

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

Date: May 03, 2023

The Board of Directors (BOD) of School District No. 4J, Lane County, Eugene, Oregon, held a regular Board of Director's (BOD) meeting at 7:00 p.m. via video conference and 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 April 28, 2023.

ROLL CALL

BOARD MEMBERS PRESENT:

Maya Rabasa, Chair
Gordon Lafer, Vice Chair
Keerti Hasija Kauffman
Alicia Hays
Judy Newman

STAFF:

Andy Dey, Superintendent
Rob Hess, Chief of Staff
Brooke Wagner, Assistant Superintendent for Instruction
Jeff Johnson, Director Elementary Education
Jenna McCulley, Director of Communications
Karen Harden, Director of Human Resources
Oscar Loureiro, Director of Research and Planning
Matt Brown, Director of Finance
Debbie McKim, Executive Assistant / Board Secretary

COUNSEL:

Eric DeFreest

EMPLOYEE ASSOCIATIONS:

Sabrina Gordon, President, Eugene Education Association (EEA)
Imelda Cortez, EEA

STUDENT ASVISORY PANEL MEMBERS:

Churchill High School
Sheldon High School

MEDIA:

KRVM, Register Guard

I. REGULAR BOARD MEETING

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

Chair Rabasa called the regular meeting to order at 7:07 p.m. She said the names of board members who were present. Superintendent Dey led the flag salute, after which Chair Rabasa read the Land Acknowledgement.

III. RECEIVE REPORTS FROM HIGH SCHOOL REPRESENTATIVES

The student representative from Sheldon High School (SHS) gave report. SHS students recently visited the Western Oregon University to learn about their programs. Parent Night was held at SHS for incoming students during the week of April 23, 2023, and an open house was held for eight graders during the week of May 7th. SHS students had the chance to connect with their counselors and discuss their schedules for next year. There was concern among teachers regarding how the new schedules would impact AP and IB classes. The Sheldon Sources of Strength program made plaques and the Associated Student Body (ABS) made planter pots for Teacher Appreciation Week. The SHS prom was scheduled for May 13, 2023, and the theme was Midsummer Nights. The SHS musical, The Adams Family, opened during the week of April 23, 2023. Additional shows took place on May 5th and 6th at 7:00 PM. An American Sign Language (ASL) interpreter was present during the last performance on May 6, 2023.

The student representative from Churchill High School (CHS) gave report. CHS students were unsure about not having a zero period for next year and CHS leadership students were planning a spring festival.

There were no other comments.

IV. AGENDA REVIEW

Chair Rabasa asked board members if they had any corrections, change requests or questions regarding the agenda.

Vice Chair Lafer requested adding an item for action regarding the litigation previously discussed in Executive Session and removing Item for Action XI.1., Consider Proposed Board Policy IIAA, due to staff not being prepared. He suggested postponing that item for two weeks.

Chair Rabasa said if there were no objections, an item for action regarding litigation discussed in Executive Session would be added to the agenda and Item for Action XI.1. would be postponed. She called for a five-minute recess due to technical issues with audio.

Vice Chair Lafer requested moving Item for Information X.4., Review Timeline for Evaluating Options and Community Engagement to Address Co-location at 850 Howard Avenue, to Item for Information X.1., for members of the community who were in attendance.

Chair Rabasa asked board members if they had any objections to the proposed agenda changes.

There were no objections to the proposed agenda changes.

There were no other change requests, corrections, questions, or comments.

V. INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Superintendent Dey spoke about the incident that took place on May 3, 2023, at South Eugene High School (SEHS). After repeated calls to the Central Lane 9-1-1 Dispatch Center regarding a bomb threat at SEHS, the building was evacuated at 12:15 p.m. Communication and parent notification procedures were immediately initiated. He noted the student's assistance throughout the process was commendable and the staff's diligence regarding safety procedures was impeccable. Information was communicated as soon as it was available. While law enforcement officers worked to determine the building was safe, students were dismissed for the remainder of the school day. Partners from the area jumped into action, including the Eugene Police Department (EPD), The University of Oregon (UO) Emergency

Management Team, and partners at Springfield Public Schools. He acknowledged his appreciation for their assistance. This incident was inline with the swatting trend happening across the country. It was determined that there was no threat to the building. However, the threats made to 4J students and staff were taken seriously by the 4J School District and local authorities. He appreciated parents' willingness to discuss these matters with their children and partner with 4J to send the message that bomb threats were not humorous pranks. 4J would share information with the community about process improvement after the incident was reviewed internally. Not related, he addressed the anxiety felt among students regarding the change to their high school schedules. He noted that 4J was committed to finding solutions that amplify the needs of students not currently well-served in the current structure and committed to the decision-making process involving discussions with key stake holders. During the week of April 23, 2023, a proposal was made to change the school day assigned as flex day from the start of the week to early-release Wednesdays, which would maintain key elements of the agreed upon values that prompted changing the schedules to begin with. This change would provide greater clarity and focus to the school day. Further updates would be provided to students, families, staff, and the community later in the week. 4J would accept feedback about the new schedules as the school year unfolded. Assumptions would be evaluated, and adjustments would be made. 4J was committed to following the same strategies that they ask of their students and were profoundly grateful to those who were committed to collaboration. That may appear more chaotic than a unilateral decision from district leaders, but he believed it was the right approach to building a collaborative capacity within the 4J School District for making large and small decisions that have a direct impact on 4J students' needs. Student success was at the core of 4J and was not possible without the committed and enthusiastic licensed staff that create exceptional learning opportunities for 4J students. He reminded everyone that National Teach Appreciation Week was a suitable time to pause and reflect on the dedication of 4J teachers. The 4J School District proclamation officially set aside a week of celebration for teachers from May 8th to May 12th 2023. Superintendent Dey noted that a celebration and awards ceremony for district staff would take place on May 4, 2023, at 6 PM at SEHS. A live stream of the event would be available on the 4J School Districts' Facebook page.

There were no other comments.

VI. ITEMS RAISED BY THE AUDIENCE

A community member spoke about equity in the north region and the fate of Kelly Middle School (KMS) and Yujin Gakuen (YG). Parents of KMS students were concerned about the ongoing equity issues in the north region, and they did not feel their voices were being heard. An effective means of engaging all stakeholders was requested from the 4J BOD, including the non-English speaking families, those who did not have access to technology, and families of all reading levels. There was little engagement with KMS families, and they felt they had to insert themselves into the process of deciding the fate of the two schools. In terms of the timeline being discussed, she asked for a commitment to decide by the June 17, 2023, meeting, so design, planning, and construction could be done in time for the 2024 – 2025 school year. Regarding process, she requested the following:

- Consideration of Space Needs for 4J In Its Entirety
- Creative Thinking
- Prioritize the Children
- Use Exact Comparisons for Space and Elective Choices in Elected Middle Schools
- Look Beyond Building Needs and Consider the Instructional Needs of the Students

She noted that she would like to see evidence of the districts' commitment to equity in their decision regarding the fate of KMS and YG.

A community member acknowledged that black and LGBTQIA+ lives matter, but suggested a more universal, spiritual truth in that all god's children matter, which allowed true inclusivity. Only pseudo religion was allowed to hypnotize youths with the constant repetition of slogans and imagery. He said 4J forced their values upon families instead of letting them raise their children at their own pace. If he were to say, "enough", he would be targeted by 4J and their bigoted proxies and become a topic of gossip among the board without being included in the conversation. The role of 4J board members' demanded that they uphold basic standard of decorum. He referenced the SHS volleyball families who were disrespected, the CHS families exposed to an inappropriate comprehensive sex education program, the YG corridor and KMS families who were misled in order to get the last bond passed, the Spencer Butte families worried about their children's safety, the parents, students, and teachers with unanswered questions about next year's school schedule, and the outrageous dysfunctions the BOD had exhibited all year. The Teacher's Union and the systemic election support structure were endorsing a slate of the same candidates, but 4J needed a new board to balance the left and right paths and open the middle corridor that would lead to success.

A community member thanked all those in sub-committees working on the new schedule for 4J high schools. The future and wellbeing of students was critical and carelessness regarding how to proceed should not occur. As stated on the district website, 4J was a student-centric district and everything that occurred within the district must be good for children. Also stated is that school district staff should advocate for the needs of children. Teachers career choices were based on providing the best education they could for the children. Children underwent distance learning from home during the 2019 COVID pandemic. Distance learning continued for the first two trimesters of 2020. In spring of 2021, students returned to classroom learning with masks and distancing procedures in place. In 2022, COVID precautions were still in place throughout 4J schools. After what they have endured for the past three years, students needed a well-designed, fully developed school schedule to provide the security, stability, and consistency they deserved. Because of the discontinuity of the recent years, there had been substantial gaps in learning, increased IP 504, and increased depression and suicides. Now, 4J was asking students to undergo another change with a schedule that had not been fully developed. With only six-and-a-half weeks left in the school year, how could students believe they would be prepared to start the next school year with so many unknowns. More time was needed to work out the best solutions for students and families. She requested the BOD pause before moving forward with the schedule change because there was not a crisis that would mandate an immediate shift. She proposed more time to develop a schedule with fidelity and integrity that would sustain the goal of providing support and stability for the students.

A first-year kindergarten teacher and a representative on the transition team expressed concerns about not having a short or long-term plan for YG. Decisions had been made over the past four years that deeply affected the community. Everyone hoped 4J would live up to the expectation of being good stewards of the land and its resources, as stated each week in the Land Acknowledgment. The YG community shared heavy burdens and lived with constant

stress of what the future would hold for its students. She noted that YG had lost incredible teachers and hours of planning time. Because of this, they had also lost trust in the process. She urged board members to remove the burden so YG teachers could focus on better serving their students. She noted that if 4J wanted the people of Eugene to help them pass bonds, they needed to keep their word and do what was best for the children in the community.

A community member expressed concerns about the pending high school schedule change and said that 4J had ignored feedback from 4J educators. She noted there were too many problems with the proposed schedule to summarize in three minutes. She said information about the schedule inadequacies could be found at 4jhighschoolchanges.org. She asked the BOD to talk with educators and parents directly and not rely solely on what was being communicated through district leadership. She asked for research-based evidence that the proposed change would be beneficial to 4J students. If there was no research, why was the district rushing to implement a constantly changing plan. She asked the 4J board to pause the transition for one more year.

A fourth-grade student from YG spoke highly about fellow students and YG teachers. They noted that if YG were moved to South Eugene, they would no longer be able to attend, and expressed concern about that.

A community member said being a teacher at YG had taught her about grace and perseverance. She endured years of meetings regarding the future of KMS and YG. Documents given to YG staff by 4J repeatedly stated that the old North Eugene High School (NEHS) site would be used to continue YG, KMS, and other 4J programs. She looked forward to that commitment being conducted with an educational space developed for those programs on that site. By following through with the plan outlined in those documents, 4J would re-install trust among community members. YG would be overjoyed to have a new school building built near the new NEHS with bond money in 2028. YG staff appreciated Superintendent Dey's plan for action and community input, though the primary missing piece was surveys from YG and KMS families throughout all the work that everyone had done through the years. She asked that a thorough and thoughtful survey be created with input from YG and KMS staff who were connected to YG and KMS families. Staff had already determined that moving YG to the Willard site in South Eugene was not an option for YG families. If YG were co-located with KMS before the 2028 bond, the multi-purpose space that 4J leaders suggested as an option on a recent co-location map would need to be built so that each school could have their own lunches and prevent lunch from being scheduled at 10:45 AM. A dedicated space for band would also be beneficial.

A fifth-grade student from YG spoke highly about the Japanese immersion program. Being the first Japanese immersion school in the United States, YG had a deep and meaningful history. They asked for a solution that was acceptable and reasonable. As a fifth grader who would not be attending YG next year, they were compelled to make their voice heard on behalf of YG students and staff, who needed a school that was safe, comfortable, and meaningful, and not shared with another school. YG had no say in their location and neither did KMS. YG and KMS were forced to co-exist on false promises that 4J knew were fake from the beginning. Half of KMS has been occupied with YG students, preventing KMS students from having access to

elective classes, which provide a healthy balance between education and fun. They asked that the board put thought and consideration into the fate of YG and KMS.

A community member read the Local Performance Assessment Requirement for the state of Oregon and said the local state requirement decentralized assessment. For years he had criticized the overuse of standardized testing, but his complaints were about the overuse of commercially purchased national products that were expensive, time consuming, and not tailored to what Oregon students were learning. At one time, the 4J District was a national leader in local performance assessments. In the 1990's, the 4J District invested in helping teachers and principals learn how to accomplish that. As a teacher, he benefited from that investment. He felt 4J could do that again. The Student Success Act would be available in 2024 to help accomplish that. The school board had made progress on improving the assessment system. In 2022, the school board voted to allow teachers to speak honestly about their opinion of standardized tests. Because of that, students in grades three through eight did not have to take all three easyCBM assessments, if they passed the first one, they were excused from the other two.

There were no other public comments.

VII. COMMENTS BY EMPLOYEE GROUPS

Sabrina Gordon thanked district leaders and staff for their quick response to the safety issue that took place at the SEHS, and for their willingness to listen to educators regarding their concerns about the high school schedule change. Educators were willing to do the work required to accomplish the schedule change but wanted to know how this change would benefit the students. EEA's suggested priorities for district leaders regarding the schedule change included the following:

- Timely and Consistent Communication to Educators
- Address How Teachers would Cover Content with Less Instruction Time
- Develop and Share a Plan for Ongoing Professional Development

There were no other comments.

VIII. COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS

Ms. Kauffman noted it had been a year since she joined the 4J BOD and that May was Asian American Pacific Islander month. She referenced a report that stated one in four Americans were unable to name one famous Asian American. She thanked Eric Yuan, developer of Zoom, for allowing her to join meetings virtually. She said this would be her last term as a 4J board member. She said she had lived in Eugene for ten years and while Eugene was keen to appreciate and appropriate, it was not always keen to integrate, or it was unable to understand how communities should be integrated and respected. She acknowledged her appreciation for everyone who spoke up for YG. She hoped future board members would maintain their focus on ensuring immersion programs and infinity groups were supported because the Asian population in this community was growing significantly. She suggested that future board members should think about how to open the channels of communication between the 4J and international communities who were dealing with poverty, and racism.

Ms. Hays said she sat in on pre-interviews for the Eugene Education Foundation (EEF). Since the last 4J BOD meeting, she met with the Gender Sexuality Alliance (GSA) at Spencer Butte Middle School. She had enjoyed being part of the 4J finance and audit committee, and the audit report was included in the pending Consent Group as an item for action.

Ms. Newman was part of the finance and audit committee and was impressed with staff members who were working on the budget. She met candidates for the EEF Director position. She attended the Lane Education Service Districts' Budget Committee as a representative from the 4J School Board. Recommendations were made to adopt their budget for the upcoming fiscal year. She attended an early literacy event hosted by United Way of Lane County. Early Literacy efforts are focused on using proof and practices to improve the literacy of children in Lane County. She visited YG and KMS. She got to talk with students and staff and experienced the transitions in the hallways. She looked forward to the pending discussion regarding developing a plan for the future of YG and KMS. She understood the frustration felt within both communities and noted that she was committed to developing a plan.

Vice Chair Lafer said he was committed to finding a solution for YG and KMS that included both programs having their own building in the north region. He acknowledged his appreciation for Superintendent Dey's willingness to listen to community input and seek out solutions beyond those that were already proposed. He clarified any confusion regarding whether 4J employee wage increases would result in a decrease in the number of Educational Assistants (EA) within the 4J District by saying that was not true. He would continue to seek out ways to increase EA staffing. A letter of resignation had been received from a math teacher. It was a reminder of the importance of having a robust and systemic joint program with the EEA that included exit interviews so issues could be identified before more teachers resigned. He mentioned classroom size and full funding for 4J schools. Thirty-five years ago, the average high school class in Eugene had sixteen students in it. Classes now had more than thirty-five students, which undermines everything 4J was trying to do. The state of Oregon had more revenue than it had thirty years ago, but less money for schools. The reason was that wealthy people in the state of Oregon were not paying their fair share of taxes. Corporations in Oregon used to pay twenty percent in income taxes. They were now paying less than ten percent. Working families, middle-class families, and retirees were paying a bigger share of taxes. The Student Success Act was great, but far from enough. The failed Measure 97 in 2016 would have reduced class size and secured school funding with a modest tax increase on the biggest corporations in the state. It failed because giant national corporations, including Wall Street Banks and pharmaceutical companies contributed twenty-six million dollars to run misleading ads against the ballot measure. Something like Measure 97 was needed to solve the current problems. The 4J BOD gets frequent complaints from parents regarding their children being failed by the school system. Everybody who works in the system knows that the district was failing children. There was no way to not continue failing children if the school system was inadequately funded. He acknowledged that the 4J district needed to do everything it could with the money it had. There was no way for children to not feel like they were failed by the district with the budget being the way it was. When Measure 97 came out, the 4J District took no disposition, which was a mistake. Starting in the fall of 2023, 4J leadership needed to build state-wide consensus for fair taxes and fully funded schools.

Chair Rabasa thanked the community for their shared input on the new school schedule, and the future of YG and KMS. Their time and energy would not be lost on these issues. She expressed her gratitude for the effort demonstrated by Superintendent Dey and his team, and support from local partners that ensured the students at SEHS were safe during the recent safety incident. It was always crucial that staff and partners act swiftly and seriously when threats to students were made. She was hopeful that after this event, students and staff would have the opportunity to process it with 4J mental health specialists, counselors, or other trusted sources. She had been helping teach art to elementary school students for the past four weeks. It was with great regret that she would not be in attendance of the ACE Awards ceremony, which would take place on May 4, 2023. While she would not normally encourage people to partake in social media, she recommended viewing the testimonials for nominees on the 4J Facebook page. It was a glimpse into the splendor of each of the three-hundred nominees and the love that the community had for each staff member and volunteer. She was honored to serve in a community that deeply valued schools, students, and everyone putting in the work to lift youth up. She reminded everyone to share words of appreciation for their teachers anytime, not just during Teacher Appreciation Week. She expressed her appreciation for Grace Shubert, her daughter's fifth-grade teacher.

There were no other comments.

IX. CONSENT GROUP – ITEMS FOR ACTION

IX.1. Approve Agreement with EEA to Increase Compensation for Life Skills Teachers

IX.2. Approve Contract for Wellness Clinic Services – RFP 23–294

IX.3. Approve Barracuda Email Protection Services Subscription

IX.4 Approve Extension of DreamBox for 2023–2025

IX.5 Approve Recommended Instructional Materials for Psychology (Grades 11 – 12)

IX.6. Approve Finance – Audit Approval for FY 2022 / 2023 – District

IX.7. Approve Finance – Audit Approval for FY 2022 / 2023 – KRVM

MOTION: Vice Chair Lafer moved, seconded by Ms. Newman to adopt the Consent Agenda as presented. There was no discussion. Chair Rabasa called for a vote.

The motion passed unanimously (5:0:0).

Maya Rabasa, Gordon Lafer, Keerti Hasija Kauffman, Alicia Hays, and Judy Newman voted in favor of approving the Consent Agenda as presented.

Keerti Hasija Kauffman left the meeting.

X. ITEMS FOR INFORMATION

X.1. Review Timeline for Evaluating Options and Community Engagement to Address Co-location at 850 Howard Avenue

Presenter: Andy Dey, Superintendent

Superintendent Dey presented the overview of the proposed plan to evaluate options and community engagement. The 4J board expressed their desire to develop a robust plan and timeline to address co-location concerns. At this time, there was no scenario that did not include co-location for the 2023 / 2024 school year. However, the 4J District shared board members and the community's desire to finalize the decisions that ensured two vibrant schools could thrive in the future. The district was proposing the following three-phase time-bound process that would lead to solutions that support both programs:

- Phase One – Research and Fact Finding (May 3rd to May 17th 2023)
- Phase Two – Community Engagement (May 17th to June 17th 2023)
- Phase Three – Design and Long-range Planning (Fall / Winter 2023 and 2024)

The three phases would have minimal direct fiscal impact. Indirect fiscal impact would be staff time to support the initiative.

Ms. Newman said she was concerned about making the decision in the fall. It may be better to come to an agreement before the new board took effect and fall may not be ideal regarding funding timelines. She asked if there was anyway to do it before the board transitioned to new members.

Superintendent Dey clarified the intent was to decide at the June 21st board meeting. Designing and long-range planning would occur in the fall.

Vice Chair Lafer asked how input from parents and staff at YG and KMS would be incorporated in a way that was robust and serious.

Superintendent Dey said feedback would be collected in a variety of ways, not just meetings during the day.

Vice Chair Lafer suggested collaborating with the Parents Association and the Staff Association from each school.

Superintendent Dey confirmed that was part of the plan.

Chair Rabasa noted that Phase One – Research and fact Finding would end on May 17th and Phase Two – Community Engagement Period would end on June 17th. The plan requested a recommendation from the North Region Visioning Committee based on facts and input received. She asked how the committee would be able to digest information and make a recommendation by June 21st. She suggested the community engagement period could be a bit shorter and proposed ending the community engagement on June 10th.

Superintendent Dey said he and his team were trying to balance a discrete timeline but that they would be more than happy to listen to her recommendation.

Chair Rabasa said if the community engagement ended on June 17th, the committee would need to meet on the 19th or 20th of June, after the school year had ended and teachers were done for the year. She noted that when the school year was done, the teacher contracts would also be done.

Superintendent Dey said they could prioritize getting information from teachers or end the community engagement on June 14th.

Chair Rabasa was in favor of ending the community engagement period on June 14, 2023.

Ms. Newman asked when ideas could begin to be proposed and if that could begin tonight.

Superintendent Dey said the intent this evening was not to generate ideas. It was about presenting the three-phase plan to the board and relaying that information to the community.

Chair Rabasa asked if Phase Two would be collecting the community's ideas about different solutions.

Superintendent Dey said Phase One would be providing the BOD with information on potential land and funding, so there would be a better sense of what was doable when community engagement took place. It would be frustrating for the community if they were asked what they would like to happen without identifying realistic parameters first.

Ms. Newman asked when they would be able to look at that information and make it transparent and suggested releasing three or four realistic suggestive options for the community to consider.

Chair Rabasa agreed with Ms. Newman's suggestion.

Superintendent Dey said he understood the urgency but was hesitant to call together a group of people to begin talking about options until all the information was compiled and a clear picture of what was possible was obtained. The proposed timeline of Phase One would allow enough time for that to happen.

Vice Chair Lafer asked when a realistic timeline for that to happen would be and agreed with Ms. Newman that realistic suggestions presented to the community was a better way to go about getting their input rather than just asking what they wished would happen.

Superintendent Dey said he was hopeful the information would be presented at the May 17, 2023, BOD meeting.

Chair Rabasa asked if the BOD could have a work session on May 24th.

Vice Chair Lafer suggested an hour-long work session after the community was presented with options and their input was received.

Chair Rabasa said the BOD would not be getting options on May 17th, they would be getting facts from which options would be developed.

Superintendent confirmed Chair Rabasa was correct.

Chair Rabasa asked for clarification regarding community engagement.

Superintendent Dey said there was two reasons for community engagement.

1. The lack of faith that all the information was provided.
2. Considering community input when a decision was made.

It was a short timeline to make a big decision with limited resources that would set the trajectory for both schools for years to come. That would all be done between May 3rd and June 21st.

Chair Rabasa stated that work had already been done and they were not starting from the beginning. She did not want to rush but also did not want to prolong the process. Her concern was asking for open-ended feedback from the community, which could provide false hope.

M. Newman said she would rather present a more concrete list of options to the community.

Ms. Hays noted that the North Region Visioning Committee had been working on this for over two years, and it was frustrating that it had taken this long. She stated that she was committed to getting this issue resolved before her term on the 4J Board ended. If it took extra meetings, or community involvement, she would be there. She said she appreciated Superintendent Dey's timeline. She was supportive of staff's willingness to make that happen. She said creative solutions had already been submitted, but acknowledged it takes time to vet every creative solution. She suggested that Superintendent Dey structure the community outreach plan in a way that presents what was realistic, given the land and funding constraints, and the desire to keep both schools in the north region. The list of options would be short, but they would be good and realistic options.

Superintendent Dey reiterated Phase One would gather all possibilities so that everyone would have a clear understanding of realistic options and constraints.

Chair Rabasa clarified that the only change to the plan as presented was ending the community engagement period of June 14th.

There were no other comments or questions.

X.2. Presentation by City of Eugene for Proposed Amendment to the Downtown Urban Renewal Plan

Presenters: City of Eugene Staff, Amanda D'Souza, Development Programs Manager – Community Development Division, Ann Fifield, Economic Strategies Manager – Community Development Division and Business & Economic Development, Maurizio Bottalico, Senior Financial Analyst

Ms. D'Souza spoke about the City of Eugene Downtown Urban Renewal Plan and noted that state statutes required that the 4J School Board be notified of the amendment and be allowed to comment on it. Concurrence from the 4J School Board was required. This topic was scheduled as an action item at the May 17, 2023, 4J BOD meeting. The amendment process began in June 2022, when Eugene City Council was considering the future of the downtown urban renewal district. At the time, there was not a clear path

for the program. An effort to prioritize downtown projects was launched in fall 2022. Through that process, engagement with over 2,000 community members took place in the form of interviews, focus groups, and an open house. The following six categories emerged because of the outreach:

- Housing
- Public Safety
- Social Services
- Commercial Activity and Development
- Public Space
- Interests and Culture

The three most important categories were housing, public safety, and social services. The city was working to address all six categories but was focusing their short-term effort on the top three.

Ms. Fifield gave an overview of urban renewal. The City of Eugene Downtown Urban Renewal Plan would allow the use of urban renewal funds to address the six identified priorities previously mentioned. Urban renewal focused property tax revenue into a specific geography. The City of Eugene Downtown Urban Renewal District extended from the west on Lincoln Street, north to Sixth Avenue, south to 11th Avenue, and east to Pearl Street. There was a small arm extending to East 8th and High Streets. Tax increments were collected within the urban renewal district to fund specific capital improvements. The first thing you do in an urban renewal district, after boundaries are established, was determine the assessed property value based on property taxes. The overlapping taxing districts included 4J, the City of Eugene, and Lane County. Over time, the assessed taxable value grows. The revenue goes to fund buildings and infrastructures. It cannot fund police officers and projects outside the district. The urban renewal plan outlined how the tax increment could be spent and the amount that could be spent. An urban renewal plan had to identify a total spending limit. It did not require the district to have a debt limit. When it had spent its maximum spending limit and paid any associated debt, the district would expire. When expiration occurred, the incremental taxable value would go back to the overlapping tax districts. An amendment to the City of Eugene Downtown Urban Renewal Plan would increase the maximum spending limit and extend the life of the district.

Ms. D'Souza gave an overview of the district. The current spending limit was 66 million dollars. It was last increased in 2016, which added 19.4 million dollars, and it was last amended in 2016 and in 2020. As previously mentioned, the district would expire when the spending limit was met, which was forecast to occur in December 2023. Last month the Eugene City Council voted to initiate a planned amendment process. The amendment included three proposed focus areas of housing, physical improvements to address safety and comfort, and emerging projects. The city supported the creation of a mix of new housing that would be affordable for multiple income levels. To address that, the category of housing included two new projects. The first was development fee

assistance, which would pay for government-imposed development fees, system development charges and permit fees, which could apply to reconstruction or re-development of existing buildings. The second was real property acquisition, which would allow property to be acquired at reduced or no cost for housing development. The next category was physical improvements to address safety and comfort, which could include street, curb, alley, sidewalk improvements, and improvements for pedestrian, bike, and transit. Lighted alleys, fixing pavement on sidewalks, and adding planters and landscaping to the area. The third category was referred to as emerging projects, which were considered projects that were in alignment with downtown priorities, in contrast to housing and physical improvements, which would be implemented sooner. This could include convention center improvements or expansion. The agency board would continue to pursue revitalization of open spaces and redevelopment of the park blocks. The agency board could provide financial assistance to support the revitalization of vacant land and properties. If the proposed amendment were approved, the agency board would provide direction before any projects could move forward. All three categories would require additional study and strategy before they could be pursued. By including them in the plan amendment, they would be eligible for urban renewal funds. The proposed increase to the spending limit was 50 million dollars. Based on current estimates, this increase would extend the district by 19 years. State statutes required estimates for urban renewal costs. The estimate allocations were presented to the agency board, and actual amounts would be determined as the agency made decisions regarding planning limitations. The intent was to spend a substantial portion of the money on housing. If the district were extended, based on fiscal year 2022 data, approximately 2.6 million dollars in tax increment revenue would continue to be collected every year and could be spent on eligible projects. If the plan were not amended, and the agency discontinued collecting the tax increment, the funds would be directed to overlapping taxing districts. Based on fiscal year 2022 data, under this scenario, the city general fund would receive 1.3 million dollars, and the county would receive 235 thousand dollars. The impact to the 4J School District was more complex. If the plan were not amended, and the district stopped collecting the taxing increment, 880 thousand dollars would be collected on behalf of school district 4J. Due to property tax compression and state funding mechanisms, 4J would see a net decrease of 150 thousand dollars to the budget if the district stopped collecting the tax increment. An email had been sent notifying the public about the proposed amendment. A public hearing was scheduled to take place on May 15, 2023. Council was scheduled to review any comments during a June 12, 2023 meeting and act on June 21, 2023.

Vice Chair Lafer asked who would pay the tax, how the tax would be levied, how the money would be collected, how would those things impact the school levy, and would it require taxpayers to pay two different levies. If the tax increment stopped being collected, would the district lose 150 thousand dollars, and was the housing defined as affordable or rent-controlled housing. He stated that he would be happy to view the answers in writing if they were contained in a document.

Ms. Fifield said they could prepare responses for the May 17, 2023 meeting.

Vice Chair Lafer said he would like to have responses prior to the May 17th meeting.

Ms. Newman asked if it would impact the school operating levy.

Ms. D'Souza said it would reduce the revenue that would go toward the permanent rate and the state would pick up the rest of it, but from the local option levy, because the number of properties were in compression within the education category, the urban renewal plan would pull revenue from the education category.

Ms. Newman asked how the urban renewal boundaries were created.

Ms. D'Souza said the area was created in 1968, and she did not have background information on how it was developed. The small arm extending to East 8th and High Streets was added in 2016.

There were no other comments or questions.

X.3. Initiate Process for an Elementary Math Curriculum Adoption

Presenter: Adrienne Pierce, Curriculum Administrator

Jamie Tait, Curriculum Administrator

Approval of starting the process for adopting new elementary math curriculum and accepting the recommended Process Facilitator would be Items for Action at the May 17, 2023 4J Board Meeting. The current curricular suite was adopted in January 2017 as a short-term, solution to align with mathematical Common Core state standards. The Oregon Department of Education required the adoption of new materials to be inline with the state's seven-year cycle for updated standards to improve math experiences for students. The current curriculum was not meeting the needs of all students. Percentages gathered between fall and spring of 2023 indicated a four percent increase in K – five students who were at high risk for falling behind in math. The current curriculum was not closing the gap for students who enter the 4J school district at near or below grade level for math. In fact, the gap was widening for every aggregated student group. The need for updated math instructional materials included evidence-based practices. The timeline for new math curriculum was outlined in the following stages:

- Launch May 2023 – September 2024
- Pilot October 2024 – February 2025
- Evaluate February – March 2025
- Adopt March 2025
- Implement May – August 2025

The process would begin with the Process Facilitator. Then it would include the Curriculum Administrator / Director. The adoption team would include the Elementary Math Specialist, and up to 50 elementary educators, in addition to district staff. If final approval of the new program went through, the materials would be purchased in March

2025, and staff would be supported through professional development ahead of time to ensure there was common learning to support the transition to new instructional materials in fall of 2025.

Vice Chair Lafer asked if the new curriculum would address learning disabilities.

Ms. Pierce said yes.

Chair Rabasa asked what the criteria was for selecting 50 teachers to participate in the process.

Ms. Taite said a diverse group of primary and intermediate teachers would be encouraged to participate from every school.

There were no other comments or questions.

X.4. Receive an Update on Public Meeting Laws and Record Retention

Presenter: Eric DeFreest, Lawyer

Regarding if it was advisable or prudent for a governing body to engage in emails with a reply all scenario, under public records / meeting law, it was not advisable. If there was a quorum of a governing body engaging in email with a reply all scenario, that could be considered a public meeting and therefore, be subject to appropriate procedures for a public meeting.

Ms. Hays said this board had a habit of sending out emails to everyone or with a message that said, "do not reply". She asked if that was acceptable behavior and could the board resume that.

Mr. DeFreest said his recommendation was not to engage in that style of communication if the email was regarding a 4J topic that was recently considered by the board or soon to be considered by the board. If one person sent an email of that type in which a statement was made that could impact deliberation, it would be a race of sorts, to see who would make the first comment, knowing no one could respond through an email reply. Otherwise, it would be an engagement of deliberation, which should be in a public meeting.

Chair Rabasa asked if Mr. DeFreest was referring to emails that included statements like, "the board needed to do something, or I want you to all to do this", because that could lead to influencing, or introducing the idea of a deliberation.

Mr. DeFreest said if the content were substantive, it would be best not to include it in an email.

Chair Rabasa asked if it would be okay to send an email for the purpose of sharing a resource that had nothing to do with a specific topic that was not related to 4J.

Mr. DeFreest said those types of emails could be permissible and considered social but could easily jump into the realm of being substantive.

Chair Rabasa asked if using bcc in an email would negate the fact that everyone was being emailed.

Mr. DeFreest said no.

Vice Chair Lafer asked if the Chair and Vice Chair could contact each individual member of the board about an upcoming issue if board members were not talking among each other and said a previous board chair had said that was permissible.

Mr. DeFreest said it was a matter of the scope of the conversation. If it were substantive, and fact specific, it would be problematic if a consensus were sought prior to engaging in a public meeting, even if a discussion did not reach deliberation. It was prudent not to do that.

Vice Chair Lafer asked if an email were substantive, could a board member reply directly to the chair and bcc the rest of the board, and said a previous board chair had said that was permissible.

Mr. DeFreest said the interpretation of the law and legislative action within the past six to eight years had refined that because of instances where people were too close to the line.

Ms. Hays suggested that leadership should do a training because she had never heard the previous board chair, that Vice Chair Lafer was referring to, say anything like that. She said Chair Rabasas' email that notified the board about the safety issue that occurred at SEHS was the type of email that would be permissible and even expected.

Ms. Newman clarified whether she could share an email with board members that included a resource or an interesting article that was not a topic of discussion but could be in the future.

Mr. DeFreest said an objective email that did not include commentary and was not aimed at convincing board members of anything would be okay.

Regarding public records, Mr. DeFreest said they were fact specific and could be in various forms, but they had to deal with or relate to the conduct of public business to be considered a public record. If you had a public record, it would not matter where that public record was, it could be on a school computer, in a file cabinet, or on a private computer somewhere. Regarding the board's question of if there were records on a private computer could a board member be reimbursed to try to search for those records, he did not have authority to demand reimbursement for that, but if an information technology (IT) technician were utilized to search for or obtain records, reimbursement for those expenses may be pursued.

Chair Rabasa said there were times when she emailed herself 4J-related material and sent it to her private email account so she could see it later her phone, and asked if that would be considered a public record if the content had not been modified.

Mr. DeFreest said if you were sending yourself a duplicate to review, than that was not an official record.

Ms. Newman clarified if you are only reading a duplicate, it would be okay, but if you altered the information, it would not be okay.

Mr. DeFreest said that was a fair interpretation. If you start off with one public record, and you took it home and annotated it, it will become a different public record.

Regarding the board's question about voicemails, they were explicitly exempt from retention because of the technical aspect of that format. Regarding correspondence on social media, it was incumbent of the public body to retain communications if they pertained to functions of the public body. If the form of media was not able to be retained, like in the case of SnapChat, where messages disappear, that type of media should not be used. Regarding text messages, if it were pertaining to the functions of a public body, those would be subject to retention.

Ms. Newman asked if four years was the required period for record retention.

Mr. DeFreest said diverse types of communications had different requirements. Contracts, for example, had a much longer time requirement than four years. Retention schedules were based on the matter of the substance.

Ms. Hays said there were five board members using the Signal App at one point in time, and that occurred when decisions were being made. She asked what the liability was for the board given that they were not retaining records and having private meetings, or serial meetings.

Mr. DeFreest said he did not have a record upon which to give advice of the liability itself, but there was the potential to take action to retrieve such documents. Whether there was another form of liability to the district or to individuals, would depend upon the specific circumstances and what communications were made and whether something was done in a knowing fashion. He could not address that but would be happy to take it back to his office and report back if requested to do so.

Vice Chair Lafer asked if one board member sent a follow up message on WhatsApp by voice, then it would not need to be retained, but if they used WhatsApp by text, it would need to be retained.

Mr. DeFreest said whether something was public record and subject to a retention schedule were based on the types of content, not the types of media used.

Ms. Hays said the problem was when a message disappears, that person gets to make the decision of whether it was substance or not. This board should not be using apps that erase messages. It was important that the board do their business in public.

Chair Rabasa asked if the board were being advised to not use text messaging because those messages could be erased too, based on the phone settings.

Mr. DeFreet said it was based on best practices. It would not be prudent to have settings turned on that erase text messages if the content qualified as a public record.

Chair Rabasa asked if conversations could happen in person and what would the liability be if that occurred.

Mr. DeFreest said that was situation dependent. If it were conversation that should be held in executive session, it should be held in executive session. If it were conversation that should be held in public session, it should be held in public session.

Ms. Newman said erased text messages were retrievable by phone carriers, as opposed to SnapChat.

Mr. DeFreest said updating what was in the board's authority regarding policy was prudent to ensure the BOD was complying with all the requirements.

Ms. Hays asked if board members were sharing their thoughts regarding the school board on social media, would it be permissible to block people from commenting on those comments. She asked if she were a member of a closed Facebook group and another board member were in that group, would it be permissible to be in that group and make comments regarding school board business.

Mr. DeFreest said not everything that a board member stated on Facebook was in the scope and action of a public official. It becomes a grey area and there would be a more factual evaluation needed to determine if board members were addressing things in the fashion and role of a public official.

There were no other comments or questions.

X.5. Standing Item for Information for Current Legislative Session Legislative Update

Presenter: Judy Newman, Legislative Board Subcommittee Chair

Ms. Newman said it had been a quiet week at the legislature. Ms. Kauffman and herself had drafted a letter that would be sent to board members this week regarding the current proposed budget for the state school fund and what it would do for 4J.

There were no other comments or questions.

XI. ITEMS FOR ACTION

XI.1. Consider Proposed Board Policy IIAA – Request for Reconsideration About Curriculum / Instructional / Library Materials

Presenter: Rob Hess, Chief of Staff

An amendment to the agenda was made to postpone this item.

XI.2. Approve Revisions to Board Policy IGDJ – Interscholastic Activities

MOTION: Vice Chair Lafer moved, seconded by Ms. Newman to approve revisions to the Board Policy IGDJ – Interscholastic Activities as presented. There was no discussion. Chair Rabasa called for a vote.

The motion passed unanimously (4:0:0).

Maya Rabasa, Gordon Lafer, Alicia Hays, and Judy Newman voted in favor of approving the revisions to the Board Policy IGDJ – Interscholastic Activities as presented.

XI.3. Approve Revisions to Board Policy BHD - Board Member Compensation and Expense Reimbursement

MOTION: Vice Chair Lafer moved, seconded by Ms. Newman to approve revisions to Board Policy BHD - Board Member Compensation and Expense Reimbursement

There was no discussion. Chair Rabasa called for a vote.

The motion passed unanimously (4:0:0).

Maya Rabasa, Gordon Lafer, Alicia Hays, and Judy Newman voted in favor of approving revisions to Board Policy BHD - Board Member Compensation and Expense Reimbursement

XII. ITEMS FOR ACTION AT A FUTURE MEETING

XII.1. Consider Revisions to Board Policy IGBAF - Special Education Individualized Education Program (IEP)

Presenter: Andy Dey, Superintendent

Superintendent Dey said at the December 21, 2022 meeting, the State Board of Education updated the Temporary Rule 581–015–2229, Individualized COVID 19 Recovery Services. The new section of Individualized COVID 19 Recovery Services added to the administrative rule (AR) and described the district's responsibility outlined in notification requirements. The board was not required to approve the administrative rule. However, they were required to approve the revised AR as an Item for Action at a future meeting.

Ms. Newman asked if the board would be approving all AR's going forward.

Superintendent Dey said no.

There were no other comments or questions.

XIII. SUGGESTIONS BY THE BOARD OF ITEMS AT A FUTURE MEETING

There were no suggestions.

XIV. ADJOURN

Chair Rabasa adjourned the regular meeting at 10:35 p.m.



Andy Dey
District Clerk



Maya Rabasa
Board Chair

(Recorded by Diana Tisdale, LCOG)