

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

Date: June 16, 2022

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held an executive session at 7:30 p.m. and a special meeting at 9:00 p.m. via video conference. Notice of the meeting was mailed to the media and posted in the Education Center on Friday, June 10, 2022, and published in *The Register-Guard* on Wednesday, June 15, 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:

Kerry Delf, Chief of Staff
Christine Nesbit, General Counsel
Lisa Fjordbeck, Executive Assistant / Board Secretary

MEDIA:

KRVM, KEZI, The Register-Guard, Whole Community News

I. EXECUTIVE SESSION

The board convened in executive session to consider records that are exempt by law from public inspection pursuant to ORS 192.660 (2)(f).

All matters discussed during executive sessions are confidential and shall not be disclosed without authorization by the school board.

II. SPECIAL BOARD MEETING

Chair Newman called the special board meeting to order at 9:17 p.m. and noted that all board members were present.

Chair Newman asked whether there were additional items for the agenda.

Mr. Lafer asked to add a motion to adopt three initiatives. Ms. O'Rourke seconded the motion. Mr. Lafer referred to information which he had sent the rest of the board prior to the meeting. He summarized the actions that would be taken: to direct the Superintendent, Board of Directors and Cabinet to engage in equity training with a qualified trainer; to provide to the Superintendent an executive coach qualified in equity who would also give feedback to incorporate into the

Superintendent's annual review; and to direct the Superintendent to create an ombudsperson who would receive anonymous complaints in the district.

Chair Newman asked to amend the motion to make it an item for future action on a date certain of June 22, 2022. This would give the board and staff time to determine what the costs would be and to clarify some of the language. Mr. Lafer agreed to the friendly amendment.

Ms. Rabasa asked to have a thorough discussion that evening so that the board would be ready to make the decision on June 22.

Ms. O'Rourke said she had written the original motion and did not agree with the friendly amendment. She said that she would not vote that evening on the item for action to approve a contract with the superintendent candidate if the additional motion in question was not approved.

Ms. Rabasa believed that the actions to be taken in the motion should have already been in place because of their importance in the district's equity work. She considered them to be best practices.

Ms. Hasija Kauffman wanted to have the motion encoded into the contract that was being prepared for the superintendent candidate.

Ms. Hsu agreed that the motion would make ongoing work in equity and anti-bias training part of the superintendent contract.

Ms. O'Rourke said that an executive coach would be specifically chosen for the superintendent the board was proposing that evening. She continued that she was asking for the measure to be taken because of concerns raised by the public and by staff. She believed an executive coach would set the candidate up for success and growth.

Mr. Lafer made additional comments regarding the importance of an executive coach for the superintendent and equity training for the superintendent, board and cabinet.

Chair Newman asked to vote on the motion with the friendly amendment to be on the agenda for the evening as an item for future action.

Vice Chair Rabasa clarified with Ms. O'Rourke her desire to have the motion be approved that evening so that they could be part of the contract negotiations with the superintendent candidate.

Chair Newman asked for a vote on the amendment to have the motion be an item for action on June 22, 2022. **The motion did *not* carry 5:2 with Vice Chair Rabasa, Ms. Hsu, Mr. Lafer, Ms. O'Rourke, and Ms. Hasija Kauffman voting against, and Ms. Hays and Chair Newman voting for.**

Chair Newman asked for a vote for the original motion to be on the agenda that evening. **The motion passed 5:2 with Vice Chair Rabasa, Ms. Hsu, Mr. Lafer, Ms. O'Rourke, and Ms. Hasija Kauffman voting for, and Ms. Hays and Chair Newman voting against.**

III. ITEMS FOR ACTION

1. Approve Language to be included in the Discussion for the Candidate for Superintendent

Presenter: Gordon Lafer

After discussion during which small changes were made to the proposal, the board was ready to vote on the following items for action. Chair Newman asked Mr. Lafer to read each motion into the record.

- a. The Board directs the Superintendent to work with Board leadership to establish ongoing equity training for the Board, Superintendent, and the Superintendent's cabinet, from a leading equity trainer to be selected jointly by the Board and Superintendent. This plan will be reviewed annually by the Board and we will work toward making this Board policy.

Mr. Lafer moved and Ms. Hasija Kauffman seconded the motion to approve the item for action. **The motion passed unanimously.**

- b. The Board directs the Superintendent to hire an executive coach or advisor who specializes in equity work, and who will be available to work with the Superintendent and each member of the Superintendent's cabinet. The coach will provide feedback to the Board that will be incorporated into the Superintendent's evaluation, and feedback to the superintendent that will be incorporated into the evaluation of cabinet-level staff. This plan will be reviewed annually by the Board.

Mr. Lafer moved and Vice Chair Rabasa seconded the motion to approve the item for action. **The motion passed unanimously.**

- c. The Board directs its representative to include in the new superintendent's contract the provision of an Executive Coach to be selected jointly by the Board and Superintendent.

Mr. Lafer moved and Ms. Hasija Kauffman seconded the motion, **which passed unanimously.**

- d. The Board directs the Superintendent to contract with an outside individual or organization to serve as an ombudsperson that will be available to accept anonymous complaints from students, staff, parents or community members who have concerns about 4J practices but are afraid to attach their name to these concerns. Anonymous complaints cannot be the basis for personnel actions. The ombudsperson may communicate concerns to the Board and/or Superintendent as subjects for possible discussions with individuals or changes in relevant practices or policies within the district. The Board will work toward making this policy.

Mr. Lafer moved and Vice Chair Rabasa seconded the motion to approve. During the discussion, Ms. Nesbit said that there were formal and complex complaint procedures already, and she wanted to remind the board that the motion in question address anonymous complaints. **The motion passed 6:1. Ms. Hays was the dissenting vote.** Ms. Hays said although she supported the concept, she would have liked more time to determine the cost and potential issues before voting.

2. Approve a Motion to Make an Offer of Employment for the Position of Superintendent
Presenter: Judy Newman. Board Chair

Vice Chair Rabasa moved to appoint Dr. Andy Dey as Superintendent, subject to the successful negotiation of a proposed contract. The proposed contract would be in a form approved by the district's attorney and would be presented to the board for a future vote. Mr. Lafer seconded the motion.

Ms. O'Rourke proposed that the Board be allowed to choose the attorney who would review the contract. Mr. Lafer made suggestions on language for the motion. Ms. Nesbit said that the district had established relationships with outside law firms and added that trying to hire new counsel would slow the contract process down considerably.

Vice Chair Rabasa asked whether the contract was close to being agreed on. Mr. Lafer, negotiator, considered that the contract was almost complete. He added that the timeline was the most important and he could work with the established law firm. Ms. O'Rourke asked whether a different lawyer from the same firm could be chosen. Chair Newman asked that Mr. Lafer be able to make that decision if he deemed it necessary. Ms. Nesbit said she was available to facilitate a change if needed. There was additional discussion about whether a change to the original motion was necessary.

Chair Newman asked whether other board members wished to make a comment before she called for the vote.

Ms. Hasija Kauffman said she had hoped to have the opportunity to vote for an external candidate who could bring a fresh perspective to the district. She would work with the next superintendent on driving growth and change for the community.

Vice Chair Rabasa was excited by the prospect of having Dr. Dey as the next superintendent. His experience, vision, values, and growth mindset were part of the reason she would vote for him. She was confident in his willingness and capacity to work with the district and continue the already building momentum. He was integral to many initiatives 4J was working on. Ms. Rabasa added that Dr. Dey would be the first superintendent of native heritage. She looked forward to working with Dr. Dey.

Mr. Lafer acknowledged that the community had a range of strong views on the superintendent candidates and hoped that the motions that had just been adopted would address some of the issues that had been revealed during the past months. He added that there were many challenges for students such as mental health, education for students with IEPs, technical education, and reestablishing trust with educators. He believed that Dr. Dey would be ready to make the changes necessary. Mr. Lafer added his appreciation for Superintendent Vandercar who had done a great job guiding the district for the past two years.

Ms. O'Rourke acknowledged the depth of opinion on who should be the next superintendent. She believed that Dr. Dey had the emotional intelligence to guide the district. He was a critical thinker who also was a good communicator, a team player, and was respectful. She believed he had the ability to be a great leader and to change the culture of the district, and she was excited to be voting in the first Native American superintendent.

Ms. Hays said to all the women who had emailed the board and written letters that she was sorry. She understood the fears of ongoing exclusion and sexism and fears of retaliation that the board's vote would bring. She asked them not to give up or leave the district, but to stay to work with Ms. Hays and other board members to make the district a place where all voices were elevated, included, and believed.

Chair Newman said that she had listened intently to determine what the district needed. She had also heard in the reflections of all four candidates that the district needed time for healing and to work towards trust and to be guided by a leader who listened, had emotional intelligence and could inspire and unite the community. She had heard from many persons to slow down the process and to wait. Based on what she had learned, she would not be voting for the candidate that evening. She said that if the board did approve Dr. Dey, she would fully support his superintendency.

Chair Newman called for the vote to appoint Dr. Dey as the next superintendent. **The vote passed 4:3 with Mr. Lafer, Ms. Hsu, Ms. O'Rourke and Vice Chair Rabasa voting yes, and Chair Newman, Ms. Hays and Ms. Hasija Kauffman voting no.**

IV. **ADJOURN**

Chair Newman adjourned the meeting at 10:19 p.m.

Andy Dey
District Clerk

Maya Rabasa
Board Chair

(Recorded by Eliza Drummond)