduced the rest of the team from Alma Advisory Group, Sydney Kubote and Sylvia Flowers.

Ms. Rosen reported that the board had spent two full days in retreat discussing the challenges of their work and learning more about each other. The board developed practices that they could use when future conflicts arose. Ms. Rosen left the retreat feeling hope and optimism for the future of the board's work. She considered the board unified in their desire to dismantle structural racism in the district. It would matter how the board did their work in the future, especially to a prospective superintendent and to the staff and students. Ms. Rosen listed some of the agreements that the board had made during the retreat, including checking for understanding and not making derogatory comments.

Chair Newman said that Ms. Rosen had captured well the nature of the retreat.

Ms. Rosen continued by sharing what the board had agreed to as their role in the superintendent search process. They wanted to lead a fair, transparent and open process where all voices in the 4J community were valued.

Ms. Rosen shared the timeline. March would be a good time to solidify the applicant pool and then second round interviews would occur in late March. Both behavioral and scenario-based questions would be asked during the interviews. By April the board would be considering semi-finalists, and finalists would be presented to the community by late April. Alma Advisory Group hoped that the board would announce their choice for superintendent in May.

Ms. Rosen shared the community engagement that took place during the process that had occurred to determine what characteristics were important in the new superintendent. There were community gatherings with translators available. Small group activities prompted community members to voice their concerns and hopes. There were interviews and focus groups based on role. Alma also distributed a survey for which they received over 3,700 responses. Alma Advisory Group conducted thirty-eight meetings and spoke individually with 215 persons. The makeup of the groups reflected the demographics of the district: 68% were white, 14.5% preferred not to answer, and 3% labelled themselves as multi-racial. 7% of the respondents were LatinX and 4% were Black. Twenty-six percent were 4J students, nine percent were teachers, and there were small percentages from other groups. 34% of the responses were from the South Eugene region, 20% from North Eugene, 20% from the Sheldon Region, and 17% from the Churchill region. Seven percent of the responses came from outside the district.

Ms. Rosen described how Alma Group had designed the questions they asked in the community meetings. They focused on the worries of parents, what they loved most, areas of improvement and what skills they were looking for in a superintendent. Alma Group's intention was to use the information gathered to strengthen the role description and the competencies, and they also asked what the community was looking for from the search team. There were many diverse and candid responses.

The top four strengths identified in the district were academic performance; student enrollment and attendance; work around equity and anti-racism; and communications. Many families shared their appreciation for language immersion programs and how educators were committed to meeting students where they were in their learning. Many students also commented that they felt supported. Ms. Rosen reported that the district was moving in the right direction regarding diversity, inclusion and safety. Respondents acknowledged the progress that was being made and the addition of the wraparound teams, more social workers, and culture navigators.

Ms. Rosen said that parents recognized the level of communication the district had undertaken.

The top areas of improvement were the concern about the mental health of students and staff; preparing students for success in life especially for those who were not college-bound; increasing exposure to career pathways; and equity and anti-racism.

Ms. Rosen shared some of the specific areas of improvement that were mentioned during their meetings: comprehensive training for teachers and staff regarding the neurodiversity of students; collaboration between teachers and school and district leadership, listening to underrepresented voices in the community, and reflecting the voices of students; mental health and school safety; equity in access to educational programs; and increasing a sense of autonomy for teachers so that they could be innovators in their classroom.

Ms. Rosen addressed equity as an emerging strength and also as an area of growth. Resources could be more coherent and embedded in the system. Ms. Rosen acknowledged the energy in the community to do bold and proactive equity work to break down the systems that limited equal access for all students.

Ms. Rosen continued by sharing the terms that were used to describe the qualities of a candidate: someone who was a change agent, had a track record of standing their ground and could lean into conflict, sought the best outcome for the health and wellness of students, held themself and others accountable, and promoted equity for marginalized students.

Ms. Rosen said that the Alma Group had received over fourteen hundred open comments in the surveys. Foremost was an interest in a leader who put students first, and also someone who was committed to equity and was culturally responsive. Many expressed a desire for a leader of color and that the person have no political agenda. Communication, transparency and the ability to reach across the lines were key strengths. The candidate should value teachers and work to improve teaching conditions, as well as have classroom experience. Other words to describe a potential leader were passion, healing, ethics and integrity, and the ability to sustain financial health and maintain technology. Respondents were looking for a candidate who was committed to staying in Eugene, not someone who would use their time in 4J as a stepping stone in their career. There were many comments of support for the current interim superintendent. Students

wanted to address bullying and bring fun back to the classroom and strengthen teacher/student relationships.

Ms. Rosen shared the comments of a limited few to make the board aware of other viewpoints. Some called equity a distraction to the expense of rigorous instruction; were against mask mandates; or did not recognize gender identity and were against the LGBTQ+ movement. Some felt that there was an anti-right culture, and some commented on the actions of the current board, or did not support the interim superintendent.

Ms. Walston asked to receive a copy of the report and to have it posted on the website. Chair Newman said that the information would be posted and that the board would be discussing the information and vote on the proposed qualifications at the March 9, 2022 meeting.

Chair Newman thanked Ms. Rosen for her impressive work to analyze the data and determine the themes.

Ms. Rosen asked what elements of her presentation had resonated with the Board. Chair Newman said that she was pleasantly surprised with the demographics of the responses. The Communications Department had worked hard to ensure that the community was informed. Many groups had also supported the efforts to hear from a wide range of community members. Ms. Rabasa said that the part that stood out for her was the number of responses they had received, especially from students. Ms. Rosen said that students were often the toughest audience.

Ms. Walston appreciated the good news she was hearing from the responses. She found the comments around the positives and negatives of the district's equity work to be instructive. Ms. Rosen summarized her thoughts that the community was glad that the equity work had finally started in earnest, but there was still much to be done.

Chair Newman summarized the next steps. Ms. Rosen said that Alma Advisory Group was actively recruiting potential candidates. She mentioned that some candidates had commented on the tone of recent the board meetings and were trying to discern what the major issues were. Ms. Rosen continued that Alma hoped to have ten to fifteen candidates from which they would choose five to six to present in early April. The finalist stage in mid- to late-April would have two to three candidates to present to the community. The community would be able to give input for the interview questions, and be part of the panels.

Ms. Rosen asked who the board wanted to engage at each step. Typically, the first stage was managed by Alma Advisory Group. Chair Newman said that the subcommittee had discussed whether a subset of board members or the whole board would review the applicants in the next stage. Ms. Rosen cautioned that finding the time it would take for all board members to interview all the candidates at the next stage would be daunting, and suggested having small group interviews and then debriefing as a group. She said that the Alma Group had found that having different interview teams gave a more robust and well-rounded interview process, which also strengthened the mitigation of bias.

Mr. Lafer would want to have some input from employee groups at the second stage where there were fifteen candidates. Ms. Rosen said that her biggest concern was to protect the confidentiality of the candidates. Ms. O'Rourke asked how the Alma Group would ensure that

there was a fair cross-section of parents from all different socio-economic groups. Ms. Rosen said that Alma used a nomination process to find the panelists who would interview candidates. They would reach out to community groups to form a well-rounded panel that represented the entire 4J community. The board would determine which communities were included. Ms. O'Rourke remained concerned that the panels would overly represent those from high socio-economic groups. She asked how Alma would avoid that. Ms. Rosen said that they would use demographic information to ensure that all parts of the community were represented. A lottery would be used if there were more than the needed amount of panelists from different community groups.

Mr. Lafer suggested that they research the process that had been used to hire Superintendent Balderas. Ms. Walston recalled that the board had interviewed ten semi-finalists. Community groups were invited to offer their thoughts on the semi-finalists. Employee groups were asked to weigh in on the final three candidates. Ms. Hays remembered that the community groups were not involved until the final steps. Ms. Delf said that the public community forums occurred with the finalists. In the earlier stages of the hiring process, a community group was part of the interview team of the semi-finalists.

Ms. Walston said that she was concerned about dividing into teams to interview the fifteen candidates and choose the semi-finalists.

Ms. O'Rourke said that she liked the idea of having smaller groups interview the fifteen candidates with the understanding that all board members would watch the interviews. Ms. Rosen clarified that at the earlier stages, the interview activities would be the same for all candidates, then at the semi-finalists round, the activities would be different in the small groups. The small group process allowed board members to engage with all the candidates in different ways, which provided for a richer interview process. She hoped to talk more about the process at a later date.

Chair Newman said that Ms. Delf had provided information about prior superintendent searches which would be shared with the whole group.

Chair Newman closed the work session at 6:45 p.m.

II. CANCELLED: EXECUTIVE SESSION

The board did not convene in executive session to consider records that are exempt by law from public inspection, pursuant to ORS 192.660 (2)(f).

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.

III. REGULAR BOARD MEETING

IV. CALL TO ORDER, 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.

V. AGENDA REVIEW

Chair Newman said that the item for information regarding COVID would be moved to the beginning of the section on items for information, followed by the item on key performance indicators, and finally if there was time, the item on career technical information.

Mr. Lafer asked to pull the appointment of Dr. Brooke Wagner from the Personnel Items in the Consent Agenda and move it to Items for Action. Mr. Lafer also asked to pull Annual Personnel Actions from the Consent Agenda and move it to Items for Action as well.

Ms. Rabasa asked to move the item for action, Consider Adoption of Policy ACC to the beginning of the meeting before items for information.

Chair Newman summarized the changes. There were no objections.

Ms. Nesbit said that the entire item Approve Personnel Actions could be removed from the consent agenda, but the resolution could not be modified except by a motion. In response to a question from Mr. Lafer, Ms. Nesbit clarified that the entire item would be discussed and voted on as an item for action.

VI. INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Chair Newman reported that Superintendent Vandercar had been excused from the meeting because of a death in her family. Ms. Newman expressed her condolences. She added that Kyle Tucker was in attendance to support the board in Superintendent Vandercar's absence.

VII. COMMENTS BY BOARD CHAIR

Chair Newman said that she had attended the NAACP Freedom Fund dinner. The keynote speaker was Oregon Secretary of State Shemia Fagan, who spoke about protecting voter's rights. She shared a story about Miles Pendleton, current president of the Eugene Springfield NAACP chapter, who had as the principal of his elementary school. Martha Moultry She was the only black administrator he encountered during his education at 4J schools, and she remained a support and mentor. Chair Newman gave this as an example of the positive effects of having administrators of color in the district, whom the district needed to make more effort to hire and retain.

Chair Newman continued that the board had engaged in a retreat with Monica Santana-Rosen of Alma Advisory Group. The board worked on ways to improve and strengthen communication, dialog, and discussion. They shared stories with each other that motivated them to be board members. She considered the time productive and meaningful. All board members shared the same goal to have high quality public schools that supported the whole child. She added that some of the activities the board engaged in highlighted best practices that she had mentioned in a prior meeting. Takeaways from the meetings were that the group felt stronger as a team, and had learned core philosophy and shared purpose, and ways to support each other when there were challenging issues.

Chair Newman added that Classified Staff Appreciation week was coming up, and that she had just received news that the Eugene Education Association had overwhelmingly ratified the contract agreement. She thanked her fellow board members for their time together.

VIII. RECEIVE REPORTS FROM HIGH SCHOOL STUDENT REPRESENTATIVES

Joselin Godinez, student representative for Churchill High School expressed a group concern that the mask mandate would be lifted. Joselin added that plans were underway for prom. There were hopes that daily school announcements in Spanish could be added. The school was underway with their plans for activities for Classified Appreciation Week. In addition, flags from across the world would be displayed around the school. Joselin commented that Black Excellence Week had been very successful. Students were concerned that teachers had to hand in student grades early which might mean that students had less time to complete their assignments.

Johanna Gilbert, student representative from Sheldon High School reported that in response to concerns expressed by students with 504s and IEPs, a survey had been sent out to get more information about their concerns. Johanna added that Black History Month had been successful. The Native American students displayed information about Black people who were part of their tribes, Asian American students shared information about Afro-Asian entertainers, and defined the word Blasian; stories by Afro-Latinos were highlighted; Pacific-Islander students drew cross tribal murals and the Women of Color read from black women authors; the Gay Straight Alliance brought awareness to Black LGBTQ+ persons who had been murdered or who were missing. During morning announcement, teachers read stories from their favorite influential African Americans. Other activities occurred throughout the district. Johanna added that Lyllye Reynolds-Parker, one of the first black students at Sheldon High, would be a guest at the school. Johanna also gave a report on school athletics and music advancements to state competitions. Seniors were choosing where they would attend university. There was concern about the lack of information regarding mask mandates.

IX. ITEMS RAISED BY THE AUDIENCE

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

Stacey Black had read the Ready Schools, Safe Learners documentation and was happy to learn the state was dropping the mask and vaccine mandates. She thought that the weight of mitigation strategies was being strongly felt by students, who were struggling with their mental health. She did feel that removing masks was a choice. She said the next steps would be to learn to live with the virus long-term. She also wanted to see equity and inclusion part of whatever actions were taken in the future regarding students.

Andrew Black thanked the school board members for their work to improve education for children. He asked to have masks mandates dropped, to end quarantine requirements and to treat students equally regardless of their vaccination status. He read from the Ready Schools, Safe Learners (RSSL) document regarding contract tracing and quarantining which were found to have

limited impact on the spread of the virus. He continued that a high level of persons had immunity from being infected or being vaccinated. He asked again for the board to drop mask mandates.

Harry Sanger also referred to the RSSL document. He shared that the decision to continue mask wearing would be up to the district but added that the document acknowledged that masking or not masking should be a personal choice and should become normalized. He said that in lieu of contract tracing, parents would be notified by cohort. He asked the district to respect personal choice.

Jun Orion and Joseph asked to have a system for reporting hate and bias incidents that did not rely on law enforcement or the school's administrators. They asked to have a texting option which would lead to more reporting. They asked that information also be given to the person reporting to ensure that they understood the next steps. They shared a personal experience at their school where they found the reporting process to be challenging and were not made aware of the outcomes. They felt hopeless and wary of the system which did not support them speaking up for themselves. They said that change was past due.

Gabrielle Hatton asked to remove mask mandates. She had recently learned that masks limited the mirroring of facial expressions and created stress. She was concerned about the long-term ramifications of mask wearing. She also referred to Governor Brown's activities at a recent event where she was unmasked. She asked again to end mask mandates

Camille Foskett believed that masking was detrimental to the mental health of young children. Children learned from facial social cues and emotional states. Masks reduced the ability to communicate effectively. She considered masking a slow silencing of youth. She asked whether the board was willing to live with the risks of continuing mask mandates.

X. COMMENTS BY EMPLOYEE GROUPS

There were no representatives of employee groups present.

XI. COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS

Ms. Hays thanked all the persons who had given public comment. She was in support of removing mask mandates. She had also attended the Freedom Fund dinner and heard Secretary of State Shemia Fagan's presentation. She had attended the Board retreat and had met with Ms. Shabram and the Superintendent to discuss the formation of the Equity Committee.

Mr. Lafer shared that having librarians increased reading ability. He would be proposing three full-time librarians at three high-needs schools through a five-year pilot project. Staff would identify the metrics to measure the success of the program to see whether it could be expanded through additional state funding.

Ms. Shabram also attended the Freedom Fund dinner. She enjoyed hearing from Ms. Fagan and the other presenters. She felt that the Board was in a good place after their recent retreat. She also felt positive about the diminishing COVID risk. She was excited about being able to vote on Policy ACC-Racial Harassment. She also expressed her condolences to Superintendent Vandercar and to the families of two prior students who had died recently. She was feeling

heavy about the loss. In honor of her mother-in-law who had been a grade school secretary, Ms. Shabram acknowledged the upcoming Classified Appreciation Week and encouraged people to give thanks to the classified staff in the district. She highlighted the grounds crew that took care of six hundred acres of school property.

Ms. Walston extended her sympathy to Superintendent Vandercar and her family. She asked that her fellow Board members be respectful of Ms. Vandercar's position on upcoming action items. Ms. Walston thanked the Alma Advisory Group for the report given during the work session. She was glad to hear that community members felt that the Board and district were doing good work. Ms. Walston shared that she had recently met with Noa Ablow Measelle who was a ski racer and planned to attend Yale University. Ms. Walston said that the staff at North Eugene had met to discuss the plans for the location of Yujin Gakuen and Kelly Middle School. Ms. Walston concluded that she asked for a work session to discuss the Superintendent's goals so that they could have a common understanding before her evaluation.

Ms. O'Rourke expressed her concerns about the video promoting the No Place for Hate-Anti-Bias, Harassment and Student Safety. She was glad that the district had begun to address bias and hate by creating a response team. Her concern for the video was that it showed a member of the Eugene Police Department and other law enforcement officials. She said that it sent a message that the only way to deal with people of marginalized groups was through the use of safety monitors and law enforcement.

XII. CONSENT GROUP - ITEMS FOR ACTION

1. Approve Meeting Minutes: February 16, 2022 Work Session and Regular Board Meeting

2. Bond Project – Camas Ridge Elementary School Replacement – Asbestos Abatement Award
   Presenter: Ryan Spain, Director of Facilities

3. Approve Personnel Items
   Presenter: Christine Nesbit, General Counsel

This item was pulled from the consent agenda and moved to items for action.

4. Approve Annual Personnel Actions
   Presenter: Christine Nesbit, General Counsel

This item was pulled from the consent agenda and moved to items for action.

Ms. Shabram moved approval of consent group items 1: Meeting Minutes, and 2: Bond Project. Ms. Walston seconded the motion. **The motion passed 7:0.**

XIII. ITEMS FOR INFORMATION

1. Receive Report of Key Performance Indicators for 4J Vision 20/20 Strategic Plan
   Presented by: Cydney Vandercar, Interim Superintendent

This item was moved to item 2, and then tabled to March 9, 2022.

2. Receive Update on District Response to COVID-19
   Presented by: Cydney Vandercar, Interim Superintendent

Kerry Delf, Chief of Staff, and Dawn Strong, Brooke Wagner, reported on the changes to COVID mandates. Beginning March 11, statewide mask requirements for schools would end and the decisions would be made at the district level. Ms. Delf shared changing rules for schools from the Oregon Ready Schools, Safe Learners program and added that the district had solicited input from the community. Local numbers of COVID cases had surged with the Omicron variant, but had recently dropped. The estimated immunity was increasing because of those who were vaccinated and those who had recently contracted COVID. The CDC was focusing more on the impact of severe cases on hospitals and was recommending preventive strategies for the community. People who were immunocompromised were advised to consider masking indoors. If hospitalizations increased, people would be advised to mask indoors regardless of their vaccination status. Contact tracing and quarantining would be paused. Staff would still need to be vaccinated, maintain social distancing and hand hygiene. Isolation after contracting COVID and cohort contacting would remain in place.

Ms. Strong reported that the district had not been contact tracing since January because of staffing limits. She shared the current protocol for a positive case. When a school was notified of a positive case, the isolation period would begin. A student (or staff member) would return after five days if they were symptom-free and had had no fever for the last twenty-four hours. Contact tracing would no longer occur at schools at lunch time. Quarantine for those in the household of a positive person would cease unless they showed symptoms. Ms. Strong summarized that if a person had tested positive or was sick they should stay home, otherwise they could come to school.

Ms. Strong continued with a report of current cases, which had dropped to three positive students and no positive staff. Staff did not anticipate that cases would increase soon.

Ms. Delf said that the district had reached out to students and parents and to the different employee groups to determine their preference to lift mask mandates as soon as it was allowed, to use local COVID data to make the decision, or to maintain mask mandates for indoor spaces through the end of the school year. In all groups, the majority of respondents were in favor of lifting the mandate before the end of the school year and more than fifty percent of classified staff wanted it to happen as soon as possible, which according to the new guidelines from the State of Oregon would be March 12.

Ms. Delf continued that the district had received a lot of input from students and families—there had been over ten thousand total responses and of those, three thousand were from students. Of the more than sixty percent who responded in favor of having masks be optional, half of those preferred it to be as soon as possible, forty percent asked to wait until data showed that Lane County was in the medium to low-risk category, and ten percent preferred to wait until after Spring Break.

Ms. Rabasa appreciated hearing the feedback and asked whether the report would be available on the district website.

Ms. Delf solicited questions from the board. Ms. O'Rourke asked why the district did not ask the preference for mask wearing on buses in particular. Ms. Delf responded that until recently there

had been a federal requirement to wear masks on public transportation including school buses. The mandate would be lifted on March 11 at the same time as the in-school mandate. In response to a further question from Ms. O'Rourke, Ms. Delf said that it would become a local decision to lift mask wearing on school buses, but she was not sure about other means of public transportation, airplanes and hospitals. Ms. O'Rourke asked whether the district could continue to require masks on school buses. Ms. Delf said that a decision to do so would require board action.

Mr. Lafer asked whether there was a projection for when Lane County would move to the medium category. Ms. Delf anticipated that the drop would happen soon. Ms. Strong said that she said it would be in a week or two.

Ms. Delf said that stakeholder input favored making mask use optional beginning Monday, March 14. She continued that doing so might change some families' thinking about whether or not their students should attend school in-person. Staff were prepared for those changes. The district would continue to test for and identify COVID cases.

Chair Newman said that no vote was needed because the Superintendent had authority to make the decision. Ms. Delf clarified that if the board was asking for a specific action, they could do so by motion and approval. Ms. Walston supported the Superintendent's recommendation to make mask wearing optional beginning March 14. She thanked staff for their work on helping to make a recommendation. Ms. O'Rourke proposed that mask wearing continue on school buses until the requirement was lifted by the state. Mr. Lafer supported the recommendation as changed by Ms. O'Rourke. Mr. Lafer also thought it important to make a public vote in support of the Superintendent's recommendation. Ms. Strong said that she would look into the state requirements on transportation, and that there had been no spread on buses, mostly because students were on buses for a limited amount of time. Ms. Delf shared a notice from that morning which said that the CDC had ended their requirement for mask wearing on school buses in late February and the state would be doing so on March 11. Ms. Strong added that if mask mandates were lifted everywhere but on buses, drivers would be asked to continue to wear masks and to enforce mask wearing by students.

Chair Newman asked whether the board wanted to take an action of support for the Superintendent's recommendation. Ms. O'Rourke rescinded her request for mask wearing on buses.

Ms. Rabasa acknowledged that there were still a lot of people who were nervous and might be disappointed with the decision. She was glad that the option for a family to revisit their decision to do in-person or online school would be available.

Mr. Lafer asked what the options would be for students who were medically fragile. Ms. Strong said that the district had been continuing contact tracing and offering testing for those students who were medically fragile or in LifeSkills.

Chair Newman also acknowledged that parents might be nervous. She reminded everyone that even if mask mandates were lifted, persons could still choose to wear a mask.

Ms. Walston offered a motion in support of the Superintendent's recommendation regarding the wearing of masks and other COVID protocols as per the document presented on March 2, 2022.

Vice Chair Shabram seconded the motion. Ms. O'Rourke also recognized those who might be nervous about the decision. **The motion to approve passed 7:0.**

3. Receive an Update on Career Technical Education (CTE)
   Presenters: Andy Dey, Director of Secondary Education and Tia Holliday Odegard, Curriculum Administrator

This item was tabled to March 9, 2022.

XIV. ITEMS FOR ACTION

1. Consider Adoption of Policy ACC – Racial Harassment
   Presenter: Christine Nesbit, General Counsel

Ms. Nesbit reported that proposed amendments from prior meetings had been uploaded to the board packet. Ms. Nesbit further clarified that although she understood Superintendent Vandercar's recommendation was to approve the policy as presented, the board could debate each recent amendment as desired before voting.

Ms. Nesbit continued that regarding amendment 5, the board would need to identify the role of any community members that were incorporated into a bias incident response team.

Ms. Walston thanked Ms. Nesbit for clarifying that the board would have time to discuss the merits of each amendment that had been made after the past board meeting when Policy ACC was discussed.

Ms. Nesbit continued that staff were exploring mobile phone applications similar to Safe Oregon. She said that wording in the policy had been changed to accommodate multiple avenues of reporting so that additional systems could be incorporated in the future, including a student safety reporting form and mobile options.

Ms. Rabasa moved approval of Policy ACC – Racial Harassment. Vice Chair Shabram seconded the motion.

Ms. Rabasa then moved to amend the section titled *Purpose and Scope* to include the suggested changes (1) as presented in the document Proposed Amendments to Proposed Policy ACC_03.02.2022. Ms. Hays seconded the amendment. **Amendment 1 to the section *Purpose and Scope* passed 7:0.**

Ms. Rabasa moved to amend the section *Reporting and Administrative Action – Notice of Resources* to include the suggested changes (2) as presented in the document Proposed Amendments to Proposed Policy ACC_03.02.2022. Ms. Hays seconded the motion to amend. Ms. Walston wanted to allow administrative discretion to include Safe Oregon along with other mobile reporting options. Ms. Nesbit believed that the proposed amendment did provide the discretion necessary to add other reporting options. Ms. O'Rourke proposed to amend the section by changing "*and/or…*" to read "*including* a mobile reporting option." She said that there needed to be a low barrier option to report incidents of harassment that did not go directly to law enforcement. Mr. Lafer seconded Ms. O'Rourke's amendment to the amendment. Mr. Lafer acknowledged that the board was approving a policy that needed to give discretion to staff to

add options for reporting that were robust and inclusive. He suggested a review of the process after a year's time. Ms. Rabasa supported the change. In response to Ms. Hays, Ms. O'Rourke repeated her request. She wanted it to be written into policy that the board expected a mobile option for reporting. Ms. Hays appreciated that staff was working to include a mobile reporting option while considering the need for confidentiality and any budget constraints that might arise. Ms. Nesbit responded to a question by Chair Newman said that she did think the new wording changed the intent because it required a mobile reporting option other than Safe Oregon. She said that the addition of other reporting options might not occur until the 2022-23 school year and added that the staff had made a preliminary exploration of products similar in function to Safe Oregon. She suggested changing the word "*including*" to simply "*and*." Ms. O'Rourke agreed that Ms. Nesbit's suggestion would have the same intent. After clarifying that the suggested change was to remove the word "/or," Chair Newman called the question. **The amended change (to remove "/or") passed 7:0. The original amendment also passed 7:0.**

Ms. Rabasa moved to amend the section *Reporting and Administrative Action – Notice of Resources* to include the suggested changes (3) as presented in the document Proposed Amendments to Proposed Policy ACC_03.02.2022. Mr. Lafer asked for clarification on the phrase "as circumstances warrant." Ms. Nesbit said the wording would allow staff to provide descriptions of resources that were customized to different situations. She added that mandates from the state required the staff to provide information about resources that sometimes seemed inappropriate for the situation. She gave the example of the information the state required to provide to complainants and respondents in sexual harassment cases. Because of the broad definition of sexual harassment, often the mandated information provided was ill-suited to the situation. She said that the wording suggested in the board policy allowed discretion to administrators to provide information suited to the situation. Ms. Rabasa suggested rewording the amendment to convey the idea that the list of resources provided were appropriate to the circumstance. Ms. O'Rourke said her suggestion was similar to Ms. Rabasa's. Ms. Hays said she was fine with whatever language allowed flexibility to the circumstance. **After agreeing that all board members were comfortable with the new wording given as a friendly amendment to read "*this will include a description of resources and support structures appropriate to the circumstances*," Chair Newman called the vote. Amendment 3, as changed above, passed 7:0.**

Ms. Rabasa moved to amend the section *Reporting and Administrative Action* –to include the suggested technical corrections to paragraph six (amendment 4 of the document) as presented in the document Proposed Amendments to Proposed Policy ACC_03.02.2022. Ms. Hays seconded the motion. There was no discussion. **The proposed amendment 4 passed 7:0.**

Ms. Rabasa moved to amend the section *District Responsibilities* to include the suggested change (5) as presented in the document Proposed Amendments to Proposed Policy ACC_03.02.2022. Ms. Hays seconded the motion. Ms. Walston asked to hear from Ms. Nesbit regarding the concerns of adding a response team that included community members, compared to having community partners who might be called upon to assist after an incident. Ms. Nesbit said that the district was concerned about the issues related to community members who would be part of the anti-bias incident response team, respond immediately to incidents, and attend meetings, as opposed to being part of a group of resources available to give support in certain situations. Ms. Nesbit had crafted the language to apply to the second option. Ms. Rabasa said that the proposed amendment could give support to the recently passed third

amendment *Notice of Resources.* Chair Newman thanked the team for their hard work on this amendment. **She then called for the vote to this amendment, which passed 7:0.**

Mr. Lafer moved to amend the policy to include the sentence "the Superintendent and Board will review the effectiveness of this policy one year after it has been fully implemented, including soliciting input from student organizations." Ms. O'Rourke seconded the motion to amend. Ms. O'Rourke asked whether it would be a regular annual review of the effectiveness of the policy. Ms. Nesbit said that the policy already included an annual review of racial harassment in item 7 of Section 6: District Responsibilities. She continued that the role of the new Equity Committee would be to advise the board on the equity impacts of its policy decisions and wondered whether a review of Policy ACC might fall under their purview. Mr. Lafer said his intention was not to create an annual report, but to give the district opportunity to assess whether the policy that the board had approved was effective or needed changes. Ms. Walston said she was not sure what the word effectiveness meant in terms of the policy, and that she hoped that the policy was not too prescriptive as to limit staff discretion in its implementation. She wanted to see the Equity Committee assume the continued improvement of the policy and not the board. Ms. Hays agreed with Mr. Lafer's proposal of a review after a year, but she did not think it belonged in the policy. She suggested that it be put on the Equity Committee calendar to revisit after a year. Mr. Lafer conceded that Ms. Hay's suggestion was a good idea. Ms. Walston suggested the idea be incorporated into the board's goals.

Mr. Lafer withdrew his amendment and Ms. O'Rourke as second, agreed.

Chair Newman called for the vote on Policy ACC – Racial Harassment with the five amendments approved that evening. The approval of Policy ACC passed unanimously 7:0. Chair Newman thanked Ms. Nesbit and the policy subcommittee and the board for their work to craft and approve the policy. Ms. Walston added her thanks to Superintendent Vandercar, and her condolences that the superintendent was not present for its approval.

2. Approve Personnel Items
   Presenter: Christine Nesbit, General Counsel

After a discussion about a possible delay about a vote on the item, Ms. Nesbit said that the deadline for extensions or non-extensions to contracts was March 15.

After a short break, the board resumed the meeting. Vice Chair Shabram moved to approve the item Personnel Actions. Mr. Lafer seconded the motion. Mr. Lafer continued by proposing an amendment to approve all the personnel actions in the document except for Number 1: to hire Brooke Wagner to the position of Assistant Superintendent for Instruction which would be discussed at a later time. Ms. O'Rourke seconded the amendment. Mr. Lafer clarified that the request to hold approval was not based on Ms. Wagner's abilities or Superintendent Vandercar's judgment of Ms. Wagner's abilities. He continued by sharing that they had received a letter of support for Ms. Wagner from seventeen principals. Mr. Lafer's issue was that the appointment came at a time of uncertainty with leadership in the district and suggested that the appointment be for one year, or that the appointment be held until the superintendent search has concluded. His intention was to provide time for Ms. Vandercar to discuss with Leadership the appropriate way to move forward.

Ms. O'Rourke said that her concerns were with transparency and openness at the highest levels of hiring, and also with how the appointment reflected the district's work on diversity, equity and

inclusion. She continued that it was important to have an equitable process to show that Ms. Wagner was the best candidate for the position. She agreed with Mr. Lafer's request that the appointment be temporary for one year and that the position be posted for an open and public search for candidates.

Ms. Nesbit cautioned the board against comments that were evaluative of the superintendent in a public meeting because Superintendent Vandercar was not present to respond and because Ms. Vandercar would need to be given the opportunity to have the discussion in a closed meeting if she so chose.

After a discussion about conversations that had already occurred regarding the issue at hand at a previous board meeting on February 16, the discussion continued. Ms. Rabasa agreed with Ms. Nesbit's concern regarding having a conversation in a public meeting. Ms. Rabasa continued that the issue was not about the "who", but about the "how", and was disappointed that she could not fully support the appointment of Dr. Wagner. Ms. Walston believed that the proposed action was an overreach of the functions of the board. She continued that the superintendent had the authority to hire whom she wished to hire. She questioned if the board had faith in the superintendent, why would they undermine her decisions. The board had recently had a work session with the Alma Advisory Group which cautioned that potential candidates would be watching the board's actions. She considered it micromanagement and an overreach of power.

After an unsuccessful call for the vote, Mr. Lafer said that he was asking for a postponement of the one action to hire Dr. Wagner. Ms. O'Rourke said that she did not consider the request for postponement an overreach of authority. She said that when the new superintendent was hired, they might choose to hire another person. She also did not agree that Chair Newman could limit the time that board members spoke without agreement. She said that she was concerned about overreach on the part of the superintendent. She wanted to have more discussion and was willing to do it in executive session. She wanted to have an open search for a candidate in order to fulfill the district's commitment to equity and inclusion.

Ms. Shabram agreed with Ms. Walston's comment that it was a conversation about process. She considered that the open search component was missing, which not only limited those outside the district from applying, but internal candidates as well. She would make her decision based on the emphasis on process.

Ms. Walston reiterated that the board was on a slippery slope if they became involved in hiring beyond the superintendent level.

Ms. Hays remembered that the board had asked Superintendent Vandercar to hire someone to the position quickly. Ms. Vandercar also took her decision to Board Leadership and followed the past practice of other superintendents, including interims, who appointed from within the district. Ms. Hays said that she would look forward to a future discussion about diversity, equity and inclusion in hiring, but in the current situation, Ms. Hays considered that Superintendent Vandercar had followed the rules and practice of the district.

Ms. Rabasa said that the timing of the conversation was unfortunate. She referred to the two hires that Superintendent Vandercar had made prior to Dr. Wagner, which were open searches. The appointment of Dr. Wagner was a change in that practice.

Ms. O'Rourke opined that every time an appointment was made, the district missed an opportunity to have an open search for a qualified candidate who could potentially be a person of color. She asked her fellow board members to try to see issues from her perspective.

Ms. Rabasa reiterated that the discussion was about the process. Her concern was with persons who were appointed instead of going through an open hiring process.

Mr. Lafer restated his proposed amendment: to approve all the other items on the personnel action except for the appointment of Ms. Wagner to Assistant Superintendent of Instruction. **The motion failed 3:4** with Mr. Lafer, Ms. Rabasa and Ms. O'Rourke voting for the amendment and Ms. Walston, Ms. Hays, Ms. Shabram and Ms. Newman voting against the amendment.

Chair Newman called for the vote for the motion to Approve Personnel Items. **The vote was approved 5:2** with Ms. Rabasa, Ms. Newman, Ms. Walston, Ms. Shabram and Ms. Hays voting yes, and Mr. Lafer and Ms. O'Rourke voting no.

3. Approve Personnel Actions
   Presenter: Christine Nesbit, General Counsel

Ms. Shabram moved that the board approve the proposed resolution on personnel actions. Ms. Hays seconded the motion. Mr. Lafer moved to amend the proposed resolution with the exception of section H: to extend the contracts for three cabinet level positions. Ms. O'Rourke seconded the motion. Mr. Lafer said that the proposed action had taken him by surprise and he wanted time to discuss the action either in executive session or public meeting or at a later date after a permanent superintendent had been hired. He did not consider the action time sensitive because the three persons were already under contract with the district through the end of the 2023 school year.

Ms. O'Rourke considered the action inappropriate to make at the meeting since the scope of the action went beyond the term of the interim superintendent. She continued that if the permanent superintendent decided to hire their own cabinet, the district would be wasting funds.

Ms. Rabasa implored the board to postpone the conversation until a later date. She wanted to make her decision when she had been fully informed and was not tired from a very long meeting.

Ms. Walston said that the action was for existing employees and were for annual contracts. She considered it further overreach and micromanagement of the board.

Ms. O'Rourke agreed with Ms. Walston for the majority of the appointments except for the three persons in section H whose contracts were not to be renewed but extended. She considered the extensions to be under the purview of the upcoming permanent superintendent.

Ms. Hardin said that renewals were for probationary employees and extensions were for contract employees.

Mr. Lafer reiterated that the actions in section H had no time urgency. He had questions he wanted to discuss in a closed meeting with the superintendent. He continued that he was concerned that extending contracts would limit the action that could be taken by the future permanent superintendent. He was asking for more time to consider the issues.

Ms. Walston asked what would change in a week's time. The board was being asked to take action on the superintendent's recommendation. Mr. Lafer said that the board could potentially get more information and he wanted to have a conversation with Superintendent Vandercar.

Ms. Rabasa encouraged the board to remember the power behind assuming good intent and remaining curious. She valued Ms. Walston's length of experience and institutional knowledge. She wanted to continue without the assumption of malintent.

Ms. O'Rourke felt that the job of the board was to look at issues critically. She wanted to ensure that she understood the process. She said it was okay to ask questions and get answers before making decisions.

Ms. Walston reiterated that the action the board was being asked to do was an annual process. After an unsuccessful call for the question, conversation continued.

Ms. Hardin said that the district was required by statute to take action on the contents of the item being discussed by March 15. If this did not happen, it would be assumed that all contracts were either automatically extended or renewed. She said it was an annual process that was routine.

In response to a question from Mr. Lafer regarding the time sensitive nature of the items in section H, Ms. Hardin said she would need to get more information. Mr. Lafer agreed with Ms. O'Rourke's sentiment about having time to learn more about the process.

Ms. Walston reiterated her concern and called for the question. There was further discussion.

Responding to a clarifying question about the nature of the length of delay to discuss section H, Mr. Lafer said he would agree to a one-week delay.

Ms. O'Rourke said that she was not fine with doing things the way they had already been done. She continued that if the action was as simple as Ms. Walston kept saying it was, the action should have been explained better during board orientation. She needed more time to understand the consequences of her vote.

Mr. Lafer restated his amendment: to approve everything in the proposed resolution except for section H: to extend the contracts of Carolyn Delf, Christine Nesbit, and Kyle Tucker, which would be discussed at the board meeting on March 9, 2022. **The amendment did not pass 3:4,** with Mr. Lafer, Ms. O'Rourke and Ms. Rabasa voting yes for the amendment and Ms. Shabram, Ms. Newman, Ms. Walston and Ms. Hays voting against the amendment.

Vice Chair Shabram restated the original motion: to adopt the proposed resolution on personnel actions. Ms. Rabasa was disappointed that after she had articulated she did not feel she could thoughtfully make the decision, she had not been heard, and was being asked to vote in an irresponsible way. Ms. O'Rourke said that she did not believe anything that happened during the retreat had changed the board's approach. She had asked for time and understanding and was being ignored. She considered the board working agreements to be rubbish.

The motion passed 6:1 with Ms. O'Rourke, Ms. Newman, Ms. Rabasa, Ms. Shabram, Ms. Walston, and Ms. Hays voting yes, and Mr. Lafer voting no.

XV. ITEMS FOR ACTION AT A FUTURE MEETING

1. Consider for Approval Superintendent Selection Standards, Competencies and Skills
Presenter: Judy Newman, Board Chair

This item was tabled for discussion at a future meeting.

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

Chair Newman summarized the meetings for the rest of March:
March 7: OSBA training on Equity Governance
March 9: Special Board meeting to vote on the characteristics and qualities for the superintendent search
March 16: Regular Board meeting.

Mr. Lafer proposed, and it was agreed, to be discussed by Leadership to put on a board meeting agenda a pilot project for librarians.

Ms. Rabasa asked to have discussion about the future for the North Eugene region. The request was supported. Chair Newman said that she would reach out to Ms. Walston and Mr. Lafer for their thoughts on proceeding.

Ms. O'Rourke wanted to begin the process of creating a communications policy committee. This request was supported by the board.

Ms. O'Rourke also asked to begin the process of making a base wage of $18. This request was supported by the board.

Ms. Hays asked that the board prioritized the items that had already been agreed upon before putting new suggestions on the agenda.

2022–23 Board Meeting Dates:
JULY: Thursday, July 1, 2021 – Special Board Meeting
AUGUST: Wednesday, August 4 and Wednesday, August 18 – Regular Board Meetings; August 25 and 28 – Board Retreat Dates

XVII. ADJOURN

Chair Newman adjourned the meeting at 11:15 p.m.

Cydney Vandercar	Judy Newman
District Clerk	Board Chair

(Recorded by Eliza Drummond)