

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

Date: May 4, 2022

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held an executive session at 5:30 p.m. and a regular board 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, April 29, 2022 and published in *The Register-Guard* on Monday, May 2, 2022.

ROLL CALL

BOARD MEMBERS:

Judy Newman, Chair
Maya Rabasa, Vice Chair
Keerti Hasija Kauffman
Alicia Hays
Michelle Hsu
Gordon Lafer
Laural O'Rourke

STAFF:

Cydney Vandercar, Superintendent
Kerry Delf, Chief of Staff
Brooke Wagner, Assistant Superintendent for Administrative Services
Andy Dey, Director of Secondary Education
Kat Lange, Director of Educational Support Services
Christine Nesbit, General Counsel
Kyle Tucker, Chief Operations Officer
Karen Hardin, Director of Human Resources
Andrea Belz, Director of Finance
Holly Langan, Director of Nutrition Services
Lisa Fjordbeck, Executive Assistant / Board Secretary

STUDENT ADVISORY PANEL MEMBERS:

Joselin Godinez, Churchill High School
Johanna Gilbert, Sheldon High School

EMPLOYEE ASSOCIATIONS:

EEA (Sabrina Gordon / Imelda Cortez)
MAPS (Seth Pfaefflin)

MEDIA:

KRVM, Double Sided Media

I. EXECUTIVE SESSION

The board convened in executive session to "conduct deliberations with persons designated by the governing body to carry on labor negotiations," pursuant to ORS 192.660 (2) (d).

All matters discussed during executive sessions are confidential and shall not be disclosed without authorization by the school board. Pursuant to ORS 192.660 (4) and board policy BCD Executive Sessions, members of the news media may not be present for an executive session to conduct deliberations with persons designated by the board to carry on labor negotiations.

II. REGULAR BOARD MEETING

III. CALL TO ORDER, ROLL CALL, FLAG SALUTE, LAND ACKNOWLEDGEMENT

Chair Newman called the regular board member to order at 7:03 p.m. and noted that all board members were present. After the board recited the Pledge of Allegiance, Chair Newman read the Land Acknowledgement.

IV. AGENDA REVIEW

Mr. Lafer asked to add an item for action regarding standardized testing. Ms. O'Rourke seconded the motion. Mr. Lafer said that he had received many comments from teachers that they were being warned against commenting negatively about standardized testing. He wanted to have an action that made it clear that teachers were allowed to speak freely. Chair Newman asked for a vote. **The motion passed unanimously 7:0.**

There were no other changes to the agenda.

V. INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Superintendent Vandercar welcomed new board members Hasija Kauffman and Hsu. She expressed her appreciation to licensed staff during national teacher's week. She said that she could see caring and learning happening.

Superintendent Vandercar continued that a team was meeting with three vendors to choose a program for a low barrier system for reporting harassment and bullying. She had also attended a meeting at the University of Oregon to learn more about efforts to provide options for students to prepare themselves for careers that did not require a four-year college degree. She also met with a team from 4J and the Oregon Department of Education to determine how to collect and combine data from six different initiatives. The process would not bring in additional funds, but would organize six grants into one.

Superintendent Vandercar congratulated Joselyn Godinez and Teryn Rios for being awarded the Beat the Odds Scholarship the evening prior. She also mentioned that members of the Churchill High School Swim team were in the audience and invited Coach Megan Murphy and her team to join her on the podium to be congratulated for their State Championship. Ms. Murphy introduced the students who had attended and shared their accomplishments. Kelsey Wasikowski took first in the 100 meter breaststroke with a new 5A state record; Kylie Taylor took first in the 200 meter medley and first in the 100 meter backstroke; Lauren Larsen took first in the 200 freestyle and third in the 100 meter butterfly; and Emily Ashton took seventh place in

the 100 meter butterfly and eleventh in the 100 meter backstroke. All four girls were first in the 200 meter medley relay and 400 meter freestyle relay. Of the boys who competed, Charley Page-Jones took first place in the 50 meter freestyle and first in the 100 meter butterfly. His win was also a new OSAA state record.

VI. COMMENTS BY BOARD CHAIR

Chair Newman was happy to celebrate student accomplishments. She welcomed new board members Keerti Hasija Kauffman and Michelle Hsu and advised them to get lots of rest and to eat well and to be ready for a crash course in being a school board member. She was pleased to add their talents and skills to the board.

Chair Newman announced that the board had selected four superintendent finalists and there would be more information later in the meeting.

She also acknowledged teachers during their appreciation week. She said that it was an opportunity to reflect on the teachers that had made an impact in her life and realized that current teachers were impacting their students positively as she remembered. She read some comments from students: "I appreciate that my teachers has a good attitude and teachers me interesting things; My teacher is kind and lets me know what she appreciates about me; My teachers help me learn and solve problems." Chair Newman also asked teachers what they enjoyed about their job: "I have the privilege of helping students discover their gifts and interests; I value the relationships that I can build over time with students; I make sure students feel successful and learn." Chair Newman appreciated the skill and dedication that teachers brought to their work every day.

VII. RECEIVE REPORTS FROM HIGH SCHOOL STUDENT REPRESENTATIVES

Joselin Godinez thanked the board for their recognition of her scholarship. She reported that Churchill High School had been busy. The Sources of Strength class had been having activities in the courtyard to raise awareness of mental health, including a small petting zoo. Prom would be that weekend. Advanced Placement and International Baccalaureate testing was occurring. Graduation activities were increasing. Students had been leaving notes of appreciation for teachers. Joselin also shared that there would be a performance of the Wizard of Oz later in the month, along with another unified basketball game.

Johanna Gilbert reported that Sheldon High School prom had occurred in the recent weeks as well as the spring musical. Musical and sports activities were also happening and the Sources of Strength class had similar activities to those at Churchill High School. The African American Student Union was looking for a place to permanently display the artwork that had been created in past months. A student had created a mural in the gender-neutral bathroom to combat vandalism.

VIII. ITEMS RAISED BY THE AUDIENCE

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

Colin Johnson welcomed the new board members. He commented on the choice of Drs. Udosenata and Johnson as finalists for Superintendentcy and shared some of their

qualifications. He was glad to see candidates from outside the district and considered them the better choice.

Rita Gillihan requested an update on the North region planning meetings and that parent participation be added. Parents had been waiting for the decision regarding the possible co-location of schools. She questioned why the rebuild at North Eugene High School had increased significantly in cost and asked again that parents be included in the meetings.

Jamie Hock thanked the board members for their hard work. She gave background for her comments by sharing that she was a psychologist working with elementary students. She was concerned for the mental health of students and especially that they feel safe and cared for in schools. She continued that time that could be spent attending to the emotional needs of students was instead being used for state assessment testing.

Amanda Hvass offered her support to the board's health and wanted to work with the board on communication skills and achieving unity and understanding. She had observed disrespect and breakdown in trust and hoped that the board would choose to continue the work that Alma Advisory Group had begun, either with herself or someone else as a facilitator. She said that there were eight skills of effective boards.

Tresa Beaver shared her experience in public skills as lacking in creativity. She said that public education was similar at the same time. She also shared her concerns about current sex and gender education and critical race theory. She considered it unacceptable.

Harry Sanger said he had reviewed the applications and comments by recent board applicants and determined that the biggest concerns were equity, mental health and teacher retention. He listed other issues that also been shared by candidates that were not included in the finalists. He shared his opinion about the difference between equity and equality and his concern that many community members would be left out of the decision-making processes.

IX. COMMENTS BY EMPLOYEE GROUPS

Eugene Education Association President Sabrina Gordon welcomed new board members Hasija Kauffman and Hsu. Ms. Gordon recognized that it was Educator Appreciation Week. She noted that while teachers and other educators were grateful for cards and other expressions of appreciation, actions spoke louder than words. She asked for policies and structures that did not lead to a demoralizing job, and for time and resources to allow teachers to excel. She asked the district to bring educators into the planning process and include educators in improvement planning. She referenced House Bill 4030-Educator Recruitment and Retention Grant.

Seth Pfaefflin was the incoming President of MAPS (Managers, Administrators, Professionals and Supervisors). Mr. Pfaefflin expressed his appreciation to teachers. He emphasized the important role that teachers played in shaping the futures of their students and the positive impact that teachers made. He recognized what a challenging job it was to be a teacher. He encouraged parents to reach out to their students' teachers to let them know how much they were appreciated. He also commented on the efforts to urge teachers to become administrators if they chose. He also thanked the board on their work to select a new superintendent.

X. COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS

Keerti Hasija Kauffman thanked her fellow board members for easing the transition into her new role and said her name so that everyone could hear it pronounced properly.

Mr. Lafer welcome the new board members and appreciated the intelligence and experience they brought to the district. He welcomed being able to meet in person and without masks and that proms were occurring. He was supportive of parent involvement in the North Region planning meetings. He said that Teacher Appreciation Week seemed “cheap” in light of the efforts teachers made every day. He was also disappointed that a former teacher was not voted onto the board and suggested it was out of fear of giving teachers too much power in crafting policy. He asked the district to move beyond antagonistic relationships. Mr. Lafer also thanked teachers for the creativity they brought to their classrooms and for being counselor to many students in crisis. He specifically spoke of Ms. Bobbi Willis at South Eugene High School who taught a class called “Sources of Strength,” which promoted social and emotional learning.

Ms. Rabasa also welcome the new board members. She was happy to have a meeting in which the accomplishments of students were being celebrated. She added that she had been influenced by Mr. Johnny Lake, who reminded her that student athletes not only trained their bodies but also their minds in order to achieve at the highest levels. She recognized the student athletes for all the work they had achieved. She also recognized coaches as educators. She thanked Ms. Hock for linking mental health to state testing and looked forward to more conversation about mental health. Ms. Rabasa enjoyed being able to thank teachers in person by serving staff meals. She said that while acts of thanks were important, including educators in policy-making decisions, fair compensation, and professional support, would also be a way to show appreciation for their input.

Ms. Hays had attended the Beat the Odds celebration the evening prior. She was looking forward to beginning charter school site visits and would be attending Lane Council of Governments meetings in retired board member Walston’s place. Instructional Advisory Council would be happening the following week. She thanked Adelka Shawn, her partner of many years, who had been a teacher and in retirement was also tutoring students. Ms. Hays appreciated Adelka for her honesty and input and for the years that she gave to being an educator.

Ms. O’Rourke quoted from a lecture given by Martin Luther King, Jr. at the Nobel Prize Program in 1964 on the occasion of his award of the Nobel Peace Prize, in which he spoke about poverty and racial injustice. She hoped to alleviate some of the poverty that occurred in Lane County. She was asking for a raise in the lowest salaries of the district to a base wage of \$18. She said the raise was overdue and would address longstanding racial and gender inequality and would fuel economic growth and would reduce the use of government programs. She said it was the right thing to do to raise staff out of poverty wages.

Ms. Hsu thanked the board for the opportunity to serve. She said she had received a warm welcome and although she felt like she was barely keeping her head above water, there was always a hand to pull her up.

XI. CONSENT GROUP - ITEMS FOR ACTION

1. Approve Meeting Minutes from March 30, 2022 Board Meeting
Presenter: Cydney Vandercar, Interim Superintendent

2. FOSS Science Kits For All Classrooms (Round 2)

Presenters: Eric Anderson, Director of Curriculum and Brooke Wagner, Assistant Superintendent for Instruction

Ms. Rabasa moved and Ms. O'Rourke seconded to approve the items on the consent agenda. **The motion passed 7:0.**

XII. ITEMS FOR INFORMATION

1. Receive FY22 Second and Third Quarter Financial Report

Presenter: Andrea Belz, Director of Finance

Chair Newman welcomed Ms. Andrea Belz. Ms. Belz shared that the district had received a new estimate from the Oregon Department of Education indicating that the total payments would be \$97M. While the amount was short of what had been expected, additional funds would cover the gap and the budget would be covered.

Ms. Belz continued that because of recent negotiations, employee groups had received back wages to the beginning of their contract period. Expenditures were on target for the fiscal year. Additional retroactive payments for extended contracts were indicated in the report provided to the board.

In late May, the Financial Services and Nutrition Services would be coming to the board for approval of additional appropriations so that they could spend the funds provided by the state and federal programs for meals for students.

There were no questions from the board. Chair Newman thanked Ms. Belz for her report.

2. Receive Report of Key Performance Indicators for 4J Vision 20/20 Strategic Plan

Presented by: Cydney Vandercar, Interim Superintendent

Superintendent Vandercar introduced Ms. Delf to share information on key performance indicators in Communications. The two indicators were communication output and outcome metrics, and parent satisfaction with school communication, engagement and transparency (survey).

Ms. Delf said that because of the pandemic, communication directly to parents and internal communications increased. At the same time, there was a reduction in communication from local news media. There was also a significant increase in views of the district's website. Web news articles also increased 2.5 times.

Ms. Hardin reminded the board that the information she was about to share had been gathered earlier in the year. She continued that in the 2020-21 year, the total staff attrition rate had been 8.9 percent, a 3.2 percent increase since 2017-18. Classified staff had the highest attrition rate in 2020-21 (11.1 percent) followed by administrators (10.3 percent) and licensed staff (7 percent). Ms. Hardin said that 4J's rate was under the national average. Ms. Hardin then shared data showing a slight increase in the diversity of licensed staff. She recognized that there was work to do to reach the goal that staff was as diverse as the student population.

Ms. Belz shared data regarding Goal V: Financial reserves. She said that the district no longer had unpaid furlough days, and had been able to maintain a fund reserve of five percent. In

addition, the district has stabilized average elementary class size at ≤ 30 students and improved teacher staffing to the following target levels: Kindergarten: 1:23 students, Grades 1-5: 1:26 students, Grades 6-8: 1:27 students, and Grades 9-12: 1:29 students. They had added staff where needed to avoid large class sizes and had used Student Investment Account funds to reduce the ratios.

Mr. Menachemson said that there had been a significant impact to technology needs because of the pandemic. The district had provided resources to all staff and students by providing devices and free internet to those who needed them. Zoom accounts were created as needed. Mr. Menachemson noted that the use of Zoom was down 90% in the 2021-22 school year. He added that voice enhancement in the classroom had been completed in five schools and many other technology upgrades would move forward soon.

Mr. Spain shared that Edison and Gilham Elementary Schools would be completed in the summer of 2022 and North Eugene High School was also on track. In addition, equitable athletic improvements had been made and roofing and other maintenance projects were moving forward.

Chair Newman asked if there were questions. Ms. O'Rourke said that there had not been a good frame of reference regarding staff attrition. She asked what number of staff 8.9 percent represented. She also asked why the numbers would be different for previous years. Ms. Hardin agreed that the numbers from last year would not have changed and she would determine what the number of staff was for attrition. Ms. O'Rourke said that she wanted to see the details of those groups other than white that were included in the group labelled "diversity." Ms. Hardin said that she would break the data down and provide it in the board packet.

Mr. Lafer asked whether the data regarding attrition could be shown by job type, i.e. bus drivers, food workers, teachers, counselors, etc. He also wanted to see the data by racial and ethnic group and also by years of employment. He was aware that many teachers left the profession before five years. Ms. Hardin said she would do her best to get the information and report back to her.

Mr. Lafer then reminded staff that the ratio of licensed staff to student was not the same as teacher to student ratio because it also included non-classroom licensed staff such as counselors. He asked to see the average number of students in a classroom. Ms. Belz said that average class size information was in the budget document. Mr. Lafer said he would review the information before asking additional questions.

Ms. Rabasa asked whether the district had learned more information regarding students and staff who might need augmented communication accommodations. Mr. Menachemson said that technology in the classroom can accommodate the integration of devices as needed by students, but he was not aware of the rate of change in use in the past years. Chair Newman responded that it would be interesting to hear what the district had learned and changes that had been made as a result of the pandemic.

In response to a question by Chair Newman whether retirements were included in attrition percentages, Ms. Hardin answered yes.

3. Review Next Steps in the Superintendent Selection Process

Presenter: Judy Newman, Board Chair

Vice Chair Rabasa reminded the audience that the board had announced the four finalists. She expressed excitement and congratulations to the candidates. They were Andy Dey, Director of Secondary Instruction for the district; Lin Johnson III, doctoral candidate at Harvard Graduate School of Education and past deputy superintendent of finance and strategic operations at Shelby County schools, Memphis, Tenn.; Iton Udosenata, assistant superintendent for Salem-Keizer Public Schools; and Cydney Vandercar, interim superintendent for the district.

Kerry Delf shared that information was on the main page of the district website at 4j.lane.edu and also under the Hot Topics menu. Each finalist had bio information and introductory videos. There would be an opportunity for community members to watch interviews with candidates on Wednesday, May 11, 2022 and a survey would follow.

Vice Chair Rabasa said that the interviews would be conducted by panels that were representative of the district. Panelists were receiving anti-bias training by Alma Advisory Group. The candidates would also be interviewed by the board and would attend a meet and greet with the three employee groups. The district would conduct intensive background checks and would also do site visits.

Chair Newman reminded the audience that there would be a survey available on the district website after the candidate interviews on May 11.

XIII. ITEMS FOR ACTION

1. Approve the 2022–23 School Calendars

Presenter: Christine Nesbit, General Counsel

After brief introductory comments by Ms. Nesbit, Vice Chair Rabasa moved to approve the school calendars. Ms. Hays seconded the motion.

Mr. Lafer asked to amend the motion to authorize the use of all the instructional credits allowed by the state. Mr. Lafer reviewed that the state allowed the use of recess, parent teacher conferences and other non-instructional time as instructional minutes which created the possibility for flexibility as needed. Authorizing their use would not change the calendar, but would ensure that if their use was needed, the superintendent would not have to return to the board to ask for further authorization.

Ms. O'Rourke seconded the amendment. Ms. Hays remembered that the same issue had been discussed earlier and that staff had recommended that the board not approve the authorization. Ms. Nesbit said that authorizing the use of the credits might create unintended consequences. Ms. O'Rourke said that she understood that authorizing the use of the credits would not change the calendar unless the credits were needed. She wanted to give administration all the tools necessary and believed that it would allow the new superintendent to be more successful.

Ms. Rabasa remembered that she supported the idea when it first was discussed in August 2021. She still supported the idea because it might add to the social emotional care of students and staff to be able to use the credits. She said that it did not feel reasonable to argue against the state's reasoning for allowing the credits. She considered it a means of care and support to give time for connections and relationships.

Chair Newman said that there was not an urgency to pass the amendment that evening. Postponing the decision would give the new board members time to learn more about the issue. She added that not giving blanket authorization to the superintendent meant that staff could give information about how they were using the credits when they approached the board for authorization.

Ms. Hays asked to table the amendment to the second meeting in August to allow board members and the new superintendent to learn more about the use of the instructional credits. Chair Newman seconded the motion.

Ms. Hsu asked what could be more urgent than the current crisis of mental health that was occurring in the moment.

Ms. Rabasa reminded the board that the reason it had been postponed the year prior was because the calendar for the 2021-22 year had already been decided. She welcomed questions by the new board members.

Ms. Hasija Kauffman asked for time to gather more information about the issue.

Ms. O'Rourke asked staff whether it would be helpful to decide at the same time as the calendar. Ms. Nesbit said that the daily bell schedule, not the calendar, would be most effected by the authorization of the use of the credits.

Ms. Hsu received clarification that the calendar in question was for the upcoming school year, as was the authorization of the use of credits.

Mr. Lafer said he would consider postponing the discuss until the next board meeting. He reiterated that using the credits would relieve stress on already very busy school days. He gave the example of the short amount of passing time in some schools. He added that if bell schedules would be effected by a decision about the credits, it should be done at the next meeting.

Superintendent Vandercar agreed that waiting until August for the authorization of the use of credits was too late, as it would possibly change the bell schedule.

Ms. Hays agreed to amend her date certain to May 18. Chair Newman agreed.

Chair Newman asked if there was further discussion regarding the school year calendar.

Ms. Rabasa asked about the placement of grading days during the week and the calendar. During the discussion, Ms. Nesbit clarified that the calendar had been agreed upon during the Joint Contract Administration Committee. Ms. Rabasa wondered why grading days did not fall on Mondays. Ms. Nesbit said that it sometimes had to do with equalizing the trimesters. Superintendent Vandercar called on Mr. Dey to clarify the decision of the placement of grading days.

Mr. Lafer asked whether Ms. Gordon could speak to the issue. Chair Newman said that the process had been followed and was concerned about asking people in the audience to speak.

Ms. O'Rourke moved to table the motion. Mr. Lafer seconded the motion. **The motion to table passed 5:2.**

Ms. O'Rourke made a motion to hear from Ms. Gordon, president of the Eugene Education Association regarding the placement of grading days. Ms. Rabasa seconded the motion.

Ms. Hays said that it was a slippery slope to call upon one person instead of hearing from staff members as a group on the subject. Ms. Rabasa said that it was setting a good precedent to hear from staff that had information that might be useful. Ms. Rabasa asked an additional question about the placement of the beginnings of semesters. Ms. Nesbit said that the district generally followed the local education institutions' calendars and unfortunately the timing of spring break fell only a week after trimester three began.

In response to a question from Ms. Nesbit, Mr. Dey clarified that the end of the grading day was the time at which grades were due.

Mr. Lafer called for the question for the motion.

In response to additional questions from Ms. Rabasa, Mr. Dey agreed that having a non-student contact day after grading day allowed teachers to prepare for their incoming classes, to make accommodations as needed, and for counselors to determine whether any changes to schedules were needed.

Ms. Hasija Kauffman said that she respected the time and effort that administration had taken to create the calendar.

Ms. Hays asked whether there were secondary teachers on the JCAC. The answer was yes.

Chair Newman reminded the board that they had seen the calendar at the prior meeting as an item for action at a future meeting during which they could have asked the clarifying questions they were posing.

Ms. O'Rourke asked for a new culture in which those with knowledge were allowed to be asked questions. She wanted it to be an inclusive system.

Chair Newman called for the vote to have Ms. Gordon answer questions posed by Vice Chair Rabasa. **The motion passed 5:0 with Ms. Hsu, Ms. O'Rourke, Ms. Rabasa, Mr. Lafer and Ms. Hasija Kauffman voting yes and Ms. Hays and Ms. Newman voting no.**

Vice Chair Rabasa asked Ms. Gordon about the placement of the grading day after the Thanksgiving holiday. Ms. Gordon said that EEA was advisory to the calendar decisions. Once the calendar had been created, EEA had sixty days to give feedback. Ms. Gordon continued that for 2022-23 calendar year, many of the suggestions they had made were incorporated, one of which was to put transition days after grading days in between trimesters. She said that there was a lot to balance: trimester days, holidays, etc. She agreed with Ms. Nesbit's assessment that for the 2022-23 calendar year, there were some difficult decisions made. Ms. Gordon gave additional information regarding positive decisions that were made between EEA and the district to protect teacher time.

Chair Newman asked for a vote on the calendar as presented. **The vote was 7:0.**

Ms. O'Rourke appreciated the process that had just occurred.

2. Adopt a Policy regarding free speech

Presenter: Gordon Lafer

Mr. Lafer asked the board to adopt a policy that read "4J school district employees' right of free speech includes the right to share views regarding the value of standardized tests with parents and guardians. Whether an educator has positive or negative views, has no view at all, or chooses not to engage in such a conversation, parents and guardians have the right to know that educators are expressing their honest opinion without fear of coercion. Employees may not be explicitly or imply encouraged, or directly or indirectly retaliated against for voicing their honest opinion regarding giving standardized tests or standardized testing in general."

Ms. Hays asked Mr. Lafer to clarify that he expected to adopt a policy that evening without any input from legal counsel. Mr. Lafer stated that was his expectation. Ms. Hays responded that while she was very reluctant to approve a policy without input from staff, she supported the idea of a person's right to voice their opinion and wondered whether the sentiment could be expressed in a message from the superintendent and would include a choice on the district website to opt out of standardized testing.

Chair Newman understood that there was a sense of urgency. She suggested making the request to communicate the idea to staff while a policy was being created. Superintendent Vandercar and Ms. Delf said that all families had been notified about state testing, including the choice to opt out, which was also available on the district's "hot topics" web page. Forms had been sent twice to families. Ms. Delf was not aware of any districtwide communication to staff for the current year. She added that in the past, guidance to staff had been that since state testing was a federal requirement, educators were expected not to use their classroom time or roles to advocate for families to opt out, but could provide neutral fact-based information.

Ms. Rabasa expressed her concern that teachers were not allowed to give their assessment, either positive or negative, of a student's ability to participate in state testing, especially because the testing was occurring during that teacher's classroom time.

Chair Newman read from the Oregon Education Association website "Educators (teachers and other staff) have a free speech right to share their opinion about assessment and opt out as individuals during *non-work* hours. Educators can direct students and families to online resources or provide factual information about the law during work hours if asked to do so."

Ms. Hasija Kauffman gave her full support of the sentiment, but asked to consider the measure further before taking a vote.

In response to Ms. O'Rourke's question whether a policy could be passed that evening, Ms. Nesbit said that to do so was a legislative function and she was concerned that the board would be passing a policy without any notice to the public or first reading. Policies were intended to be governing articles and had specific administrative procedures that needed to be followed.

Ms. O'Rourke suggested that Mr. Lafer consider another way forward.

Mr. Lafer amended his motion to say that Superintendent Vandercar send out Mr. Lafer's statement to staff the next day. Superintendent Vandercar said that she would need to ensure that what she sent was appropriate and would send something that was legally verifiable and that she could stand behind. She would contact Mr. Lafer with her final statement before she sent it out. Mr. Lafer agreed that Leadership would also work on it.

There was further discussion about what the timeline for a policy would be.

In response to a question whether Mr. Lafer's wording could be considered a first read of a policy, Ms. Nesbit said that it could not.

Ms. O'Rourke said that she needed more information and was not comfortable. She wanted to write a policy that would last.

Mr. Lafer amended his request into two parts. The first was to ask the superintendent to convey the message that he was suggesting after it had been cleared by Leadership and staff. He then asked that a button be placed on the district website indicating that families and students could opt out of state testing.

Ms. Rabasa suggested using the same language as Bethel School District.

The motion as amended by Mr. Lafer passed 7:0.

After discussion with Ms. Nesbit, Mr. Lafer moved to have a first read of a policy regarding the rights of teachers to convey their opinion about state testing on June 1, 2022 and a second read on June 22, 2022, unless staff could do it earlier. **Ms. O'Rourke seconded the motion which passed 7:0.**

XIV. ITEMS FOR ACTION AT A FUTURE MEETING

1. Consider Revisions to Board Policies GBA – Equal Employment Opportunity; IGBB – Talented and Gifted Program; JFCJ – Weapons in Schools; and adoption of Board Policy KGBB – Firearms Prohibited

Presenter: Christine Nesbit, General Counsel

Ms. Nesbit said that there were three policies that had revisions and a new policy to consider.

Regarding Policy GBA-Equal employment Opportunity, Ms. Nesbit said that state law had changed and it was now recommended that gender identity be added as a specific protected class. She added it was necessary to incorporate an expanded definition of race to include physical characteristics. The superintendent would appoint a designee as an equal employment opportunity coordinator. The changes also defined the responsibilities of the Title IX coordinator. The implementation of the new policy supported equity in the district.

Policy IGBB-Talented and Gifted Program would be amended to include language that directed the district to provide the opportunity for parents to discuss a course of education appropriate for their student and to allow them to have input on the programs and services. Additional changes allowed for more visibility of the district Talented and Gifted Program on the district website.

Ms. O'Rourke asked to whom she could send questions. Superintendent Vandercar clarified that they should be sent to her.

Policy JFCJ-Weapons in Schools had been amended on the recommendation of the Oregon School Boards Association as a routine function. There were no significant changes.

Ms. Nesbit said that Policy KGBB-Firearms Prohibited was a new policy that addressed changes to Oregon state law that allowed districts to prohibit even members of the public with concealed carry permits from bringing firearms onto school grounds, provided a policy existed. The new policy was written to fulfill the changes to state law. Ms. Nesbit said that the board could decide whether or not it wanted to adopt a policy that prohibited carrying firearms on district property.

Ms. Nesbit remembered that the board had written a resolution in 2018 to prohibit as much as it could firearms on district property.

Ms. O'Rourke asked to see language regarding restorative justice included in the policy. She did not think that school district property was a place for weapons.

Ms. Hsu clarified that JFCJ was for students and KGBB was for members of the public.

Ms. Hays said that she believed that concealed carry should not be allowed on school grounds.

Vice Chair Rabasa appreciated the changes to Policy GBA.

Ms. O'Rourke asked that signage be created to let the public know that weapons were not allowed on school property.

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

Chair Newman asked whether there were any suggestions for items for future meetings. There were none.

2021–22 Board Meeting Dates:

APRIL: Wednesday, April 6; Wednesday, April 13 CANCELLED; Monday, April 18; Tuesday, April 19; Wednesday, April 20; Wednesday, April 27

MAY: Wednesday, May 4; Wednesday, May 11; Wednesday, May 18; Wednesday, May 25

JUNE: Wednesday, June 1; Wednesday, June 8; Wednesday, June 22

XVI. ADJOURN

Chair Newman adjourned the meeting at 10:34 p.m.

Cydney Vandercar
District Clerk

Judy Newman
Board Chair

(Recorded by Eliza Drummond)