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

**Date: May 17, 2023**

The Board of Directors (BOD) of School District No. 4J, Lane County, Eugene, Oregon, held a work session from 5:45 to 6:38 p.m. and 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 May 14, 2023.

**ROLL CALL**

**BOARD MEMBERS PRESENT:**
Maya Rabasa, Chair
Gordon Lafer, Vice Chair
Alicia Hays
Michelle Hsu
Judy Newman

**STAFF:**
Andy Dey, Superintendent
Rob Hess, Chief of Staff
Jenna McCulley, Director of Communications
Debbie McKim, Executive Assistant / Board Secretary

**STUDENT ASVISORY PANEL MEMBERS:**
Churchill High School
North Eugene High School
Sheldon High School
South Eugene High School
Eugene Online Academy

**MEDIA:**
KRVM, KVAL, Register Guard

## I. WORK SESSION

## II. CALL WORK SESSION TO ORDER AND ROLL CALL

Chair Rabasa called the work session to order at 5:45 p.m. She said the names of those in attendance. A quorum was established.

## III. DETERMINE HOW TO PROCEED WITH COMPLAINTS RECEIVED BY THE BOD

Superintendent Dey said that the KL–AR policy addressed all complaints, but if the board received a complaint specifically about racial harassment, they should follow the ACC policy, which stipulated that all complaints about racial harassment would be investigated. There was not an operational definition for the word investigation. Therefore, legal counsel advised that the board create an AR for board policy ACC that defined an administrative rule for when an investigation among district staff would be required, and when a third-party investigator would need to be hired. In the absence of

that clarity, the legal recommendation was to investigate both cases involving allegations of racial harassment using the highest level of credibility, i.e., a third-party investigator.

Chair Rabasa asked if the investigation needed to occur before the board could consider any action on the two complaints that involved allegations of racial harassment.

Superintendent Dey said according to the legal advice that was received, yes.

Chair Rabasa asked if board members had any questions about that.

Ms. Newman said that if racial harassment were marked on a compliant form would that mean an investigation was required whether it truly was a case of racial harassment or not.

Superintendent Dey said that issue could be addressed when the board amended the policy. Until that time, the board would not want to make interpretations regarding whether racial harassment occurred or not without an investigation.

Chair Rabasa said the board needed to work on the policy as soon as possible.

Ms. Newman inquired about other questions for legal counsel, specifically, when the line was crossed regarding freedom of speech, and incidents that took place in a closed Facebook group.

Chair Rabasa said those questions did not pertain to the complaints involving allegations of racial harassment.

Chair Rabasa said regarding the complaint made by a 4J employee against a board member, the complainant agreed to a hearing. Therefore, the board could consider renewing the motion to hold a hearing, which was made at the May 10, 2023, board meeting. She added, to her understanding, the policy did not distinguish behavior on closed or open Facebook groups. She noted that may be another area of the policy that needed to be amended.

Superintendent Dey said the board may want to consider sending an inquiry about that to the Oregon School Boards Association (OSBA) for further review. He noted the policy had been updated recently, but that it only referenced behavior on social media and did not distinguish between a closed or open group. Regarding Ms. Newman's question about free speech, the board member involved in this complaint agreed that upon being elected as a board member, they would abide by board policies whether they were in an open forum or a closed group. He noted that even in a closed group, members of the public were present, which was noted by legal counsel.

Chair Rabasa said upon receiving that information, she reached out to the complainant to ask about an extension. They agreed to extend the resolution period until the second board meeting scheduled for June 2023. The board could revisit the motion previously made to have a hearing and schedule it for May 21, 2023, which would give the board plenty of time to prepare.

Ms. Hays asked if the board policy required a hearing.

Chair Rabasa said the board policy did not require a hearing but listed it as an option.

Ms. Hays said given the fact that the person that the complaint was made against was on administrative leave and would not be returning, she did not think it wise to hold a hearing because that person would not be in attendance. She said doing so could negatively impact the newly elected board members. She noted it was interesting that the board needed legal clarity on this complaint. When another board member played against two board members for their comments on social media regarding a staff member, the defense was that it fell under their first amendment rights, and that was confusing. The newly elected board needed proper training on policies and clarity regarding what was considered poor board behavior and what the repercussions would be for such behavior

Chair Rabasa said she did not want to pass this situation off onto the new board members. She reiterated her comments from a previous meeting that sometimes there were opportunities to gain experience from precedence. She wanted to move forward with best practices.

Ms. Newman agreed that continuing with the same bad behavior was not a good idea, and that the group needed to stick to group norms and be consistent.

Chair Rabasa said there was a difference between group norms and policy.

Ms. Newman said regarding the previous comments made by Ms. Hays, she did not know how long the administrative leave would last and the board should get advice on if it was okay to have a hearing involving someone on administrative leave.

Ms. Hsu said she was puzzled about how you could have a hearing involving someone on administrative leave.

Chair Rabasa asked if the policy referenced administrative leave.

Superintendent Dey said it did not. He read the following items from Board policy BBD, which was revised / readopted in 2017:

Removal of Board Member from Office

The board shall declare the office of a director vacant upon any of the following:

1. The death or resignation of an incumbent,
2. When an incumbent ceases to be a resident of the district,
3. When an incumbent ceases to discharge the duties of office for two consecutive months unless prevented by sickness or unavoidable cause,
4. When an incumbent ceases to discharge the duties of office for four consecutive months for any reason,
5. When an incumbent is removed from office by judgment of any court,
6. When an incumbent has been recalled from office by district voters.

He said there was no reference for a leave of absence. There was a significant difference between an employee on a leave of absence and the language in the policy. There was not an AR to verify any type of process someone would go

through to document any type of sickness. If the board were interested, this could be another area of the policy to consider for amendment.

Ms. Hays apologized for using the words administrative leave.

Chair Rabasa said they needed to be mindful of the time. She directed the boards attention to the complaints involving alleged racial discrimination.

Ms. Newman said that the complaint referenced racism and bullying, but she did not see that the complainant specifically selected racism on the complaint form.

Chair Rabasa did not know the reason the complainant dd not select that as an option.

The complaint form was displayed for the board to see. They went through the motions of filling out the form. When a specific selection was made, more options became available to further specify the type of complaint. If you did not click specific selections, options would not be displayed.

Chair Rabasa directed the boards attention to the other complaint involving alleged racial discrimination. She noted that the complaint was made on an older version of the complaint form and that there was no section on that form to designate a complaint as racial discrimination. "Yes", was selected for harassment, intimidation, bullying, cyberbullying, hazing, teenage violence, or discrimination. The complaint specifically mentioned discrimination against white people and white men, which did not fall into the protected status category as outlined in the ACC policy.

Ms. Hsu questioned whether the board understood the legal definition of protected classes.

Chair Rabasa said neither of the complainants selected racial harassment as the basis of their complaints, and that neither complaint was filed on behalf of their self or their student, which was not in compliance with guidelines set forth in the KL-–AR policy. Therefore, both complaints had no merit. She clarified the two complaints that were designated as having alleged racial harassment, were on hold until after investigations were conducted. Regarding the third complaint, the board could renew the motion to have a hearing.

Ms. Newman asked if the board could have a hearing if the person involved was on a leave of absence.

Ms. Hays said she did not think there was anything in the policy that said you can or cannot, and it was a matter of if you would want to.

There were no other comments or questions.

## IV. ADJOURN WORK SESSION

Chair Rabasa closed the work session at 6:38 p.m.

## V. REGULAR BOARD MEETING

## VI. CALL TO ORDER, ROLL CALL, FLAG SALUTE, LAND ACKNOWLEDGEMENT

Chair Rabasa called the regular meeting to order at 7:03 p.m. and called the names of board members who were present. Superintendent Dey led the flag salute, after which Chair Rabasa read the Land Acknowledgement.

## VII. RECEIVE REPORTS FROM HIGH SCHOOL STUDENT REPRESENTATIVES

A high school representative from South Eugene High School (SEHS) gave report. Most of the academic pressure had subsided as exams were ending. There was a lot of anxiety among students regarding multiple bomb threats at the school during the month of May. Overall, the students have managed it well. The students asked the 4J District to continue to take all threats seriously, no matter how many times false threats occurred.

A representative from Churchill High school (CHS) gave report. A senior assembly would take place on June 2, 2023, followed by the senior sunset on June 8, 2023. CHS infinity groups would have a graduation celebration for their seniors during the lunch period on June 2, 2023.

A representative from Sheldon High School (SHS) gave report. The prom happened last week, and it went well. Spring Fest, a four–day festival during lunch period, would take place during the week of May 21, 2023. Festivities would lead up to the spring carnival, which would take place on May 26, 2023. A field trip to watch Shakespeare's Twelfth Night was scheduled for May 18, 2023. SHS had a successful Teacher Appreciation Week. There was a growing concern among students regarding the proposed schedule change set to take place next school year. Thing main topic of concern was regarding groups only being able to meet once per week during the extended day, which would mean, in some instances, that students would need to decide which groups they could join as opposed to being able to join groups freely without schedule conflicts.

A representative from North Eugene High School (NEHS) gave report. The NEHS production of The Addams Family closed last week, and it went well. Students had been stressed about end of the year exams, but overall, it had been going well. The NEHS Gender and Sexuality Alliance (GSA) would host a tea party in conjunction with SEHS, CHS, and SHS on May 26, 2023 from 4:30 p.m. to 7:00 p.m. The location of the tea party was yet to be determined. NEHS would hold its second annual Pride Festival on the first Friday in June 2023. Spirit week was in progress throughout the week of May 14, 2023.Gone Fishing Day would take place on May 18, 2023, and Beach Day was scheduled for May 19, 2023. There was still anxiety among students regarding the new schedule change and being in a new building for the first time.

A representative from the Eugene Online Academy (EOA) gave report. EOA would like to see more acknowledgement regarding student success and struggles. EOA hoped that more in–person activities could occur between students in the coming school year. Students would like the trimester and break schedules to flow in a way that would allow students to settle into a routine. They proposed school semesters instead of trimesters and said the board should take the EOA into consideration when they make decisions.

## VIII. AGENDA REVIEW

Chair Rabasa proposed that the board add an item for action regarding the complaints discussed during tonight's work session, in addition to one of the complaints discussed at the previous work session that took place earlier this month. She also proposed adding an item for action regarding the board's invitation to partake in the City of Eugene's 1Pass program throughout the summer if 2023. Lastly, she proposed that the board move the board's self–evaluation from an item for future action to an item for action so the board could decide on the method that would be used to make the evaluation.

The was no opposition to the proposed agenda changes.

## IX. INTRODUCTION OF GUESTS AND SUPERINTENDENTS REPORT

Superintendent Dey said the SEHS experienced its third disruption regarding threats made to the safety of students and the school. He stressed the negative impact these incidents had on students, staff, families, and the community. He noted the resource costs related to responding to such incidents, and thanked the Eugene Police Department (EPD), the Central Lane 911 Dispatch Center, and the local Federal Bureau of Investigations (FBI) for their swift, decisive responses thus far. It had been shared that likely sources of the threats were surfacing. The 4J School District (4JSD) and the EPD would collaborate with Crime Stoppers to offer a reward for identifying the responsible persons involved with the threats. May was Mental Health Awareness month. The 4JSD was fortunate for their resolute staff and their expertise in dealing with suicide prevention and mental wellness. Advocacy teams were swiftly dispatched when needs were identified. Beyond the work of incident response, these experts were busy building systems to ensure students have access to the resources they needed. Recently, the prevention and wellness team held a poster design contest, and the winning entry went to CHS student, Jamie Flores Cruz. Their poster showcased the importance of mental health awareness and encouraged individuals to seek help when they needed it. The 2023 Oregon Sources of Strength peer leader team and the teen award winners were selected and included the following:

- Avery Olkavec – Sheldon High School Teen Award Winner
- Jill Jakoric – Roosevelt Middle School Teen Award Winner
- Spencer Butte Middle School – Peer Leader Team

The Oregon Sources of Strength works to create belonging and connection within schools and communities either through sources of strength programs or other youth–led suicide prevention programs. Avery, Jill, and the team at Spencer Butte Middle School were nominated by their friends, colleagues, or mentors for being agents of change, for their efforts to raise awareness around mental health and suicide prevention, and for spreading messages of hope health and strength. He encouraged everyone to remember the importance of their own mental health, and to treat themselves and others with a little grace.

## X. ITEMS RAISED BY THE AUDIENCE

Laura Wayte said transgender people needed to be provided safety and opportunity as they lived their lives, and that girls had the right to safe spaces and fairness in sports. Ms. Wayte thought that priorities for transgender people were outweighing priorities for women and girls. Her daughter was put in a hotel room with biological males who identified as female during a SEHS club trip without prior arrangement. Because of this, she emailed the club leader and requested that this not happen again and was called a bigot. She then emailed the school administration and was told there was nothing they could do. Ms. Wayte did not think biological males who identified as females should be allowed to sleep with biological females on a school trip, or that transgender females should be allowed to play on female sports teams. She thought it was unfair to the biological females that people on the team went through male puberty.

Julian White spoke in opposition of the proposed schedule change. He said the change would result in sacrificing important curriculum or increasing the amount of homework. Neither scenario would be manageable for students. The proposed schedule would not further the student's education, it would only make students suffer. He and several other students collected over 500 student signatures opposed to the schedule change.

Kara Becraft said she and her classmates were held to low standards upheld by the district. Her teacher recently told her class they would receive extra credit for turning in a homework assignment on time. She was frustrated by that and said it promoted a poor work ethic and critical thinking skills for students. It was a hard transition going from high school to living on your own in a world full of hard deadlines. She hoped the board would be committed to helping students develop the skills necessary for success in the future.

Mariko Maddock said she had been a 4J employee since 2004. As a teacher working at Yujin Gakuen (YG) for almost twenty years, she had witnessed several changes. The mental and emotional toll was evident among teachers and students. They were told the old NEHS building would be the future site for YG, but the board recently voted to demolish that building. She asked that when the YG committee was surveyed, that their voices would be included in the board's decision–making process regarding the future of YG. She noted that when she first came to this country thirty years ago, she was a foreign exchange student who learned English as a second language. She returned to this country as an adult because she appreciated how much her schoolteachers cared for her, and she wanted to do the same thing for other students in return.

Heather Anderson said she was a student at YG. During her time at that school, she had made many memories with classmates and teachers. She believed that Kelly Middle School (KMS) should have their school back. Next year, she would be a sixth grader at KMS and would continue to fight for both schools.

Harry Sanger congratulated the four newly elected board members, thanked Ms. Hsu, Ms. Kauffman, and Ms. Hays for their many years of service as board members, and thanked Vice Chair Lafer for being personable. Mr. Sanger ran in the board election two years prior. He noted there was a decline in student expectations during COVID and hope the new board would get students back to pre–COVID levels. He said he was not any of the things people said he was online, and that technology negatively impacted mental health. The new board wanted the same things for 4J, but they had different ideas of how goals would be accomplished. He noted that parents did not seem to be heard on many topics, particularly regarding YG.

Ibra Taher said there was a common misunderstanding among the 4J board and educators regarding what could be taught, and the purpose of public education. He asked the board why they push certain ideologies on people's children.

## XI. COMMENTS BY EMPLOYEE GROUPS

A member of 4J staff spoke about the pending approval of the Canvas extension, a learning management system used in 4J middle and high schools. She said the board needed to hear input from educators on how their decisions directly impacted them. Canvas was originally purchased during COVID as a tool to help learning continue during social distancing. Teachers had invested time in learning how to use the tool and have reported several reasons why the tool was valuable. Approving the continued use of this tool would need to extend beyond the initial investment and include training for educators. Teachers needed training on how to use the many features built into the platform. She proposed training during the workday, not by means of online modules during teacher's personal time. This request was made on behalf of current staff as well as new hires. She proposed adding staff time for training in August before the school year started, during semester transitions, or a designated time every week throughout the school year. She noted that many teachers updated Canvas in the evenings or on the weekends. She said if continuing with Canvas were approved, the board should only do so if they planned to provide adequate training to make it a good investment and the best use of public funds.

## XII. COMMENTS AND COMMITTEE REPORTS BY BOARD MEMBERS

Ms. Hays thanked everyone who made public comments, especially the students, and congratulated the newly elected board members.

Ms. Newman thanked everyone who made public comments. She also thanked staff and community partners. She appreciated everyone who took the situation at SEHS seriously regarding the recent threats. This month was Asian American and Pacific Islander month, an annual celebration that recognized the historical and cultural contributions of individuals and groups of Asian and Pacific Islander descendants that live in the United States (U.S.). At the last board meeting, board member Ms. Kauffman challenged the board to identify a famous Asian American. It took her a moment to think of any, but then several people came to mind including Tammy Duckworth, a U.S. Senator from Illinois who was the first Asian American to be elected to Congress and the first woman to give birth while in office. Ms. Duckworth also had a disability. She was a double amputee. She was a retired National Guard Lieutenant who received a purple heart during her service in Iraq. Kamala Harris was the first Asian American Vice President of the U.S. In addition, she was the highest-ranking female in the U.S. Government. Before she became the vice president, she served as district attorney in California and started a ground-breaking program to help first-time drug offenders earn a high school degree and find employment. She noted that YG was the first Japanese immersion program in the U.S. and said she was proud to have that in this community's history.

Ms. Hsu said she was relieved that the district was taking all threats made to 4 schools seriously. She thanked Ms. Newman for recognizing that it was Asian American Pacific Islander Month. There would be an Asian American Pacific Islander celebration at CHS on Friday, May, 19, 2023. She said it could be the first ever of its kind within the 4J District.

Chair Rabasa said if the board supported extending Canvas, they should make sure the investment was well rounded and included training teachers in the best possible way.

She congratulated newly elected board members, Jenny Jonak, Morgan Munro, Tom Di Liberto, and Rick Hamilton. She acknowledged the frightening events that took place at SEHS during the month of May and was thankful none of the threats were viable.

Vice Chair Lafer said regarding the public comments made about ideology in public schools, he wanted to be clear that he thought inclusion, equality, respect, welcoming, and celebration of transgender students, queer students, gender fluid students, undocumented students, and all others was something that this board considered a fundamental fact of human rights. Some member of the community saw that differently, and that was their right, but it was the responsibility of the board to stand up for and protect those rights for all students, especially during a time when it was exactly those groups of students who face the most increased harassment and nationally face the highest suicide rate. It was critical that the board continued to protect those groups of students and he hoped the future board would continue to uphold that principal. He was looking forward to the discussion about the future of KMS and YG. He hoped that both schools could have their own building in the north region. He hoped funds could be set aside to bring back a librarian at KMS. If that happened, it would be the first middle school librarian restored within the 4J District in twenty years. He visited Camus Ridge Elementary School and enjoyed singing with the children and playing guitar. He acknowledged that he was impressed with the model of project–based learning and play as education at Camus Ridge. He hoped the board could have a presentation to highlight the great things happening at that school, and to think about how that type of learning could be introduced into other schools.

## XIII. CONSENT GROUP

XIII.1. Approve April 19, 2023, Work Session, and Regular Board Meeting Minutes

XIII.2. Approve Initiation of Process for an Elementary Math Curriculum Adoption

XIII.3. Approve Canvas Extension

XIII.4. Seesaw Extension 2023 – 2026

XIII.5. Approve Revisions to Board Policy IGBAF – Special Education Individualized Education

**MOTION:** Ms. Hays moved, seconded by Ms. Hsu to adopt the Consent Group as presented.

Chair Rabasa asked if there was any discussion.

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

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

Chair Rabasa, Vice Chair Lafer, Ms. Hays, Judy Newman, and Ms. Hsu voted in favor of adopting the Consent Group as presented.

## XIV. ITEMS FOR INFORMATION

XIV.1. YG / KMS Research and Fact–Finding Review to Address Colocation of Both Schools

Presenter: Jenna McCulley, Communications, and Intergovernmental Relations Director

Ms. McCulley said a list of all the district owned available properties in the north region was compiled. The facilities team and the finance team worked to develop realistic cost estimates to design and renovate those spaces and add modules if applicable. Costs and time approximations were included in the list so the community would know the viable options. She pointed out that the budget allocated twelve million dollars for this project and that cost estimates were purposely over estimated so the district did not find themselves in a similar situation where they unintentionally could not keep promises made to the community.

Ms. Hays asked what was needed from the board this evening.

Ms. McCulley said her department was tasked with determining the costs to fulfill the district's obligation of finding a viable solution to address the co-location of both schools. If additional funds were needed to fulfill the obligation, the board may need to make financial cuts elsewhere within the district. The board would need to go through the 4J bond funded program list to determine which programs could be eliminated if necessary. She noted there were costs associated with this project that could not legally be paid for with bond money, i.e., staff time to pack and unpack their classrooms, and extending the duration of teacher contracts.

Chair Rabasa said the conversation had become hyper focused on YG. She did not want the KMS component of the conversation to be lost or over shadowed. YG needed its own space, but KMS needed to be restored to its original state, not to mention the possible need for expansion. She asked what would need to be done to make KMS an optimal school that everyone could be proud of.

Ms. McCulley made note of the question and said it was an operational question, which would fall into phase three of the long-term planning. That would be an excellent conversation to have with community members. In the short term, the focus was moving YG to its own location. Restoring KMS to its original state could be part of this project, but future upgrades made to KMS would require a separate initiative which would require future funding sources.

Ms. McCulley said the next step in this process was community engagement. The list of viable options would be presented to the community and discussions would take place regarding the pros and cons of each location. She noted that the board had asked her department to be creative when they developed the list. Therefore, all properties were included. She suggested that the board should identify which properties were less viable and consider removing those options from the list before it was released to the public. Chair Rabasa said it was an ambitious timeline, and therefore, a transitional location for YG could be utilized.

Ms. Newman said the board should make a long-term decision regarding the new location of YG. It would be disruptive to have a temporary location while the permanent location was being prepared.

Chair Rabasa said she appreciated that input but reminded everyone that the conversation was also about KMS.

Ms. Hays asked for clarification regarding the idea that the board would decide on the future of YG and KMS during their last meeting of the school year, which would take place in June 2023.

Ms. McCulley said the board directed her department to build a list of options, which was phase one. Community engagement was phase two, which was scheduled to end on June 21, 2023. The board would have that information for their June 21, 2023, meeting, to help their decision-making process.

Ms. Hays said she appreciated the timeline but did not want an ambitious timeline to take away legitimate possibilities.

Ms. McCulley said the goal right now was to share as much information as possible with the community so everyone could have access to the same pool of knowledge.

Ms. Newman said regarding the properties described in the list as having many unknowns, was there any idea of when the unknowns could be discovered.

Ms. McCulley said it would be based on the community's interest in exploring options at those locations. The decisions lie with the board. The goal was to provide the board with as much information as possible, regarding the community's preferences, so well-informed decisions could be made.

Chair Rabasa asked if the estimated timelines were based on using funds that were already allocated.

Ms. McCulley said the timelines were not based on funds. When her department presents the community's feedback to the board on June 21, 2023, the board could decide which properties were of interest. A conversation would then be had with the bond council to determine the appropriate timelines for each specific property of interest.

Chair Rabasa suggested that the board could shift the timelines if future bond funds were used instead of pre allocated bond funds.

Ms. Newman said the earliest the district could try to get bond money would be in 2028. It was unknown who would be on the board at that time. She had seen the district's facilities list, and the needs were huge. She did not know if the board could guarantee that this project could be paid for with future bond money. She was not in favor of shifting

timelines and using future bond money. She said she would eliminate properties that required new brick and mortar construction from the list.

Ms. Hsu asked if the listed options that required new construction were really options. Without a new bond, the options were limited.

Chair Rabasa asked the board if they would like to formalize the agreement that properties requiring new construction should be eliminated from the list.

Ms. Hays said she was in favor of that. The board could not go after new bond money until 2028.

Ms. McCulley said the board should be cautious in how they proceed with that because there was one option listed that was a new construction but was not modular or a new building. It was the option to renovate the existing building.

Chair Rabasa said she was in favor of removing all new construction options from the list. Having participated in all the meetings regarding YG and KMS, she did not think a renovated co-location was a good idea.

Ms. Hays said there was not a lot of other options, and she was fearful of removing the renovated co-location from the list.

Ms. McCulley said the board could leave as many options as they like on the list and get community feedback on all the proposed options.

Chair Rabasa said she was worried about continuing the game of throwing ideas at the community that would not be viable in the near future.

Ms. Hsu said based on the community feedback that the board had already received, she was not sure the option of a renovated co-location should be offered on the list.

Ms. McCulley said the renovated co-location would involve new construction at the 850 Howard Street location. It would be co-location because it would be on a shared property. Her department had not dived into actual designs. It was simply a suggestion. It would create independent cafeterias, independent libraries, and independent offices. The board may not agree that it was a viable offer, and could choose to remove it, or leave it on the list and get community feedback.

Chair Rabasa said it would not be a separate building on the property, it would be continued co-location within the same building with additional spaces added on.

Ms. McCulley said there would be no pass through from one school to the next to access certain classrooms or facilities, but noted she did not want to paint a picture because there were no proposed designs at this time. She recommended leaving it as an option

and allow the community the opportunity to provide their feedback. The community may say that continued co-location was not a good option, but at least they would have the opportunity for their voice to be heard. Getting community input was a key component in this process.

Ms. Hsu said if the board decided to leave the renovated co-location option on the list, the community would only reiterate that the option was not in alignment with the needs of both schools.

Ms. Newman said a new construction from the ground up would require twenty to thirty million dollars. If new construction options are left on the list, it needed to be specified that it would require future bond funding.

Ms. McCulley said the purpose of this conversation was to clearly articulate that the district had allocated twelve million dollars to this project and the district was seeking feedback from the community about the pros and cons of options within the available budget. The result may be that the community says twelve million dollars was not enough and ask the board to review other funding sources. She wanted to make sure there was a shared understanding in that the board could track all the input that came in by means of a live website that made updates in real time. The website would include the list of options, and questions from the community, the Parent Teacher Association (PTO), YG, the north region subcommittee. That would remain open and live so there was transparency in the process. Stakeholder meeting were being established. Her department would be identifying ways in which non-English speaking families could participate in the upcoming meetings.

There were no other comments or questions.

XIV.2. Legislative Update
Ms. Newman said the revenue forecast came out on May 17, 2023. The Weighs and Means Committee could begin allocating funds. The first fund that usually gets addressed was the School State Fund. Ms. Kauffman and herself would be submitting a letter on behalf of the 4J district regarding those funds. Ms. McKim would upload the letter to the 4J website for public review. The ongoing walk out by Senate Republicans meant that any bills that needed approval of the Senate were dead. However, there were three educations bills that could go through. She noted that Legislators were legally required to pass their budget before June 30th.

Chair Rabasa called for a six-minute break at 8:58 p.m.

The meeting reconvened at 9:04 p.m.

## XV. ITEMS FOR ACTION

XV.1. Consider Approval of Downtown Urban Renewal Plan Amendment
Presenter: Amanda D'Souza, City of Eugene Development Programs Manager

Chair Rabasa said this topic was discussed at a previous meeting. The board had received answers to their questions. She asked board members if anyone would like to make a motion.

**MOTION:** Ms. Hays moved, seconded by Ms. Newman to concur with the Eugene City Council's proposed plan amendment with a maximum indebtedness of the Downtown Urban Renewal District by fifty-million dollars in accordance with ORS 457.220.

Chair Rabasa asked if there was any discussion.

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

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

Chair Rabasa, Vice Chair Lafer, Ms. Hays, Judy Newman, and Ms. Hsu voted in favor of concurring with the Eugene City Council's proposed plan amendment with a maximum indebtedness of the Eugene Downtown Urban Renewal District by fifty-million dollars in accordance with ORS 457.220.

XV.2. Board Approval of Expenditure to Partake in the City of Eugene's 1Pass Program Throughout the Summer if 2023.

Chair Rabasa said the board had the opportunity to approve the expenditure for four thousand 1Pass Summer Activity Passes for 4J students who were served by the free or reduced meal program and the Summer Enrichment and Academic Learning (SEAL) program. The cost would be 240-thousand dollars, which would be paid utilizing ESSER Federal Funds.

**MOTION:** Ms. Newman moved, seconded by Ms. Hsu to approve purchasing 4,000 1Pass Summer of 2023 Activity Passes for 4J students who were served by the free or reduced meal program and the Summer Enrichment and Academic Learning (SEAL) program.

Chair Rabasa asked if there was any discussion.

She noted that the passes would be distributed free of cost to students who fit the previously specified criteria.

There was no other comments or questions. Chair Rabasa called for a vote.

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

Chair Rabasa, Vice Chair Lafer, Ms. Hays, Judy Newman, and Ms. Hsu voted in favor of approving the purchase of 4,000 1Pass Summer of 2023 Activity Passes for 4J students who were served by the free or reduced meal program and the Summer Enrichment and Academic Learning (SEAL) program.

XV.3. Approve the Method for Board Self-evaluations

**MOTION:** Ms. Hays moved, seconded by Ms. Newman to preform self-evaluations using a digital survey template like the one developed by the Oregon School Employee Association.

Chair Rabasa asked if there was any discussion.

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

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

Chair Rabasa, Vice Chair Lafer, Ms. Hays, Judy Newman, and Ms. Hsu voted in favor of preforming self-evaluations using a digital survey template like the one developed by the Oregon School Employee Association.

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XV.4. Decide on Complaints Discussed During Tonight's Work Session, In Addition to One Complaints Discussed at a Previous Work Session

**MOTION:** Ms. Hsu moved, seconded by Vice Chair Lafer to hold a hearing regarding the March 13, 2023 complaint, with the option for the participant to respond by means of a written statement or attending the hearing virtually.

Chair Rabasa asked if there was any discussion.

Chair Rabasa said having a hearing could help identify ways in which the board should amend their policies.

Ms. Newman said the board already knew they needed to dig into their policies.

Vice Chair Lafer said regarding previous complaints, the board agreed an investigation was warranted, and the policies were the same during those instances. He agreed that the policies needed to be analyzed, but that was not a reason to not have a hearing. This complainant requested a hearing, and having one was the right thing to do.

Ms. Hsu said not having a hearing when it had been requested would be dismissive.

Chair Rabasa said regarding the question of the situation unfolding in a closed Facebook group, this complaint specifically stated that the board member took the conversation outside of the group and talked about it not only in board meetings, but in other Facebook groups.

Ms. Hays said this board and future boards needed to stop taking these kinds of discussions to Facebook. She could not agree with having a hearing because it had been requested because the board got a lot of requests for hearings and did not follow through with those requests. Having a hearing would allow people to talk about what happened, but it would not bring forth resolution. The board needed to raise the bar on how it treated people.

Chair Rabasa asked Ms. Hays if she said people had requested hearings in the past and the board did not have a hearing.

Ms. Hays said not a hearing, but people request things from the board all the time and the board did not give them what they wanted.

Vice Chair Lafer said if the board needed four votes to pass a motion, it may make sense to postpone this motion until all board members were present. He made a friendly amendment to Ms. Hsu's motion to table this vote until complete attendance of the board were present at a meeting.

Ms. Hays asked if complete attendance included Laurel O'Rourke.

Vice Chair Lafer said ideally, yes.

Chair Rabasa said a quorum was present and the board had no idea when or if Ms. O'Rourke planned to return to the board.

Vice Chair Lafer said it seemed from the discussion that the board was not in agreement about having a hearing. There were five members present and four votes were required to settle this issue. He would defer this topic until the next meeting in the hopes that more members would be present.

Chair Rabasa asked if there were more comments or questions regarding the friendly amendment made by Vice Chair Lafer.

Vice Chair Lafer said to be clear, he did not want to defer this until the full board was in attendance. His friendly amendment was to wait until there was more board participation. He said he may be wrong about the procedure, and if so, he would withdraw his amendment.

Chair Rabasa said she thought he was wrong about the procedure.

Vice Chair Lafer withdrew his amendment.

Ms. Newman asked how a hearing would help resolve the issue.

Ms. Hsu said she would like to hear what the complainant had to say.

Chair Rabasa said there were implications regarding a staff members work performance being improperly evaluated. The point of the hearing is to gain more information. The complainant said the board member disrespected the employee, but also evaluated them in a public setting. What was most important was finding a way to detour this type of behavior among the board.

Ms. Newman asked if a hearing was the best way to get that information or an investigation.

Chair Rabasa said both would be avenues to get that information, but the hearing was formally requested.

There was no other comments or questions. Chair Rabasa called for a vote on Ms. Hsu's motion.

**The motion passed failed (3:2:0).**

Chair Rabasa, Vice Chair Lafer, and Ms. Hsu voted in favor of holding a hearing regarding the March 13, 2023 complaint, with the option for the participant to respond by means of a written statement or attending the hearing virtually.

Ms. Hays and Ms. Newman voted against holding a hearing regarding the March 13, 2023 complaint, with the option for the participant to respond by means of a written statement or attending the hearing virtually.

Chair Rabasa asked if anyone would like to make a motion.

There was no other motion.

Chair Rabasa said the board would take no action.

Vice Chair Lafer said if the complaint were dismissed it would be a terrible mistake. If that were the case, he would like to make a motion.

**MOTION:** Vice Chair Lafer moved, seconded by Ms. Hsu to table action on this complaint until the board held their next meeting.

Chair Rabasa asked if there was any discussion.

Vice Chair Lafer said this was one of several instances involving members of the community, and 4J staff who issued formal complaints about being attacked by one board member, who he believed brought tremendous toxicity to board meetings, and then aborted relationships with the public and 4J staff throughout the year. The complainant had complaints about undue influence, mistreatment, and retaliation on the job. For the board to say they were not going to do anything seemed outrageous. He would hope deliberation regarding having an investigation or a hearing would be an option. To do nothing would be unbelievable to him. Given the fact that the board could not come to a majority agreement now, regarding exactly what to do, he would hope that the board would try to figure out a way to solve this.

Ms. Hsu said to dismiss a valid complaint did not feel right.

Ms. Newman appreciated that fellow board members would like to act. She thought this was one of several complaints that the board had in the past. She did not like the idea of any 4J staff members being hurt by the board's decisions. The question was what could be done to remedy this. The solution went beyond this one complaint. Would an investigation shed more light on what was going on and provide valuable information.

Chair Rabasa emphasized the motion made by Ms. Hsu was to get more information. That motion did not pass. The board stopped that process by not passing the motion, and staff members would be hurt by that. Ms. Newman said there had been many complaints like this, but those complaints were not the same. The board had an expectation to make the district somewhere that people wanted to work by not promoting a hostile work environment. Tabling this would give the board more time to think about what a resolution would be. If the board could not determine that, how can they dismiss this completely.

Vice Chair Lafer said regarding Ms. Newman's question of what would come from having a hearing, if the board voted to dismiss this, nothing would be gained. He said

he did not want to pretend to not know the things that the board all knew about Ms. O'Rourke. She made accusations against every member of the board, previous boards, superintendents, members of the community, multiple staff, and a staff member who filed a complaint about a hostile work environment and inappropriate public treatment in violation of board policies. He did not want to try to hide that because some people did not want to have an investigation or a hearing. To pretend it did not happen seemed like a mistake to him.

Ms. Hays said Vice Chair Lafer attributed that she wanted to sweep this under the rug and that was not true.

Vice Chair Lafer said he did not imply poor intent on behalf of anyone on the board. He said collectively, the board would be sweeping this under the rug if it were dismissed.

Ms. Hsu said not tabling this would negatively impact the complainant. Not only the complainant but also their colleagues.

Chair Rabasa asked if there were any other discussion about this topic.

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

**The motion passed (4:1:0).**

Chair Rabasa, Vice Chair Lafer, Ms. Hsu, and Ms. Newman voted in favor of tabling action on this complaint until the board held their next meeting.

Ms. Hays voted against tabling action on this complaint until the board held their next meeting.

Chair Rabasa asked if anyone wanted to make a motion regarding the March 7th or April 6th complaint.

No motion was made.

Chair Rabasa called for a vote to dismiss the March 7, 2023, complaint.

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

Chair Rabasa, Vice Chair Lafer, Ms. Hsu, Ms. Hays, and Ms. Newman voted in favor of dismissing the March 7, 2023 complaint.

**MOTION:** Ms. Hsu moved, seconded by Ms. Hays to dismiss the April 6, 2023, complaint.

Chair Rabasa asked if there was any discussion.

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

**The motion passed (4:1:0).**

Chair Rabasa, Ms. Hsu, Ms. Newman and Ms. Hays voted in favor of dismissing the April 6, 2023 complaint.

Vice Chair Lafer voted against dismissing the April 6, 2023 complaint.

## XVI. ITEMS FOR ACTION AT A FUTURE MEETING

XVI.1. Approve Proposed Board Policy IIAA – Request for Reconsideration About Curriculum / Instructional / Library Materials
Presenter: Rob Hess, Chief of Staff

Mr. Hess said during the last discussion regarding this topic, the board requested that the AR be made into a policy. He listed the following three options:

1. Make the AR Policy
2. Sample OSBA Policy for Simplification
3. Improve the OSBA Sample

He suggested that the board select option number two.

Vice Chair Lafer said he was a bit confused. He asked if the board already adopted an AR that was close to the proposed option number one.

Mr. Hess said that was correct.

Vice Chair Lafer asked when Mr. Hess said adopt a policy and then write the AR, would that mean the AR might change depending on which policy the board adopted.

Mr. Hess said if you made the old AR a policy, the board would not need an AR because the policy would be detailed.

Vice Chair Lafer asked if the board chose option number two, would the AR be changed to reflect that.

Mr. Hess said yes. Option one would become the AR to go with option two.

Vice Chair Lafer said in other words, what was currently the AR would remain the AR, it would just have a simplified language in the policy. He was in favor of option one because it was important to be clear about the protocols given the increase in censorship around the country. It took a lot of staff work to develop a strong policy.

Ms. Hsu said this policy would safeguard against reconsideration of materials that were unfounded. She trusted the professionals in the district who wrote the language in this policy.

Ms. Newman said she did not want to weaken the policy, just simplify the language. The board had already adopted the AR, which was strong.

Vice Chair Lafer said in option two, it stated that the final decision of controversial reading material would lie with the board. In option one, he believed it said the decisions would be made by a committee made up of trained educators and librarians. He would like to de-politicize this and have these issues managed in a professional manner. He asked if that was the difference between option one and option two.

Mr. Hess said yes. The board would need to discuss that and make a revision to that.

There were no other comments or questions about this topic.

XVI.2. Consider Calendar Dates for 2023 – 2024 BOD Meeting

Chair Rabasa said the proposed calendar had meetings scheduled on the first and third Wednesday of each month, except for the month of October, which changed from the first to the second Wednesday of the month.

Superintendent Dey said that the proposed calendar indicated that on months where there were two or more board meetings, one was a regular board meeting, and the other was either a work or executive session. A regular board meeting could be added if needed. The calendar was a proposal. The idea was to dedicate time for work so it did not need to happen during board meetings, and exercise discipline so the board could focus on board-related business during regular board meetings.

Char Rabasa encouraged the board to put the fall retreat on the calendar.

Superintendent asked if Chair Rabasa wanted him to propose retreat dates and present them later as an item for action.

Chair Rabasa wanted to hear what board members thought about retreat dates, but she wanted to determine the dates now.

Ms. Newman said the proposed schedule was ambitious and she would be willing to try it.

Chair Rabasa asked if the board would consider the second meeting of the month to be designated as a work or executive session.

Superintendent Dey said the board could add regular board meetings to the schedule if a timely notice was posted to notify the public of the meeting date and time.

Ms. Newman said one regular meeting per month would reduce the amount of public comments.

There were no other comments or questions about this topic.

XVI.3. Revisions to Board Policy IK Academic Achievement (First Read)
Presenter: Rob Hess, Chief of Staff

Mr. Hess said this was a required change because of changes to the law regarding graduation.

There was no comments or questions.

XVI.4. Approve Deleting Board Policy IGBBC – Talented and Gifted (TAG) – Programs and Services
Presenter: Rob Hess, Chief of Staff

Mr. Hess said all these remaining items were regarding legal changes to the TAG Program. The revisions were all recommendations made by law and the OSBA. He said there was an up-to-date TAG plan on the 4J website.

XVI.5. Approve Revisions to Board Policy IGBB – Talented and Gifted Program
Presenter: Rob Hess, Chief of Staff

XVI.6. Approve Revisions to Board Policy IGBBA – Identification – Talented and Gifted Students
Presenter: Rob Hess, Chief of Staff

There was no other comments or questions about this topic.

## XVII. BOD SUGGESTIONED CONSDIERATIONS AT A FUTURE MEETING

Ms. Hays said last year Vice Chair Lafer had an in-depth discussion about First Amendment Rights. It was confusing when the policy talks about board behavior online and in public. She asked the board to start looking at the policy during the next meeting. The discussion should include what happens if someone violated the policy. She wanted everyone to understand what the policy was and what the repercussions would be if it were violated.

Chair Rabasa said this topic may be better served by the new board. She noted the board already prioritized working on the ACC policy.

Ms. Newman said she appreciated both the sense of urgency and the desire to work on policy with the new board.

Superintendent Dey said he did not think it would be overly complicated. The policy was clear in that students, staff, and members of the public would be treated with respect. The burden of discussion was not on him or his staff, it was on the board. When a board member swears into their seat, that was when they agreed to abide to all board policies.

Vice Chair Lafer proposed encouraging the use of community benefits agreements in future construction as a topic for future discussion. He would share information about this with the board and they could discuss the information.

Superintendent Dey wanted to continue the discussion about reengaging the EPD.

Chair Rabasa said the next regular board meeting was scheduled for June 7, 2023.

There were no other comments or questions.

## XVIII. ADJOURN

Chair Rabasa adjourned the meeting at 10:33 p.m.

Andy Dey
District Clerk

Maya Rabasa
Board Chair

*(Recorded by Diana Tisdale, LCOG)*