

Board of Directors Meeting  
School District 4J, Lane County  
District Office  
200 N. Monroe Street  
Eugene, Oregon 97402  
Wednesday, October 6, 2021

**NOTICE:** The meeting will be open to the public via live broadcast on KRVM 1280-AM and 98.7 FM, the internet at [www.4j.lane.edu/stream](http://www.4j.lane.edu/stream), in-person or via Zoom Webinar at <https://zoom.us/j/97396578668?pwd=LzBRpEpqZ0JxRzVpaVdlQ3h5UFVzd09>

School Board Meeting Request Forms:  
Attend in-person: [www.4j.lane.edu/board/attendance](http://www.4j.lane.edu/board/attendance)  
Provide public comment: [www.4j.lane.edu/board/publiccomment](http://www.4j.lane.edu/board/publiccomment)

Community members interested in attending the sessions in-person must submit a request in advance, as seating is limited due to COVID-19. If more people request to attend the meeting in-person than can be accommodated, priority will be given to individuals who have not recently attended a board meeting in-person. Face mask requirements and physical distancing protocols will be in effect.

The board will hear public testimony in-person and via Zoom from community members who sign up in advance. Up to 10 people will be scheduled to provide public comment, whether in-person or virtually, at each regular meeting. Priority will be given to residents who have not recently provided public comment in a board meeting.

Requests to attend a board meeting in-person or provide public comment must be submitted no later than 5 p.m. on the Monday before the meeting.

**7:00 PM**  
**5:30 p.m. Work Session and 7:00 p.m. Regular Board Meeting**

- I. **5:30 p.m. Work Session:** Discuss Budget Committee Application Review and Selection Process **3**  
Presenter: Judy Newman, Board Chair
- II. **7:00 p.m. Regular Board Meeting:**
- III. Call to Order, Roll Call, Flag Salute, Land Acknowledgement
- IV. Agenda Review
- V. Introduction of Guests and Superintendent's Report
- VI. Comments by Board Chair
- VII. Items Raised by the Audience
- VIII. Comments by Employee Groups
- IX. Comments and Committee Reports by Individual Board Members
- X. Consent Group - Items for Action
  - 1. Approve Request for State Revenue from Lane ESD 5  
Presenter: Andrea Belz, Director of Financial Services
  - 2. Approve Memorandum of Agreement (MOA) with Eugene Education Association (EEA) Concerning Implementation of Vaccine Mandate and Other COVID-Related Issues 7  
Presenter: Christine Nesbit, General Counsel
  - 3. Approve Memorandum of Agreement (MOA) with Oregon School Employee Association (OSEA) Concerning Implementation of Vaccine Mandate and Paid Leave 13  
Presenter: Christine Nesbit, General Counsel
  - 4. Approve Memorandum of Agreement with OSEA Concerning Custodial Classification Pay Grades 19  
Presenter: Christine Nesbit, General Counsel
- XI. Items for Information
  - 1. Receive Update on Bond Project: Camas Ridge Elementary School Design (10 minutes) 21

- Presenters: Kyle Tucker, Chief Operations Office and Ryan Spain,  
Director of Facilities Management
- XII. Items for Action
    - 1. Select Executive Search Firm Finalists for Interviews (10 minutes) 33  
Presenters: Board Subcommittee Members: Alicia Hays, Gordon Lafer and Maya Rabasa
    - 2. Approve Revisions to Board Policy IKF – Graduation Requirements (5 minutes) 34  
Presenter: Christine Nesbit, General Counsel
    - 3. Approve Contracting with SeeChange for Next Steps in the "All Students Belong" work plan 44  
(10 minutes) Presenter: Judy Newman, Board Chair and Martina Shabram, Vice Chair
  - XIII. Items for Action at a Future Meeting
    - 1. Consider School Calendar Revision (15 minutes) 45  
Presenter: Cydney Vandercar, Interim Superintendent
    - 2. Consider Resolution Encouraging Solidarity and Support for Student Identities (10 minutes) 47  
Presenters: Judy Newman, Board Chair and Martina Shabram, Vice Chair
    - 3. Approve Board Working Agreements (20 minutes) 52  
Presenter: Judy Newman, Board Chair
  - XIV. Suggestions by the Board for Consideration of Items at a Future Meeting
    - 1. **XIV.1. 2021–22 Board Meeting Dates:**  
~~JULY: Thursday, July 1, 2021 – Special Board Meeting~~  
~~AUGUST: Wednesday, August 4 and Wednesday, August 18;~~  
~~Board Retreat Dates: August 25 and August 28~~  
~~SEPTEMBER: Wed., Sept. 1, Wed., Sept. 22 and Wed., Sept. 29~~  
~~OCTOBER: Wed., Oct. 6, Wed., Oct. 13 and Wed., Oct. 20~~  
~~NOVEMBER: Wednesday, November 3 and Wednesday, November 17~~  
~~DECEMBER: Wednesday, December 1 and Wednesday, December 15~~  
**JANUARY 2022: Wednesday, January 12, 2022**  
**FEBRUARY: Wednesday, February 2 and Wednesday, February 16**  
**MARCH: Wednesday, March 2 and Wednesday, March 16**  
**APRIL: Wednesday, April 20**  
**MAY: Wednesday, May 4 and Wednesday, May 18**  
**JUNE: Wednesday, June 1 and Wednesday, June 22**
  - XV. Adjourn

THIS MEETING WILL BE BROADCAST OVER KRVM-AM (1280)

INTERPRETERS FOR THE DEAF AND HARD OF HEARING:

To request interpreter services for this meeting, please call (541) 790-7850 or TDD (541) 790-7712 or the  
TDD Relay Number 1 (800) 735-2900



## **WORK SESSION ITEM FOR INFORMATION**

### **Date**

October 6, 2021

### **Title**

Discuss the Budget Committee Application Review and Selection Process

### **Presenter**

Judy Newman, Board Chair

### **Description**

By statute, each school district in Oregon has a budget committee composed of the school board and an equal number of district residents appointed by the board.

The role of the district's budget committee is to hear the budget message, review the proposed budget, listen to comments from community members, then declare the tax rates and approve the budget totals to forward to the school board for adoption.

The budget committee examines the annual budget proposal to ensure that the district is planning to spend money in furtherance of district goals. The committee reviews the proposed district budget, hears comments from community members, asks questions, and then approves the budget for the school board to consider for adoption.

By law, budget committee members must reside within school district boundaries and be registered to vote. District employees are not eligible to serve on the committee. The budget committee's appointed positions have three-year terms, staggered so that approximately one-third of members' terms expire each year.

There are three openings on the budget committee to be filled this fall. The terms of budget committee members Elizabeth Price and Jennifer Winters expired June 30, 2021. Committee members may apply for reappointment. The third vacancy is for a partial term that will end June 30, 2022, to fill the position that was vacated when Maya Rabasa was elected to serve on the school board.

The board's established process to fill budget committee openings has been to have the district solicit applications from community members interested in serving on the committee; invite applicants to speak briefly at a school board meeting or be interviewed by the board in a work session; indicate initial preferences via an online response form that is part of the public record; and then take action to select and appoint committee members at a following board meeting. The board has previously discussed possible adjustments to the solicitation, screening and selection process for future appointments.

The district is accepting applications from community members interested in serving on the district's volunteer budget committee. Applications are due [Wednesday, October 13](#), at 5 p.m. at <http://www.4j.lane.edu/board/budcommapplication>.

Information about the budget committee openings and opportunity to apply to serve has been posted on the district website in English and Spanish, shared on social media (board members may like and share to help spread awareness of the opportunity), and sent to local news media. On [Monday](#) it will be shared in an email to all 4J parents and to more than 1,700 community e-news subscribers, which include Eugene–Springfield NAACP, Centro Latino Americano, LULAC and other community organizations.

Board members are encouraged to share this opportunity with additional community members.

By Oregon law, to be eligible to serve on the budget committee, applicants must not be district employees (ORS 294.414(4)), must be registered voters (ORS 294.414(2)), and must live within the boundaries of Eugene School District 4J (ORS 294.414(2)). Applicants do not need to be parents of students or have any other association with 4J schools. By law, committee members may not receive any compensation for their services (ORS 294.414(3)).

The board must appoint community members to fill three openings on the budget committee: Two full three-year terms (ORS 294.414(5)), and the final year of the seat vacated when Maya Rabasa was elected to the board (ORS 294.414(7)). Members with expired terms may reapply.

Board members will discuss the application review and selection process to use this year in a work session on [October 6](#).



## CONSENT AGENDA – ITEM FOR ACTION

### Date of Meeting

October 6, 2021

### Title

Approve Request for State Revenue from Lane Education Services District (ESD)

### Presenters

Andrea Belz, Director of Financial Services

### Background

Education Service Districts (ESD) receive 4.50 percent of the State School Fund (SSF) formula revenue. Under Oregon Revised Statute 334.177, an ESD must spend at least 90 percent of these funds on programs or services approved by the component school districts served by the ESD. However, a school district may elect to request a portion of these funds be distributed to the district in lieu of services provided by the ESD.

### Options and Alternatives

1. Request up to 50% (percent) of the available revenues. For fiscal year 2021, this generated approximately \$2.8 million for the district's general fund while retaining the ability to participate in the formal governance of Lane ESD and the ability to receive services from the ESD.
2. Approve more than 50% and up to 75% of the available revenues. This option would generate additional funding for the district's general fund, but the district would only be able to act in an advisory capacity in the governance of Lane ESD. Further, the district would need to establish programs and services to replace the purchased services it currently receives from Lane ESD.
3. Approve more than 75% and up to 85% of the available revenues. This option would generate even more funding for the district's general fund. However, in addition to the impact listed in option 2, the district would need to purchase services from another ESD, not Lane ESD, for the amounts over 75%.
4. Decline to request any revenue share from Lane ESD. While services could be purchased from Lane ESD with these dollars, the district would need to reduce its direct expenditures for staff and services in the upcoming 2022-23 proposed budget.

### Budget/Resource Implications

Any change to the current practice of requesting up to 50% of available revenues would necessitate a budgetary change in staffing and/or contracted services, either increasing or decreasing these resources to match the district's available funding.

### Board and Superintendent Goals

The recommendation supports the strategic goal of providing effective, efficient, and equitable stewardship of district resources to best support our instructional mission.

### Recommendation

The superintendent recommends requesting up to 50% of the state formula revenue from Lane Education Service District.

**Lane Education Service District  
School District Transit Dollar Request for Fiscal Year 2022-23**

*Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis.*

*The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2021. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.*

The following school district requests the amount of funds identified below for fiscal year 2022-23

Name of District: Eugene School District 4J

Date of Board Action: October 6, 2021

District Representative: Cydney Vandercar, Interim Superintendent

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Select One

<b>X</b>	<p><b>Not to Exceed 50%</b>  <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
	<p><b>More than 50% to 75%</b>  <i>The school district may request up to 75% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
	<p><b>More than 75% to 85%</b>  <i>The school district may request up to 85% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. The percentage requested that exceeds 75% must be used to purchase services from one or more ESDs, not including Lane ESD.</i></p>



## **ITEM FOR ACTION – CONSENT AGENDA**

### **Date of Meeting**

October 6, 2021

### **Title**

Approve Memorandum of Agreement with EEA Concerning Vaccine Mandate and other COVID Matters

### **Presenter(s)**

Christine Nesbit, General Counsel

### **Background**

Eugene Education Association serves as the exclusive representative of 4J licensed staff members. During August and September, EEA and district representatives met a number of times and reached a tentative agreement included in the board packet. The Agreement addresses the following subjects:

- Face coverings
- Air purifiers
- No requirement for simultaneous digital and in-person instruction
- Transition time when classrooms or buildings shift to distance learning
- Use of accrued sick leave
- Temporary paid leave
- Vaccination mandate implementation

### **Options and Alternatives**

The board may vote to approve or reject the proposed MOA. In the event the board votes to reject the proposed MOA, it should convene in executive session to provide guidance to the appointed labor representative.

### **Budget/Resource Implications:**

The proposed temporary paid leave (TPL) program is district-wide (meaning, accessible by most employees), and is expected to support employees who need to be absent during contact tracing or periods of quarantine. The proposed program would allow up to 10,000 hours of leave time to be used. While the actual costs are unknown, they are not expected to exceed \$450,000. Should it later be necessary to expand the program and incur added costs, the superintendent will seek guidance from the board.

### **Recommendation**

The Superintendent recommends approval of the MOA with EEA.

MEMORANDUM OF AGREEMENT  
BETWEEN  
EUGENE EDUCATION ASSOCIATION  
AND  
EUGENE SCHOOL DISTRICT 4J

9/22/21  
T/A  
Curtis  
9/22/21  
T/A  
Sabrina  
Gordon

Eugene Education Association (Association) and the Eugene School District 4J (District) agree to the following measures to keep staff as health and safe as possible against COVID-19:

**A. Health and Safety Matters Generally**

1. Should the statewide indoor or outdoor face covering mandates that apply to schools and that are in effect as of the date of this agreement later be rescinded, the district will upon request from EEA meet and confer with EEA about whether the district will issue its own face covering rule. Any such request from EEA must be made promptly upon the announcement by OHA or other authority of that authority's intent to rescind its face covering rule.
2. The district has optimized ventilation systems in the vast majority of workspaces for licensed staff members, including all district classrooms. Should an individual member be assigned to regularly work in a space with an apparent lack of ventilation (such as a small office with no HVAC vent), the member may inquire with their supervisor about obtaining an air purifier from facilities. Facilities will determine whether the air circulation in a workspace is such that an air purifier is warranted and will provide air purifiers for such spaces. It is not the intention of this provision that rooms with adequate existing ventilation receive additional air purifiers.
3. Teachers will not be required to simultaneously engage in digital and in-person instruction for the same class. This provision shall not be construed to limit the requirement that teachers place their determined assignments and required class materials in the applicable learning management system within a reasonable amount of time.
4. Should an entire classroom or building be moved to a distance learning format, teachers will provide asynchronous learning opportunities to students on a transition day in order to allow the teacher a day (or period as the case may be for secondary teachers) to prepare for the transition. Teachers will be provided two hours of preparation time as soon as possible but no later than October 15, 2021 in which to prepare these asynchronous lessons.
5. The parties agree that the district will implement the temporary paid leave program as reflected in Attachment 1 to this Agreement.
6. Members may use their sick leave when it is necessary for them to care for their child whose school or child care provider has been closed in conjunction with COVID-19, or to care for their child who is required to remain quarantined by directive of Lane County Public Health or the child's health care provider. This provision applies to members irrespective of OFLA eligibility.

**B. Vaccination Mandate and Policy**

1. Eugene School District 4J (District) and Eugene Education Association (EEA) enter into this agreement for the purpose of implementing Oregon's statewide COVID-19

vaccination mandate for teachers and school staff as reflected in Oregon Administrative Rule (OAR) 333-019-1030, and the district's policy that the requirements of OAR 333-019-1030 apply to all employees. The district and EEA agree that the following terms and conditions apply to the district's implementation of OAR 333-019-1030 and district policy requiring that all bargaining unit employees be fully vaccinated against COVID-19 by October 18, 2021.

2. Employees shall submit to Human Resources by 5:00 PM on October 5, 2021, proof that they will be fully vaccinated against COVID-19 by October 18, 2021. The deadline for submitting an exception request and documentation was September 13, 2021.
3. "Fully vaccinated" means having received both doses of a two-dose COVID-19 vaccine or one dose of a single-dose COVID-19 vaccine and at least 14 days have passed since the individual's final dose of COVID-19 vaccine.
4. Employees who will not be fully vaccinated by 5:00 PM October 18, 2021 or who do not have a district-approved medical or religious exception by October 5, 2021, will be permitted to resign by emailing Human Resources of their intent to resign effective 5:00 PM on October 18, 2021; written notice of resignation must be provided via email to [hr@4j.lane.edu](mailto:hr@4j.lane.edu) or by a letter delivered to Human Resources, 4J Education Center, 200 N. Monroe Street, Eugene OR 97402 by 5:00 PM on October 5, 2021. Employees who do not submit proof of vaccination, have not made a timely request for a medical or religious exception, do not have an accepted exception, or who have not given notice of their decision to resign by the deadline of October 5, 2021 will, as required by law, no longer be permitted to be employed by the district. Should termination proceedings be initiated, employees will be placed on unpaid leave for a maximum of 6 weeks. It is understood that Human Resources may, in individual cases, adjust the deadline of October 5, as part of the interactive process.
5. Should an employee submit evidence of partial vaccination by October 18, 2021 and a plan to become fully vaccinated, the district shall permit the employee to take unpaid leave for a maximum of 6 weeks for the purpose of becoming fully vaccinated. The district shall not pay medical benefits during any such period of leave, and employees shall not be permitted to use accrued paid leave.
6. Human Resources may adjust the deadlines referred to in this Agreement as necessary to accommodate members on leave or to address exceptional and unforeseen circumstances.
7. The district will consider medical and religious exception requests to the vaccination requirement on an individualized basis in accordance with applicable state and federal laws. Employees are required to cooperate in the interactive process and to timely provide all requested documentation. If an employee requests that an Association representative be present at an interactive meeting, the district shall grant such request so long as it would not cause undue delay.
8. As required by law, the district will provide reasonable accommodations to employees who are granted a medical or religious exception to the vaccination requirement, while also taking reasonable steps to ensure that all staff and students are protected from contracting and spreading COVID-19.
  - a. Reasonable accommodations may include reassignments to vacant positions in distance learning or unpaid leave. The district will make a reasonable and good faith effort to ensure that educators with approved exceptions receive priority

for placement in distance learning assignments. It is understood that the district is not required to transfer employees from current positions in distance learning as an accommodation or to create new positions.

- b. If no suitable placement is available, the employee may request or be placed on unpaid personal leave under the terms of Article 9.3.1. The requirement in Article 9.3.1 that employees work for three consecutive years prior to the grant of an unpaid personal leave shall not apply.
- c. Nothing in this Agreement is intended to limit the district's right to determine whether an accommodation may pose an undue hardship to the district or whether granting an exception would create a direct threat to the health and safety of others.

9. Employees who are granted unpaid leave pursuant to the terms of this Agreement shall, by March 15, 2022, provide written notice to Human Resources of their intent to comply with district policy concerning vaccination against COVID-19, with or without accommodation, and return to work for the 2022-23 work year. Employees intending to return to work for the 2022-23 work year who are unable to receive vaccination and who continue to qualify for a medical or religious exception will cooperate with the district in an interactive process to determine appropriate accommodations for the 2022-23 year. Written notice may be provided in email to hr@4j.lane.edu or by a letter delivered to Human Resources, 200 N. Monroe Street, Eugene OR 97402. Failure to provide timely notice will constitute a resignation from district employment.

**C. Additional Terms**

- 1. This Agreement, once ratified shall be retroactive to August 30, 2021. It is understood that in order to comply with legal requirements, the district may begin implementation prior to ratification.
- 2. This Agreement expires on June 30, 2022 unless extended in writing by the parties.

FOR EUGENE EDUCATION  
ASSOCIATION

FOR EUGENE SCHOOL DISTRICT 4J

\_\_\_\_\_  
Sabrina Gordon                      Date  
President

\_\_\_\_\_  
Cydney Vandercar                      Date  
Superintendent

\_\_\_\_\_  
Pete Swinford                      Date  
Uniserv/ OEA

\_\_\_\_\_  
Judy Newman                      Date  
Chair, Board of Directors

## **4J COVID-19 Temporary Paid Leave (TPL) Bank 2021-22**

### **Qualifying Reasons for Leave**

Access to the 4J COVID-19 Temporary Paid Leave (TPL) Bank will be granted to employees unable to work (including telework if authorized) in the following circumstances:

- (1) The employee has a positive COVID-19 diagnosis;
- (2) The employee is experiencing symptoms of COVID-19 and is seeking a COVID-19 test or is awaiting test results; or
- (3) The employee is subject to a quarantine or isolation order (directed by Lane County Public Health or district COVID administrator or designee).

In addition to any applicable bereavement leave provided by a collective bargaining agreement, up to five (5) days of TPL may be granted at the discretion of the Human Resources Director for a death related to COVID-19.

TPL may not be granted for any other purpose.

### **Eligibility**

To be eligible to access the 4J TPL:

- The employee must be employed by the district in a regular, benefits-eligible position. In addition, eligibility extends to non-benefits eligible employees in regular-status positions covered by the OSEA collective bargaining agreement.
- For employees represented by a bargaining unit, there must be a signed, ratified agreement extending the program to the applicable bargaining unit. This program does not include coaches, seasonal workers, substitutes, or unrepresented temporary staff.
- The employee is not presently receiving long-term or short-term disability benefits through OEBA or other third-party supplemental insurance program.
- The employee is not applying for or receiving unemployment compensation or Workers Compensation payments for the time off due to quarantine, isolation or experiencing COVID-19 symptoms.
- The employee is fully cooperative with Human Resources in providing information requested, and in taking COVID-19 diagnostic tests requested by the district or the employee's health care provider.
- The employee has followed district notification protocols meaning that they are to notify their supervisor and stay home if they have a presumptive or confirmed diagnosis of COVID 19, have been exposed to a person with COVID 19 or are being tested for COVID 19 due to symptoms or exposure concerns.

### **Benefit**

- Pay continuation for up to 10 days total during the 2021-22 year, at the employee's regular daily rate. The days need not be consecutive.
- After exhausting 10 days of TPL and other applicable leaves, eligible employees experiencing a serious COVID-19 related health condition may request an award of an

## **4J COVID-19 Temporary Paid Leave (TPL) Bank 2021-22**

available contractual sick leave bank in accordance with the terms of the applicable labor contract.

- After an employee has exhausted all paid leave and is or about to be in unpaid status, additional leave of up to 10 days may be provided at the HR Director's discretion based on extraordinary circumstances. For purposes of this program only, paid leave includes TPL, sick leave, sick leave bank award (if applicable), vacation time (in excess of 40 hours), personal days and compensatory time.

### **Process**

The employee must cooperate with and follow directions provided by the district contact tracer. This may include a requirement to submit a request for TPL to [hr\\_leaves@4j.lane.edu](mailto:hr_leaves@4j.lane.edu), provide all required documentation and follow all required steps to obtain approval for leave.

The district may require documentation of the need for leave.

Any denial of leave under this program may be appealed to the Assistant Superintendent for Operations whose decision shall be final.

### **Duration of Program**

- The district has authorized 10,000 hours for the temporary leave program bank for the 2021-22 year. The district in its sole discretion reserves the right to continue the program should the 10,000 hours be exhausted, through all available means including sick leave donation.
- This benefit is intended to be available through June 30, 2022 only.
- The district may terminate or modify the program at any time if:
  - The leave bank is exhausted.
  - The district determines in good faith there is a reason to do so.
  - Law is enacted providing or requiring some or all of the benefits provided by this program.



## **ITEM FOR ACTION – CONSENT AGENDA**

### **Date of Meeting**

October 6, 2021

### **Title**

Approve Memorandum of Agreement with OSEA Concerning Vaccine Mandate and Temporary Paid Leave

### **Presenter(s)**

Christine Nesbit, General Counsel

### **Background**

Oregon School Employees' Association, Chapter 1 serves as the exclusive representative of 4J classified staff members.

Following Governor Brown's announcement of a school employee vaccine mandate, OSEA and district representatives met a number of times and reached a tentative agreement on the same. The agreement reached addresses timelines, accommodations, procedures for seeking exceptions to the requirement, and consequences for non-compliance.

The tentative agreement also proposes to implement a district-wide temporary paid leave bank for employees required to quarantine or be absent during contact tracing.

### **Options and Alternatives**

The board may vote to approve or reject the proposed MOA. In the event the board votes to reject the proposed MOA, it should convene in executive session to provide guidance to the appointed labor representative.

### **Budget/Resource Implications:**

The proposed temporary paid leave (TPL) program is district-wide (meaning, accessible by most employees), and is expected to support employees who need to be absent during contact tracing or periods of quarantine. The proposed program would allow up to 10,000 hours of leave time to be used. While the actual costs are unknown, they are not expected to exceed \$450,000, districtwide. Should it later be necessary to expand the program and incur added costs, the superintendent will seek guidance from the board.

### **Recommendation**

The Superintendent recommends approval of the MOA with OSEA

**MEMORANDUM OF AGREEMENT  
BETWEEN  
EUGENE SCHOOL DISTRICT 4J  
AND  
OREGON SCHOOL EMPLOYEES ASSOCIATION**

Recitals

1. Eugene School District 4J (District) and Oregon School Employees Association, Chapter 1 (OSEA) enter into the following agreement related to the implementation of Oregon's statewide COVID-19 vaccination mandate for teachers and school staff as reflected in Oregon Administrative Rule (OAR) 333-019-1030.
2. The district has extended the requirements of OAR 333-019-1030 to all employees.
3. The district and OSEA agree that the following terms and conditions apply to the district's policy requiring that all bargaining unit employees be fully vaccinated against COVID-19 by October 18, 2021.

Agreement

1. Employees shall submit to Human Resources by 5:00 PM on October 5, 2021, proof that they will be fully vaccinated against COVID-19 by October 18, 2021. The deadline for submitting an exception request and documentation was September 13, 2021.
2. "Fully vaccinated" means having received both doses of a two-dose COVID-19 vaccine or one dose of a single-dose COVID-19 vaccine and at least 14 days have passed since the individual's final dose of COVID-19 vaccine.
3. Employees who will not be fully vaccinated by 5:00 PM October 18, 2021 or who do not have a district-approved medical or religious exception by October 5, 2021, will be permitted to resign by emailing Human Resources of their intent to resign effective 5:00 PM on October 18, 2021; written notice of resignation must be provided via email to [hr@4j.lane.edu](mailto:hr@4j.lane.edu) or by a letter delivered to Human Resources, 4J Education Center, 200 N. Monroe Street, Eugene OR 97402 by 5:00 PM on October 5, 2021. Employees who do not submit proof of vaccination, have an approved medical or religious exception, or who have not given notice of their decision to resign by the deadline of October 5, 2021 will be terminated, effective 5:00 PM on October 18, 2021, for failing to meet a requirement of their employment. The Association agrees that it will not file a grievance or take any other legal action against the district on behalf of any employee whose employment is terminated pursuant to and in accordance with the terms and conditions of this Agreement. It is understood that Human Resources may, in individual cases, adjust the deadline of October 5, as part of the interactive process.
4. Should an employee submit evidence of partial vaccination by October 18, 2021 and a plan to become fully vaccinated, the district may in its discretion permit the employee to take unpaid leave for a maximum of 6 weeks for the purpose of becoming fully vaccinated. The district shall not pay medical benefits during any such period of leave, and employees shall not be permitted to use accrued paid leave. In exceptional circumstances, Human Resources may permit paid leave,

however, such decisions are final with the Human Resources Director and may not be grieved or appealed in any forum.

5. Should an employee become ill due to receiving a COVID-19 vaccination, such employee may use up to 2 days of their accrued sick leave for their absence, and thereafter may use up to 2 days of paid leave to be approved by Human Resources.
6. A request for a medical exception must have been made to Human Resources by noon on September 13, 2021, and corroborated by a document signed by a medical provider, who is not the individual seeking the exception, on a form prescribed by the Oregon Health Authority, certifying that the individual has a physical or mental impairment that limits the individual's ability to receive a COVID-19 vaccination based on a specified medical diagnosis, and that specifies whether the impairment is temporary in nature or permanent. The district may request additional documentation. Employees unable to schedule an appointment with their health care provider by noon on September 13, 2021, must make a request for an extension to Human Resources by the same date and time.
7. A request for a religious exception must have been made by noon on September 13, 2021 and corroborated by a document, on a form prescribed by the Oregon Health Authority, signed by the individual stating that the individual is requesting an exception from the COVID-19 vaccination requirement on the basis of a sincerely held religious belief and including a statement describing the way in which the vaccination requirement conflicts with the religious observance, practice, or belief of the individual. The district may request additional documentation.
8. The District will consider medical and religious exception requests to the vaccination requirement on an individualized basis in accordance with applicable state and federal laws. Employees are required to cooperate in the interactive process and to timely provide all requested documentation.
9. When required by law, the District will provide reasonable accommodations to employees who are granted a medical or religious exception to the vaccination requirement, while also taking reasonable steps to ensure that all staff are protected from contracting and spreading COVID-19. Reasonable accommodations may include but are not limited to reassignments, unpaid leave, or schedule adjustments. Nothing in this Agreement is intended to limit the district's determination as to whether an accommodation may pose an undue hardship or whether granting an exception would create a direct threat to the health and safety of others. If the district's decisions as regards accommodation or the granting or denial of an exception are grieved to arbitration, the decision may only be changed if found to be arbitrary or capricious or taken in bad faith.
10. Human Resources may adjust the deadlines in this Agreement as necessary to accommodate members on leave or to address exceptional and unforeseen circumstances.
11. Staff not currently vaccinated must undergo weekly at-home COVID-19 screening testing by mail through Oregon Health Authority's COVID-19 Testing in Oregon's K-12 Schools Program.
12. Staff who are granted unpaid leave pursuant to the terms of this Agreement shall, by April 1, 2022, provide written notice to Human Resources of their intent to comply with district policy concerning vaccination against COVID-19, with or without accommodation, and to return to

work for the 2022-23 work year. Written notice may be provided in email to [hr@4j.lane.edu](mailto:hr@4j.lane.edu) or by a letter delivered to Human Resources, 200 N. Monroe Street, Eugene OR 97402. Failure to provide such notice will constitute a resignation from district employment and will terminate recall rights, if applicable.

13. The district will implement the 4J COVID-19 temporary paid leave (TPL) bank as provided in **Attachment 1** to this Agreement.
14. This Agreement, once ratified, shall be retroactive to August 30, 2021. It is understood that in order to comply with legal requirements, the district may begin implementation prior to ratification.
15. This Agreement expires June 30, 2022, unless extended in writing by the parties.

FOR OREGON SCHOOL EMPLOYEES  
ASSOCIATION, CHAPTER ONE

FOR EUGENE SCHOOL DISTRICT 4J

\_\_\_\_\_  
Sheila Waggoner                      Date  
President

\_\_\_\_\_  
Cydney Vandercar                      Date  
Superintendent

\_\_\_\_\_  
Steve Sears                      Date  
Field Representative - OSEA

\_\_\_\_\_  
Judy Newman                      Date  
Chair, Board of Directors

## **4J COVID-19 Temporary Paid Leave (TPL) Bank 2021-22**

### **Qualifying Reasons for Leave**

Access to the 4J COVID-19 Temporary Paid Leave (TPL) Bank will be granted to employees unable to work (including telework if authorized) in the following circumstances:

- (1) The employee has a positive COVID-19 diagnosis;
- (2) The employee is experiencing symptoms of COVID-19 and is seeking a COVID-19 test or is awaiting test results; or
- (3) The employee is subject to a quarantine or isolation order (directed by Lane County Public Health or district COVID administrator or designee).

In addition to any applicable bereavement leave provided by a collective bargaining agreement, up to five (5) days of TPL may be granted at the discretion of the Human Resources Director for a death related to COVID-19.

TPL may not be granted for any other purpose.

### **Eligibility**

To be eligible to access the 4J TPL:

- The employee must be employed by the district in a regular, benefits-eligible position. In addition, eligibility extends to non-benefits eligible employees in regular-status positions covered by the OSEA collective bargaining agreement.
- For employees represented by a bargaining unit, there must be a signed, ratified agreement extending the program to the applicable bargaining unit. This program does not include coaches, seasonal workers, substitutes, or unrepresented temporary staff.
- The employee is not presently receiving long-term or short-term disability benefits through OEBA or other third-party supplemental insurance program.
- The employee is not applying for or receiving unemployment compensation or Workers Compensation payments for the time off due to quarantine, isolation or experiencing COVID-19 symptoms.
- The employee is fully cooperative with Human Resources in providing information requested, and in taking COVID-19 diagnostic tests requested by the district or the employee's health care provider.
- The employee has followed district notification protocols meaning that they are to notify their supervisor and stay home if they have a presumptive or confirmed diagnosis of COVID 19, have been exposed to a person with COVID 19 or are being tested for COVID 19 due to symptoms or exposure concerns.

### **Benefit**

- Pay continuation for up to 10 days total during the 2021-22 year, at the employee's regular daily rate. The days need not be consecutive.
- After exhausting 10 days of TPL and other applicable leaves, eligible employees experiencing a serious COVID-19 related health condition may request an award of an

## **4J COVID-19 Temporary Paid Leave (TPL) Bank 2021-22**

available contractual sick leave bank in accordance with the terms of the applicable labor contract.

- After an employee has exhausted all paid leave and is or about to be in unpaid status, additional leave of up to 10 days may be provided at the HR Director's discretion based on extraordinary circumstances. For purposes of this program only, paid leave includes TPL, sick leave, sick leave bank award (if applicable), vacation time (in excess of 40 hours), personal days and compensatory time.

### **Process**

The employee must cooperate with and follow directions provided by the district contact tracer. This may include a requirement to submit a request for TPL to [hr\\_leaves@4j.lane.edu](mailto:hr_leaves@4j.lane.edu), provide all required documentation and follow all required steps to obtain approval for leave.

The district may require documentation of the need for leave.

Any denial of leave under this program may be appealed to the Assistant Superintendent for Operations whose decision shall be final.

### **Duration of Program**

- The district has authorized 10,000 hours for the temporary leave program bank for the 2021-22 year. The district in its sole discretion reserves the right to continue the program should the 10,000 hours be exhausted, through all available means including sick leave donation.
- This benefit is intended to be available through June 30, 2022 only.
- The district may terminate or modify the program at any time if:
  - The leave bank is exhausted.
  - The district determines in good faith there is a reason to do so.
  - Law is enacted providing or requiring some or all of the benefits provided by this program.



## ITEM FOR ACTION – CONSENT AGENDA

### Date of Meeting

October 6, 2021

### Title

Approve Memorandum of Agreement with OSEA Concerning Custodial Pay Grades

### Presenter(s)

Christine Nesbit, General Counsel

### Background

During 2020, the district had a vacancy rate of 18% in custodial staffing. Following a sustained inability to fill such positions, the district studied market data which demonstrated conclusively that some custodial positions were compensated well below market averages.

Subsequently, the district determined that two of the custodial classifications (Custodial Maintenance Worker I and Custodial Maintenance Worker II) needed to be combined because they were insufficiently distinguishable under pay equity laws.

For these reasons, the district and OSEA agreed that market-based wage adjustments to custodial positions would be made during the 2021-22 school year. Representatives for OSEA and the district have negotiated and reached tentative agreement concerning custodial wages as follows:

- The position of Custodian, currently at pay grade 6, will be placed on pay grade 7 of the classified salary schedule.
- Following pay equity principles and analysis, the district determined it was necessary to combine the positions of Custodial Maintenance Coordinator I and Custodial Maintenance Coordinator II into a single classification called Maintenance Coordinator. This classification will be placed on pay grade 8.
- The position of Lead Custodian, currently on pay grade 8, will be placed on pay grade 9.
- The pay grade adjustments will be retroactively effective, beginning October 1, 2021.

### Options and Alternatives

The board may vote to approve or reject the proposed MOA. In the event the board votes to reject the proposed MOA, it should convene in executive session to provide guidance to the board's designated agent for labor negotiations.

### Budget/Resource Implications:

Approval of this Agreement will result in \$.25 million in new, ongoing costs to the district's general fund.

### Recommendation

The Superintendent recommends approval of the MOA with OSEA.

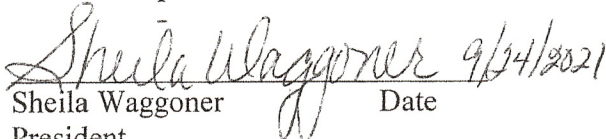
MEMORANDUM OF AGREEMENT  
 BETWEEN  
 OREGON SCHOOL EMPLOYEES ASSOCIATION  
 AND  
 EUGENE SCHOOL DISTRICT 4J

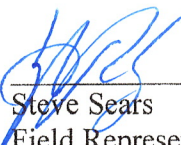
Eugene School District 4J (District) and Oregon School Employees Association, Chapter One (OSEA), enter into this agreement regarding an adjustment of the classified salary schedule grade for the following classifications: Custodian, Custodial Maintenance Coordinator I, and Lead Custodian. This agreement is made pursuant to article 7.6 of the Collective Bargaining Agreement related to market adjustments.

1. The Custodian classification, currently placed at pay grade 6, shall be placed on pay grade 7 of the classified salary schedule.
2. The Custodial Maintenance Coordinator I and Custodial Maintenance Coordinator II classification have been combined, and will be called Maintenance Coordinator. Maintenance Coordinators will be placed at pay grade 8 of the classified salary schedule, and will be listed in Appendix D on a stand alone classification.
3. The Lead Custodian classification, currently placed at pay grade 8, shall be placed on pay grade 9.
4. Appendices C and D are hereby modified in accordance with the terms of this Agreement.
5. All employees in the affected classifications will retain their classification seniority date and current step placement.
6. The pay grade adjustment for impacted staff will be retroactively effective beginning October 1, 2021.
7. This agreement amends the Collective Bargaining Agreement between the parties, which expires on June 30, 2022.

It is so agreed this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

**OSEA Chapter I**

  
 \_\_\_\_\_  
 Sheila Waggoner                      Date  
 President

  
 \_\_\_\_\_  
 Steve Sears                              Date  
 Field Representative

**Eugene School District 4J**

\_\_\_\_\_  
 Cydney Vandercar                      Date  
 Superintendent

\_\_\_\_\_  
 Judy Newman                              Date  
 Board Chair



## ITEM FOR INFORMATION

### **Date of Meeting**

October 6, 2021

### **Title**

Bond Update: Camas Ridge Elementary School – Design Development

### **Presenter**

Ryan Spain, Director of Facilities Management and Kyle Tucker, Chief Operations Officer

### **Background**

Local voters approved a bond measure in November 2018 to fund capital improvements at every 4J school. Three aging school buildings will be replaced with high-quality facilities built for school safety, modern seismic standards, sustainability, and 21st century education: North Eugene High School, Edison Elementary School and Camas Ridge Elementary School. Planning for the final new school building and other capital improvements continues.

The Camas Ridge Elementary School design team has completed the design development phase for the replacement school. The design process started with a depth of reference materials collected by the school district with professional and community input. An initial public outreach meeting was held in an effort to gather feedback, better understand the community's priorities and share the design team options for building siting. Additional feedback received from the community during the public meeting for the schematic design review has continued to help shape the new facility.

Information on the Camas Ridge Elementary School – Design Development and 4J Bond Projects can be found on the district website at <https://www.4j.lane.edu/bond/projects/camasridge/>  
An FAQ (Frequently Asked Questions) can also be found on the district website at <https://www.4j.lane.edu/bond/projects/camasridge/faq-camas/>

Following the Board update, we will provide a staff and community update.

### **Board and Superintendent Goals**

4J Vision 20/20 Strategic Plan

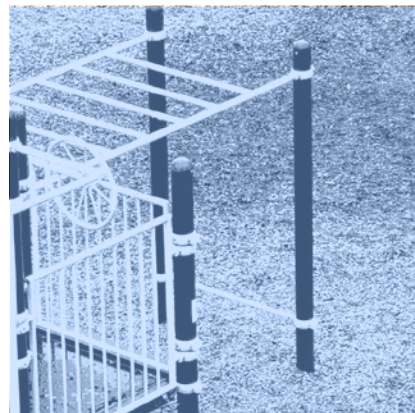
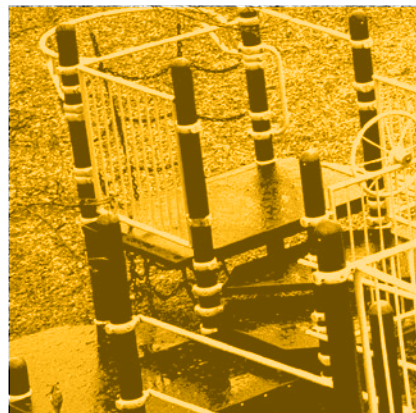
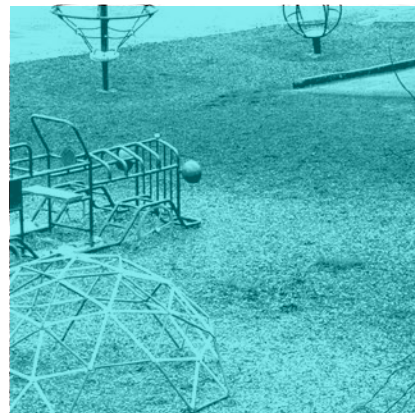
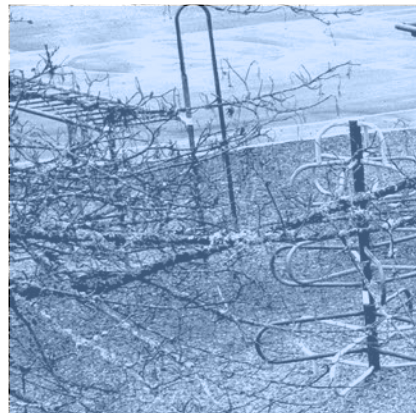
Goal III: Communication & Connection with Community

Goal V: Stable, Sustainable Stewardship

# CAMAS RIDGE ELEMENTARY SCHOOL

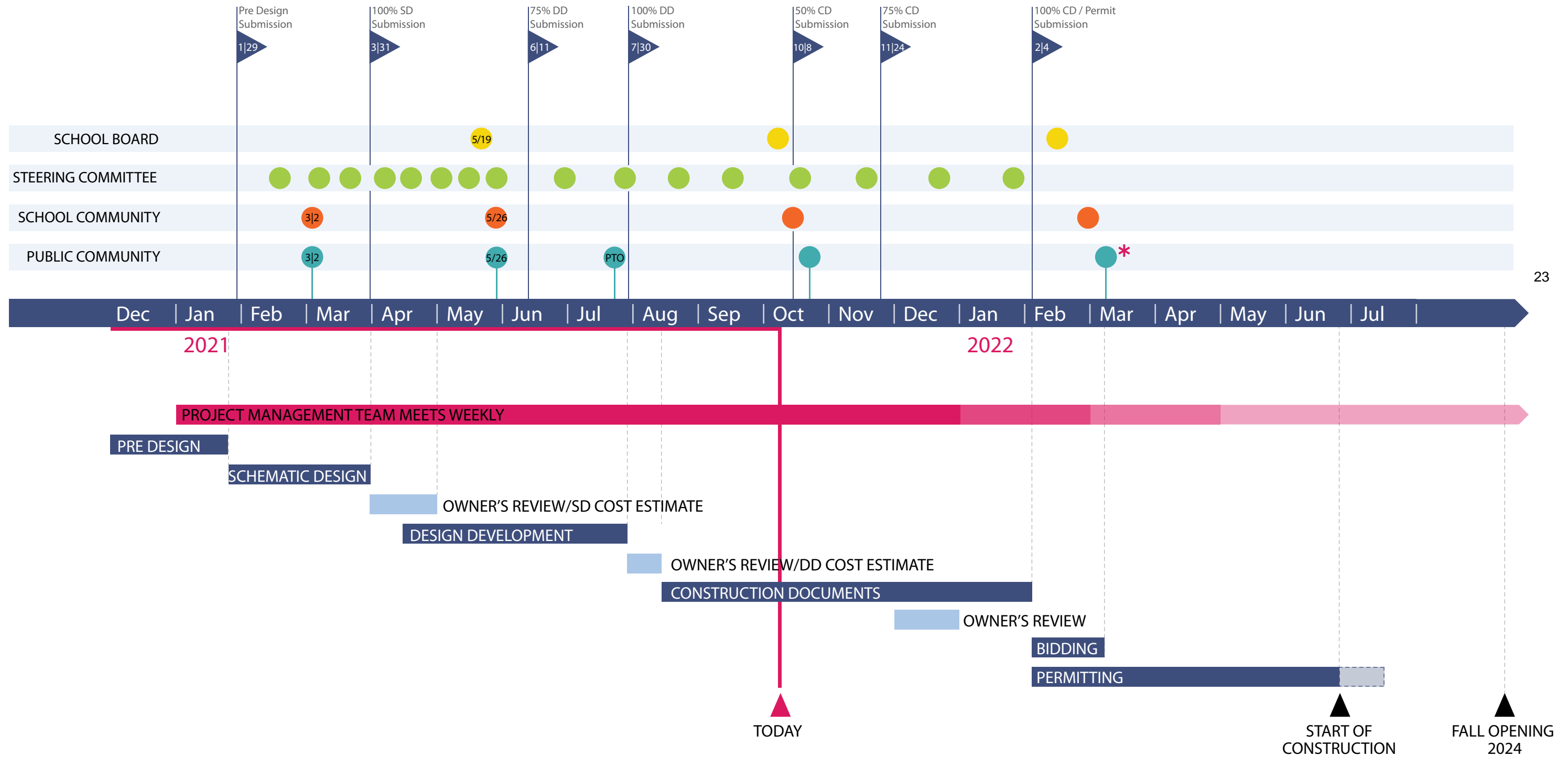
## School Board Update

EUGENE SCHOOL DISTRICT 4J  
OCTOBER 2021

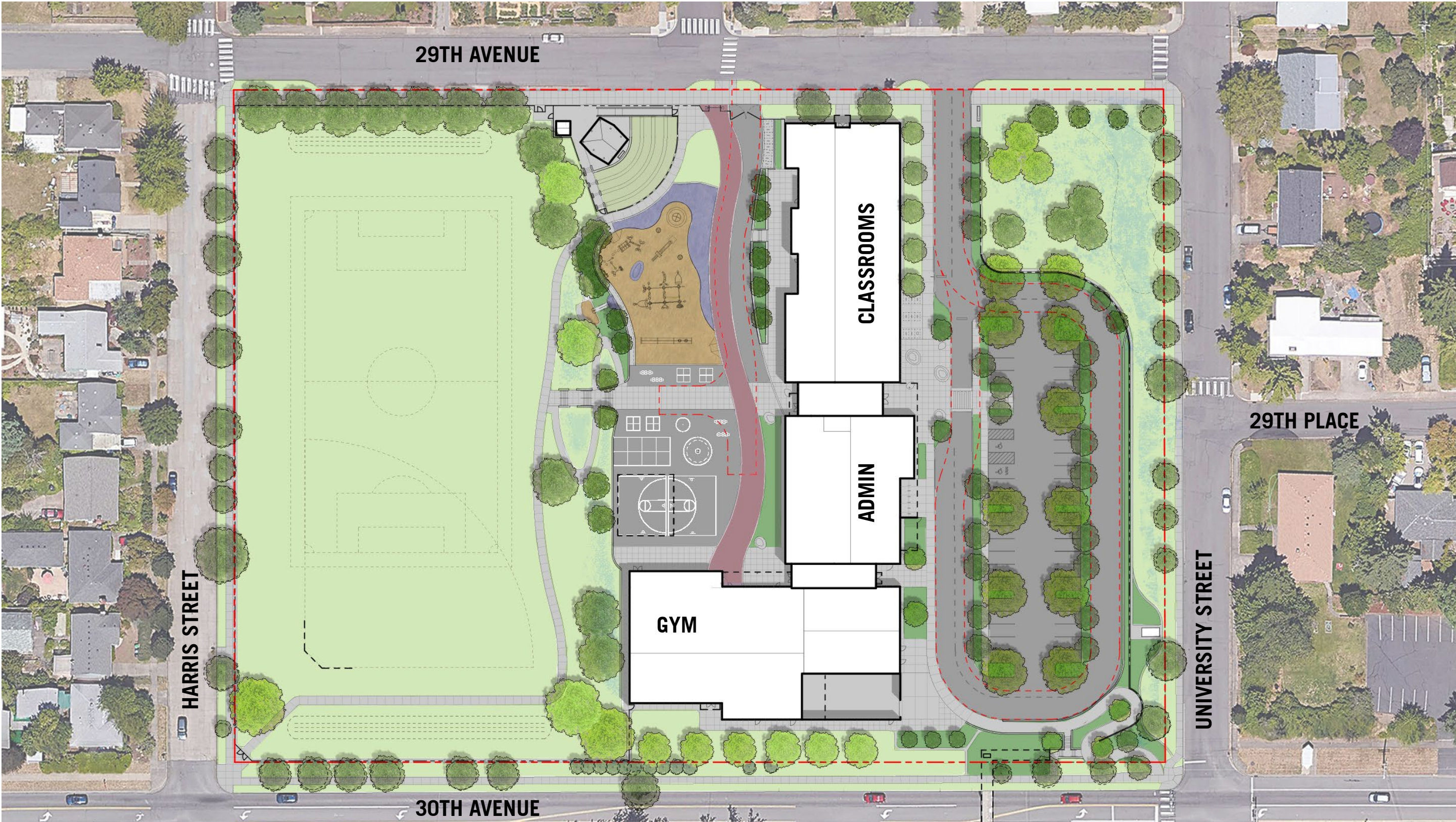


# Project Schedule

\* WEBSITE/BOND EMAIL UPDATE



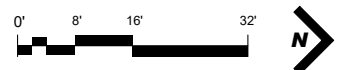
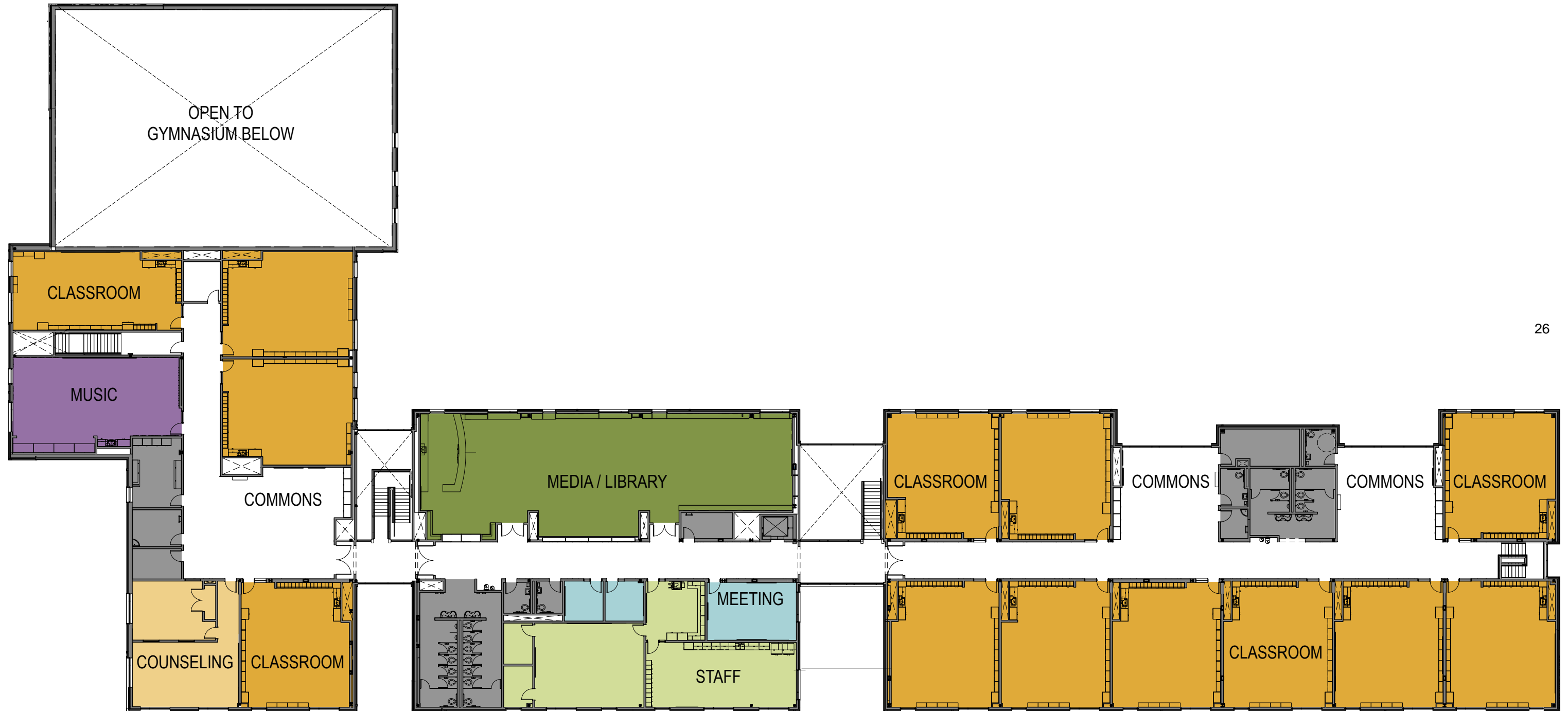
# SITE PLAN



# OVERALL FIRST FLOOR PLAN



# OVERALL SECOND FLOOR PLAN



# NORTH ENTRY



# MAIN ENTRY



# ENTRY LOBBY



# GYMNASIUM



# TYPICAL CLASSROOM





**THANK YOU**



## **ITEM FOR ACTION**

### **Date**

October 6, 2021

### **Title**

Select Superintendent Search Firm Finalist(s) for Interviews

### **Presenter**

Board Subcommittee Members: Alicia Hays, Gordon Lafer and Maya Rabasa

### **Background**

The services of a consultant are needed to assist the school board with the search plan and recruitment process for a permanent superintendent of schools.

The district received three proposals in response to the RFP. At the October 6 meeting, the board will be determining which firms are the finalists to invite for an interview.



## ITEM FOR ACTION (Second Read)

### Date of Meeting

October 6, 2021

### Title

Approve Revisions to Board Policy IKF - Graduation Requirements

### Presenter(s)

Christine Nesbit, General Counsel

### Background

Board policy IKF addresses graduation requirements and describes the types of diplomas issued by the district.

For over a decade, the law has required high school students to complete 24 credits in specified subject areas, demonstrate proficiency in “Essential Skills” and meet other requirements. Senate Bill 744, passed by the 2021 Oregon Legislature, directs Oregon Department of Education to student and make recommendations about graduation requirements. Relevant here, the law eliminated the Essential Skills proficiency graduation requirement for the next three school years (present year through 2023-24).

In another change by the 2021 legislature, the requirement that high school students take four credits of English to graduate high school has been repealed and replaced it with the requirement that they take language arts.

Proposed changes to policy IKF would remove now-outdated language related to the Essential Skills graduation requirement. The proposed changes also remove references to “English” requirements, replacing them with the new language arts requirements.

Finally, the proposed revisions respond to a request from the board to consider the issuance of diplomas when a student has deceased. Oregon statute defines the diploma types that a district may issue, and prohibits the district from issuing a high school diploma, modified diploma or extended diploma to a student who has not met the requirements necessary to obtain such a diploma. (Requirements vary according to diploma type). However, it is permissible for the district to issue a district diploma certificate to the family of a deceased student who had not completed the requirements needed to receive a high school diploma (or other diploma type specified by statute).

To address this situation, the board may consider revising its policy to allow for the issuance of a *district* (not state) diploma. The policy language proposed provides:

- The district will issue a 4J honorary diploma certificate, at the request of a parent, for deceased students who died while enrolled in 12<sup>th</sup> grade before completing graduation

requirements.

- To be eligible for an honorary diploma, the student must have attended a district high school, completed the 11<sup>th</sup> grade school year, been enrolled in 12<sup>th</sup> grade at the time of their death, and been on track to meet graduation requirements by the target graduation date or in the summer immediately following.
- The 4J honorary diploma would be issued on or after the graduation date of the class in which the student was enrolled at the time of death.

**Options and Alternatives:**

To be discussed.

**Recommendation**

The superintendent recommends that the board approve revisions to board policy IFK Graduation Requirements at a future meeting.

# Eugene School District 4J

Code: **IKF**  
Adopted: 8/26/15  
Revised/Readopted: 9/09/15; 11/07/18;  
11/06/19; 10/06/21  
Orig. Code: IKF; IKFA

## Graduation Requirements\*\*

The district will establish graduation requirements for the awarding of a high school diploma, a modified diploma, an extended diploma and an alternative certificate that meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The district will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if the student is 18 years of age or older or emancipated.

If the district requires diploma requirements beyond the state requirements, the district shall grant a waiver for those requirements to any student who, at any time from grade 9 to 12, was:

1. A foster child<sup>1</sup>;
2. Homeless;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker; or
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

For any student identified above, the district shall accept any credits earned by the student in another district or public charter school, applying those credits toward the state requirements for a diploma if the credits satisfied those requirements in that other district or public charter school.

### Standard Diploma

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of 24 credits which include at least:

1. Three credits of mathematics (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I)<sup>2</sup>;

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<sup>1</sup> As defined in ORS 30.297

<sup>2</sup> Applied and integrated courses aligned to mathematics standards can meet credit requirements.

2. Four credits of ~~language arts English~~ (shall include the equivalent of one unit in written composition);
3. Three credits of science<sup>3</sup>;
4. Three credits of social sciences (including history, civics, geography and economics (including personal finance));
5. One credit in health education;
6. One credit in physical education;
7. Three credits in career and technical education, the arts or world languages (units shall be earned in any one or a combination); and
8. Six OS (Other Subjects) credits.

The district shall offer students credit options provided the method for obtaining such credits is described in the student's personal education plan and the credit is earned by meeting requirements described in Oregon Administrative Rule (OAR) 581-022-2025.

To receive a diploma, in addition to credit requirements outlined in OAR 581-022-2000, a student must meet ~~three~~four additional requirements:

- ~~1. Essential Skills: Demonstrate proficiency in the essential skills of reading, writing and applying mathematics in a variety of settings;~~
- 2.1. Education Plan and Profile: Students develop an education plan and profile to guide their learning and document academic achievement and progress toward their personal, career, and post-high school goals. The process should begin no later than grade 7 and continue through grade 12, with regular reviews and updates.
- ~~3.2. Career-Related Learning Experiences~~: Students participate in career-related experiences that connect classroom learning with real life experiences in the workplace, community and/or school relevant to their education plan.
- 4.3. Extended Application: Students apply and extend their knowledge in new and complex situations related to the student's personal and career interests and post-high school goals through critical thinking, problem solving, or inquiry in real world contexts.

### **Essential Skills for English Language Learners**

~~The district will allow English Language Learner (ELL) students to demonstrate proficiency in all required essential skills in the student's language of origin.~~

~~The district will develop procedures to provide assessment options as described in the *Test Administration Manual*, in the ELL student's language of origin, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.~~

<sup>3</sup> Lab experiences can take place outside of the school in field-based experiences.

## ~~Essential Skills Appeal~~

~~The district will follow Board Policy KL – Public Complaints and Administrative Regulation KL-AR – Complaint Procedure in the event of an appeal for the denial of a diploma based on the essential skills graduation requirement. The district will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.~~

## Modified Diploma

A modified diploma will be awarded only to students who have demonstrated an inability to meet the full set of academic standards adopted by the State Board of Education for a diploma while receiving reasonable modifications and accommodations. To be eligible for a modified diploma, a student must

1. Have a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
2. Have a documented history of a medical condition that creates a barrier to achievement.

Having met the above eligibility criteria, a modified diploma will only be awarded to students who while in grade nine through completion of high school, complete 24 credits which shall include:

1. Three credits in ~~English language arts~~;
2. Two credits in mathematics;
3. Two credits in science;
4. Two credits in social sciences (which may include history, civics, geography and economics (including personal finance));
5. One credit in health education;
6. One credit in physical education; and
7. One credit in career technical education, the arts or world languages (units may be earned in any one or a combination).

In addition to credit requirements as outlined in OAR 581-022-2010, a student must:

1. Develop an education plan and build an education profile; and
2. Demonstrate extended application through a collection of evidence.

~~A student must also demonstrate proficiency in the essential skills with reasonable modifications and accommodations.~~

~~Districts may modify the assessment for students who seek a modified diploma when the following conditions are met:~~

1. ~~For a student on an individualized education program (IEP) or Section 504 Plan, any modifications to work samples must be consistent with the requirements established in the IEP or 504 Plan. Modifications include practices and procedures that compromise the intent of the assessment through a change in learning expectations, construct, or content that is to be measured, grade level standard, or measured outcome of the assessment. This means that IEP or 504 school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard;~~
2. ~~For a student not on an IEP, any modifications to work samples must have been provided to the student during their instruction in the content area to be assessed and in the year in which the student is being assessed, and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.~~

~~Students not on an IEP or a Section 504 Plan may not receive a modified statewide assessment.~~

A student's school team shall decide that a student should work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school. A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from anticipated exit from high school if the documented history has changed.

Beginning in grade five or beginning after a documented history to qualify for a modified diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of a modified diploma.

## **Extended Diploma**

An extended diploma will be awarded only to students who have demonstrated an inability to meet the full set of academic standards adopted by the State Board of Education for a diploma while receiving modifications and accommodations. To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than six credits in a self-contained special education classroom and will include:
  - a. Two credits of mathematics;
  - b. Two credits of ~~language arts~~English;
  - c. Two credits of science;
  - d. Three credits of history, geography, economics or civics;
  - e. One credit of health;
  - f. One credit of physical education; and
  - g. One credit of the arts or a world language.
2. Have a documented history of:
  - a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
  - b. A medical condition that creates a barrier to achievement; or
  - c. A change in the student's ability to participate in grade level activities as a result of serious

illness or injury that occurred after grade eight.

Beginning in grade five or beginning after a documented history to qualify for an extended diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of an extended diploma.

### **Alternative Certificate**

An alternative certificate will be awarded to students who do not satisfy the requirements for a diploma, a modified diploma, or an extended diploma if the students meet all of the following minimum requirements established by the district:

1. Student has an active education plan and profile that has been reviewed and updated within the past 60 days.
2. Student has met minimum number of high school credits and been considered for a standard, modified or extended diploma and is not eligible for any of the three.
3. Student has completed the Work Keys Assessment in both reading and math.
4. Student has been in high school for not less than 4 years, unless there is a waiver submitted for gaining the alternative certificate within 3 years by parent/guardian or adult student.
5. Student has not been dropped for non-attendance or referred for truancy.
6. Student has been advised and counseled on all available alternative education options.
7. Student has a class schedule and a graduation plan that starts in 11th grade that culminates in the alternative certificate.
8. Student has completed the district application for the alternative certificate.

Alternative certificates will be awarded based on individual student needs and achievement.

Beginning in grade five or beginning after a documented history to qualify for an extended diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of an alternative certificate.

### **Diploma Awarded to Veterans**

The district will issue a high school diploma, upon request, to a person who resides within the boundaries of the district or resides in Oregon and attended a high school in the district, if the person:

1. Attended a high school before serving in the U.S. Armed Forces;
2. Presents discharge papers (Form DD214) establishing details of service and discharge or release from service under honorable conditions; and
3. Served in the U.S. Armed Forces at any time during World War I, World War II, The Korean

Conflict or The Vietnam War, or served and was physically present in Operation Urgent Fury (Grenada), Operation Just Cause (Panama), Operation Desert Shield/Desert Storm (the Persian Gulf War), Operation Restore Hope (Somalia), Operation Enduring Freedom (Iraq), or served in the U.S. Armed Forces in an area designated as a combat zone by the President of the United States.

Each veteran receiving a diploma shall have the option of participating in the high school graduation ceremony. A representative of a deceased person who meets the requirements for the award of a diploma may make a request on behalf of the deceased person if the deceased person resided within the boundaries of the district at the time of death or was a resident of Oregon at the time of death and attended a high school in the district.

#### **4J Honorary Diploma**

The district will issue a 4J honorary diploma certificate, at the request of a parent or guardian, for a deceased student who died while enrolled in 11th or 12th grade before completing graduation requirements.

To be eligible for an honorary diploma certificate, the student must have attended a district high school, completed the prior school year, and been enrolled in 11th or 12th grade at the time of their death.

The honorary diploma certificate will be issued on or after the graduation date of the class in which the student was enrolled at the time of death.

Issuance of an honorary diploma certificate may be withheld at the superintendent's discretion.

#### **Other District Responsibilities**

The district will ensure that students have onsite access to the appropriate resources to achieve a diploma, a modified diploma, an extended diploma, or an alternative certificate at each high school. The district will provide age-appropriate and developmentally appropriate literacy instruction to all students until graduation.

The district may not deny a student the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history listed under the modified diploma or extended diploma requirements above.

The district may award a modified diploma or an extended diploma to a student only upon the written consent of a student who is emancipated or who has reached the age of 18 at the time the modified or extended diploma is awarded, or the student's parent or guardian. The district shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in either 4 years after starting the ninth grade, or until the student reaches the age of 21, if the student is entitled to a public education until the age of 21 under state or federal law.

A student may satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years but not less than three years. To satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which

clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

A student who qualifies to receive or receives a modified diploma, an extended diploma, or an alternative certificate shall have the option of participating in a high school graduation ceremony with the student's class.

A student who receives a modified diploma, an extended diploma, or an alternative certificate shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student and when added together provide a total number of instructional hours and services that equals at least the total number of instructional hours that are required to be provided to students who are attending a public high school.

The district will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the district will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a Free Appropriate Public Education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternative certificate or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, extended diploma or alternative certificate is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

The district may not deny a diploma to a student who has opted out of statewide assessments if the student is able to satisfy all other requirements for the diploma. ~~Students who opt out will need to meet the essential skills graduation requirement using another approved assessment option.~~ Students may opt-out of the Smarter Balanced or alternate Oregon Extended Assessment by completing the Oregon Department of Education's Opt-out Form<sup>4</sup> and submitting the form to the district.

Course syllabi shall be written for courses in grades 9 through 12 and shall be available to students, staff, parents, the Board and other interested individuals.

The district shall establish conduct and discipline consequences for student-initiated test impropriety. "Student-initiated test impropriety" means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

END OF POLICY

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**Legal Reference(s):**

[ORS 329.045](#)  
[ORS 329.451](#)  
[ORS 329.479](#)  
[ORS 332.107](#)  
[ORS 332.114](#)

[ORS 343.295](#)

[OAR 581-022-2000](#)  
[OAR 581-022-2010](#)

[OAR 581-022-2025](#)  
[OAR 581-022-2030](#)  
[OAR 581-022-2115](#)  
[OAR 581-022-2120](#)  
[OAR 581-022-2505](#)

*Test Administration Manual*, published by the OREGON DEPARTMENT OF EDUCATION.

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<sup>4</sup> [www.ode.state.or.us](http://www.ode.state.or.us); or navigate to Educator Resources > Student Assessment > Test Administration > Forms > ~~2028-19~~ 30-day notice and opt-out form

# Proposed



## **ITEM FOR ACTION**

### **Date of Meeting**

August 6, 2021

### **Title**

Approve Contracting with SeeChange for Next Steps in the All Students Belong work

### **Presenters**

Judy Newman, Board Chair and Martina Shabram, Vice Chair

### **Background Information**

The Eugene 4J School Board has set a priority to address racial inequities and work toward safety and belonging for all students. This work is titled the “All Student Belong” initiative. During the October 14th, 2020, and December 16th, 2020 board meetings, the board developed a goal to: “Reorient our discipline and student safety practices towards transformative justice so that all students feel safe at school. Practices should not disproportionately harm students of color, LGBTQ students, students with disabilities or any other groups of students.”

Ultimately, the Board plans to put together a workgroup to develop recommendations related to student and school safety. In order to provide the workgroup with information about what is already working well, what is not working and for whom, what opportunities exist, and what promising practice have been developed, a consulting team called SeeChange LLC was hired to do an initial assessment of data and policies related to safety and belonging. This assessment brought in student and educator perspectives on the topics through a review of previous focus groups and conversations, a small number of new focus groups with educators and students and most likely to be impacted by current safety and discipline policies, and a student survey for students in grades 3-12.

### **Next Steps:**

Consider contracting with SeeChange to help the board and district with next steps.



## ITEM FOR ACTON AT A FUTURE MEETING (First Read)

### Date of Meeting

October 6, 2021

### Title

Consider School Calendar Revision

### Presenter

Cydney Vandercar, Interim Superintendent

### Background

The superintendent is recommending that Monday October 18, 2021 be converted from an instruction day to a non-instruction day for the reasons explained below.

The district is committed to the health, safety and wellbeing of our staff, students, and community. Our priority is to enable students to come to school in-person—as many students as possible, for as many days as possible, all school year. It is our collective and institutional responsibility to help slow the spread and make our schools safe and stable for our students.

The measures we are taking and preparing to take to make our schools safe and stable have resulted in an unprecedented administrative workload for staff. Based on feedback and direct observation, it is critical that district staff have the opportunity to prepare to absorb the added workload and time set aside in which to do so. The superintendent therefore proposes that October 18 will be converted to a non-instruction day; teaching staff would be provided at least 5.5 hours of preparation time.

The superintendent considered whether scheduling a non-student contact work day later in the fall would be effective to address district needs and determined it was not.

The implementation of the statewide vaccine mandate for district staff is expected to be most impactful on October 19 and in the weeks immediately following. Specifically, after October 18, the district may not employ staff members without documentation that they are fully vaccinated or have an approved medical or religious exception. (The district will make transitional exceptions as appropriate). The impacts on and immediately after October 19 include:

- The need to reconfigure bus routes and transportation plans
- Cancellation of trips
- Reassignments of staff who have an accepted accommodation for which reassignment is a possibility
- Vacancies at the school level that will need to be addressed.

### Proposal:

Change the academic calendar to provide a no school day on Monday, October 18, 2021. Friday, October 15 is a no school day and will have already scheduled professional development for elementary schools and progress report and building level professional development for secondary level schools.

Monday October 18 would be a staff work day and a no-school day for students.

**Recommendation**

The Superintendent recommends adoption of proposed revisions to the school calendar.



**ITEM FOR ACTION AT A FUTURE MEETING (First Read)**

**Date of Meeting**

October 6, 2021

**Title**

Discuss Possible Board Resolution Encouraging Solidarity and Support for Student Identities

**Presenter**

Martina Shabram, Vice Chair

**Description**

The board will discuss proposed board resolution

School districts can welcome and affirm student identity by modeling the use of inclusive language, encouraging the proactive creation of safe and affirming spaces, and engaging in honest and authentic dialogue with students on who they are and how best to serve their needs.



## **Resolution Encouraging Solidarity and Support for Student Identities**

**WHEREAS**, Oregon state law requires school districts to provide a free appropriate public education to all children between the ages of 5 and 19 who reside within the district (ORS 339.115); and

**WHEREAS**, public schools and school districts in Oregon are subject to all federal and state laws and constitutional provisions prohibiting discrimination; and

**WHEREAS**, the Oregon State Board of Education promotes nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, gender identity or expression, national origin, marital status, age or disability; and

**WHEREAS**, the Oregon Legislature has determined that a person may not be subjected to discrimination in any public elementary, secondary or community college education program or service, school or interschool activity or in any higher education program or service, school or interschool activity where the program, service, school or activity is financed in whole or in part by moneys appropriated by the Legislative Assembly; and

**WHEREAS**, it is the policy of the Oregon State Board of Education that all students, employees, and visitors in public schools are entitled to learn, work, and participate in an environment that is safe and free from discrimination, harassment, and intimidation.

**WHEREAS**, the Oregon State Board of Education's mission is to provide leadership and vision for Oregon's schools and districts by enacting policies and promoting educational practices that lead directly to the educational and life success of all Oregon PK - 12 students; and

**WHEREAS**, the Oregon State Board of Education reaffirms its commitment to equity and access to education as a core value,

manifested by a steadfast commitment to creating a welcoming environment for all students and families and direction of the supports and resources needed to eliminate barriers and promote student success; and

**WHEREAS**, the Oregon State Board of Education is committed to ensuring in words and actions that every student has access to the resources and supports they need to thrive in school; and that [Every Student Belongs](#); and

**WHEREAS**, signs, flags, placards, and symbols showing solidarity with those who have shown incredible resilience in the face of institutional and systemic underrepresentation and minoritization can help contribute to a sense of safety and belonging in school settings; and

**WHEREAS**, the U.S. Office of Special Counsel issued an [advisory opinion](#) that it is not a violation of the Hatch Act for federal employees to show support for the Black Lives Matter movement and the Black Lives Matter Global Network while on duty, including wearing or displaying materials related to the cause, because they address issues such as racism, which are not inherently aligned with a single political party; and

**WHEREAS**, in believing that silence and inaction allow racism to remain prevalent in our schools, the Oregon State Board of Education [formally declared in 2020](#) that “Black Lives Matter” in order to reinforce that the lives of Black educators, staff, students, and everyone in school communities are just as valuable as anyone else’s life; and that Black students matter and belong in our classrooms, just like all other students; and

**WHEREAS**, the Oregon State Board of Education has adopted an [LGBTQ2SIA+ Student Success Plan](#) to address barriers to educational success for Oregonian students who identify as lesbian, gay, bisexual, non-binary, transgender, gender queer, two-spirit, intersex, asexual (+) and establish a framework for creating safe, inclusive and welcoming schools for LGBTQ2SIA+ students and families, and

**WHEREAS**, we recognize that there are people who hold power in education, including on school boards in Oregon, who have taken action or are considering action to limit staff from displaying symbols and signs celebrating student identity and fostering safe and welcoming spaces for students; instead labeling student identity as controversial and divisive; and

**WHEREAS**, we recognize that there are people who hold power in education, including on school boards in Oregon, who have taken action or are considering action to limit the display of signs, flags, placards, and symbols conveying that Black Lives Matter and showing solidarity and safety for LGBTQ2SIA+ students, families, and employees; in opposition to their communities, colleagues, and the values of the Oregon State Board of Education.

**THEREFORE BE IT RESOLVED** that the Oregon State Board of Education:

- (1) Renews its commitment to anti-racism, equity, student belonging, and access to education as a core value, manifested by a steadfast commitment to creating a welcoming environment for all students and families and direction of the supports and resources needed to eliminate barriers and promote student success; and
- (2) Urgently requests that all Oregon school districts, public charter schools, and education service districts affirm that “Black Lives Matter” by striving to make space in classrooms and within the school community for dialogue and support for issues of race and equity; and
- (3) Urgently requests that Oregon school districts, public charter schools, and education service districts validate that “Black Lives Matter” through resolutions consistent with this Resolution; and
- (4) Urgently requests that Oregon school districts, public charter schools, and education service districts support educators and others who are making a special effort to let Black students and families know that they belong and are valued members of the school community; and
- (5) Urgently requests that Oregon school districts, public charter schools, and education service districts both protect and encourage the proactive creation of safe spaces for LGBTQ2SIA+ students, staff and families through use of symbolism of pride and affirmation across gender identities and sexual orientations, as well as additional supportive measures beyond symbolism; and
- (6) Urgently requests that Oregon school districts, public charter schools, and education service districts communicate to students, families, employees, and their communities their policies and practices

and their commitment to providing all students with a high quality public education regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, marital status, age or disability; and

(7) Fully supports all efforts by Oregon school districts, public charter schools, and education service districts to ensure the safety and well-being of all students, regardless of national origin, immigration status, or documentation status by adopting local resolutions consistent with this resolution; and

(8) Fully supports all efforts by the Oregon Department of Education, Oregon school districts, public charter schools, education service districts, and educational leaders to create and nurture an inclusive and welcoming environment for all students, families, and employees, in which [Every Student Belongs](#); and

(9) Calls on the Newberg School Board to reverse course on its clear and continuous effort "...to remove all Black Lives Matter (aka BLM) signs, flags, and placards, apparel, buttons, and all other modes of display, and all instances of the symbol known as the Pride Flag from District facilities," and to validate that student identities are not inherently political or controversial, but welcomed and affirmed; and

(10) Further calls on the Newberg School Board to encourage district staff to celebrate and stand in solidarity with students through the use of signs, flags, placards and symbols, and affirm in words, policy and action that [Every Student Belongs](#) and is welcome, appreciated and ensured an equitable access to a high quality education in Newberg Public Schools regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, native language, immigration status, documentation status, marital status, age or disability.



**ITEM FOR ACTION AT A FUTURE MEETING (Second Read)**

**Date**

October 6, 2021

**Title**

Approve Board Working Agreements

**Presenter**

Judy Newman, Board Chair

**Background**

The board annually reviews, affirms or revises Board Working Agreements.

## Working Agreements Feedback Analysis

+ Maya- Timeframe of Agreements Clarify = 1 year – we affirm or change annually in Fall Retreat

+ Gordon and Laura had some edits in introduction

Board Organization and Governance	Gordon	Laural ** 2 requests = goals	Maya
1 Board will work with the Sup in a cooperative and collaborative partnership aligned towards goals	X add “The board will <u>seek to</u> work with the superintendent....		
2 Focus on policy making, planning, eval of Sup, fiscal oversight	Delete		
3			
4			
5			
6 Individual board members share view and respect majority vote	Delete-		
7			
8 New Board members offered and expected to participate in orientation		X and add after election and before July 1st	

Meeting Agreements	Gordon	Laural	Maya
1			
2 Board meetings will begin at the designated start time and members will work to end meetings on time.		X added end time to mtg 10 pm	
3 Board members will attend all regular meetings of the board. Members will contact board leadership and the superintendent, in		X added calling in and zooming okay	

advance of the meeting if unable to attend. Calling in to meetings is an option but should be used only in rare occasions when in-person attendance is not possible.			
4 . Board members will cast a vote on all matters before the board, except when a conflict of interest is identified. Abstentions are not allowed.		X added a clarification	
5			
6			
7 Exec sessions-respect and adhere to confidentiality	X Keep and add – legal clarification Documents that are public record already are exempt	X Keep and add clarifying lang  Use exec sessions judiciously	

Duties, Responsibilities , and Role of Board Leadership	Gordon	Laural	Maya
1 Board leadership is the annually elected chair and vice chair of the board. Terms for these roles begin on July 1 and end on June 30.	X Change to - vote in as soon as possible after 7/1	X Date change to August 1-July 31 term	
2 The board chair and vice chair will meet regularly with the superintendent to develop, set, and review agendas for board meetings. A single board member will attend each leadership meeting and	X Keep and add: Items that have been supported by at least three members of the Board will take precedence in setting the		

agenda review in a rotation format. The schedule of attendance at leadership will be included in the board calendar.	agenda and scheduling the use of meeting time.		
3 Board leadership, in conjunction with the superintendent, will provide a list of board meetings and topics at least once a month.	X Keep and add this list is subject to change by a majority vote of the Board.		
4			
5			
6			
7			
8. Laural added		Added – Board Leadership responsible for timely sup eval and aligned with contract	

Communication by Board Members	Gordon	Laural	Maya
1 Communication subject to Oregon Public meeting laws..	Keep and delete second sentence “a discussion of more than 3 Board members in a non public meeting by any board member is not allowed- legal clarification		
2			
3 Board member requests for information – not to exceed 15 min, or sup refers to Board leadership if aligns with priorities of board and district	X-addition - staff estimates time – okay if 3 board members vote to get it.	? 15 min?	
4. When attending meetings or talking directly to district staff, board members are expected to understand and respect their status	<b>Keep and delete last sentence.</b> It is important to keep communication on	<b>Keep and delete ...</b> and how this position will be perceived. It is important to keep communication on	

as elected leaders of the school district and how this position will be perceived. It is important to keep communication on district issues focused to the superintendent.	district issues focused to the superintendent.	district issues focused to the superintendent.	
5 Board members will communicate concerns about the agenda to board leadership and the superintendent	Delete-		
6			
7 Board chair responds to all communications and on behalf of the Board and copy the board on response. Caution about public meeting laws.			Clarification about when other Board members can respond
8. In some instances, board members may have an existing professional relationship or volunteer relationship with schools, programs or Eugene 4J staff that necessitates interactions in the board member's capacity as a private citizen or volunteer. The board member must clearly state the visit or interaction has no official board-related purpose. The board member should inform the superintendent and building administrator of this visit or interaction. When visits or interactions are as a part of a work or volunteer schedule, the board member should inform the superintendent, to		<b>Keep and delete second sentence:</b> When visits or interactions are as a part of a work or volunteer schedule, the board member should inform the superintendent, to the extent possible, of the schedule of meetings	Discuss practical application

the extent possible, of the schedule of meetings.			
9. Board members, at times, may wish to learn more about a specific topic, issue or program within the school district. These requests should first be made to the superintendent (see #2 above). If a site or program visit is requested, this should also be made first to the superintendent who can inform the building administrator and or program staff. Further, from time to time, building administrators or program staff may proactively invite board members to a site or program visit as learning opportunities; these are encouraged. Again, board members should be in communication with the superintendent when such requests are received and should be mindful of the Oregon Public meetings Law.	Delete-		Delete or rewrite
10			
New #11 Judy and Martina * see below			

Maybe for this section we should describe process and then discuss as a whole and not item by item.?? We re-wrote this section

Agenda Planning	Gordon	Laural	Maya
1. Agenda for each regular board meeting is developed with Sup and Board leadership	X change to: ...developed by Board leadership based on items raised by Board		

based on Board calendar and goals from annual retreat	as highest priority. Board leadership will consult with Sup if she wants to add other items even if not one of the Board priorities.		
2	X	Discuss	
3 Combine 2+3+4- see below	Delete	? least 4 members ?	
4			
5			
6			
New #7 Proposed by Laural **			

Planning and Evaluation	Gordon	Laural	Maya
1			
2			Discuss how agenda items are added
3			clarify time frames
4	X		
5			

**\*Proposed new #11 under Communication by Board Members Section:**

If a Board member is experiencing threats, bullying or insults they should alert Board Leadership as soon as they are comfortable doing so. If the behavior is being delivered via Board email or during a Board meeting, then Board Leadership will respond on behalf of the entire Board to ensure the personal safety of Board members and that interactions with the public are respectful and constructive. Board members are encouraged to alert the Superintendent and /or Board Leadership of any threats, insults or bullying other than through Board email or meetings that affects feelings of safety

and ability to perform their duties and that may affect other Board members as well. Together we will decide on appropriate action.

If Board Leadership is involved, the Board member will alert the Superintendent as soon as they are comfortable.

**\*\*Proposed new #7 under *Agenda Planning Section*:**

Write a process for adding time-sensitive and emergency items to a Board agenda.

**Combined under Agenda Planning items 2 and 3 and 4:**

**How do we get information on items and when and how do they get on the Board Agenda We want to maximize transparency**

**Maybe this needs to be an open ended discussion first .....**

At each regular Board meeting there will be an opportunity for a board member to request an item be considered by the Board. The Board will discuss the item and vote as to whether or not we want to address it- A majority vote of 4 members will move it forward. The Board will decide how to address it- can it be addressed by receiving information in the Friday memo? If not, should it be placed as an item for information on Board agenda? After the information is heard the Board can vote to put it on as an item for future action – a majority vote of 4 is needed to move it. Board Leadership will figure out when to place it on the calendar of Board meetings and report back to the Board when it will be discussed.

**Working Agreements Revision Draft**

Section	Original text	Proposed revisions	Notes
Board Organization and Governance	1. The board will work with the superintendent in a cooperative and collaborative partnership aligned toward a common mission and goals.	Add: "The board will <u>seek to work</u> with the superintendent...."	
	2. The board will focus on the responsibilities of policy making, planning and evaluation of the superintendent, and fiscal oversight.		Gordon suggests that we remove this agreement. We are leaving them because these are the roles and responsibilities of the Board.
	6. Individual board members will respect decisions of the board. Each board member should express viewpoints, and then respect and abide by the vote of the majority.		Gordon suggests that we remove this agreement. Language from the 2007-2008 Board working agreements may be preferable: "Support decisions of the majority after honoring the right of individual members to express opposing viewpoints and vote their convictions."
	8. Newly elected or appointed board members will be offered and expected to participate in orientation sessions to be provided by Eugene 4J staff and supplemented by outside training as deemed appropriate.	Add: "Board leadership will work to support new Board members in their onboarding process, including helping them connect with resources."	Laural proposed additions here and in a new item regarding onboarding for new members. We propose adding this statement, which speaks to the concerns raised in those suggestions.
Meeting Agreements	1. Board members will arrive in advance of the start time of meetings and will carefully review all meeting materials in advance of the meeting.		Laural proposed additions in the "Planning and Evaluation" section regarding preparatory information, which we think are already addressed in this item.
	2. Board meetings will begin at the designated start time and members will work to end meetings on time.		Laural proposed setting an end time that requires a vote to extend. We believe that this would take additional time in already crowded agendas, and could have the unintended consequence of allowing a single Board member to essentially filibuster until the end time. For these reasons, we suggest not adding that language.
	3. Board members will attend all regular meetings of the board. Members will contact board leadership and the superintendent, in advance of the meeting if unable to attend. Calling in to meetings is an option but should be used only in rare occasions when in-person attendance is not possible.	Add: " <u>Attending meetings via phone or web conference (i.e. Zoom)</u> is an option but should be used only in rare occasions when in-person attendance is not possible.	

	<p>4. Board members will cast a vote on all matters before the board, except when a conflict of interest is identified. Abstentions are not allowed.</p>	<p>Edit: “Board members will cast a vote on all matters before the board, <u>except when a board member must recuse themselves from the vote, such as in circumstances where a conflict of interest has been identified.</u> Abstentions are not allowed.”</p>	
	<p>7. The Board may hold an executive session as defined in ORS 192.660 and ORS 332.061. Board members must respect and adhere to the confidentiality of all matters and all materials discussed within an executive session of the board. Information shall not be shared with anyone outside of an executive session.</p>		<p>There were proposals to add information to this section that further explains the parameters of Executive Sessions. However, since those parameters are laid out in the ORS, we suggest not adding additional language. Questions about legality of these additions.</p>
<p>Duties, Responsibilities, and Role of Board Leadership</p>	<p>1. Board leadership is the annually elected chair and vice chair of the board. Terms for these roles begin on July 1 and end on June 30.</p>	<p>Add: “A confirmation vote will take place in those years when incoming new Board members are unable to vote for leadership.”</p>	<p>Proposals were made to change the terms, but because the Leadership team often works during the month of July to prepare for the coming year, we propose this alteration instead.</p>
	<p>2. The board chair and vice chair will meet regularly with the superintendent to develop, set, and review agendas for board meetings. A single board member will attend each leadership meeting and agenda review in a rotation format. The schedule of attendance at leadership will be included in the board calendar.</p>	<p>Add: “Leadership will take extra care to prioritize items that have been supported by at least three members of the Board”</p>	
	<p>3. Board leadership, in conjunction with the superintendent, will provide a list of board meetings and topics at least once a month.</p>	<p>Add: “This list is subject to change by a majority vote of the Board.”</p>	
<p>Communication by Board Members</p>	<p>1. Board member communication is subject to the Oregon Public Meetings Law as defined and established in ORS 192.610–192.690. Board members should not deliberate toward any public decisions in any format except for public meetings. A discussion by more than three board members in a non-public <b>meeting</b> on any board matter is not allowed.</p>	<p>Edit: “A discussion by more than three board members in a non-public <b>forum</b> on any board matter is not allowed.”</p>	
	<p>3. Information requests which require 15 minutes or more of staff work or staff resources will be referred by the superintendent to board leadership or</p>	<p>Add: “Information requests supported by a majority of the Board will be honored as soon as is possible.”</p>	

<p>the full board to determine if the request to use resources aligns with board and district priorities.</p>		
<p>4. When attending meetings or speaking directly to district staff, board members are expected to respect and understand their status as the elected leaders of the school district and how this position will be perceived. It is important to keep communication on district issues focused to the superintendent.</p>		<p>There were some proposed revisions here. Because this item does not include a specific prohibition or direction, we suggest leaving it as is.</p>
<p>5. Board members will communicate concerns about the agenda to board leadership and the superintendent.</p>		<p>Gordon suggests that we remove this agreement.</p> <p>We are leaving it in because Board Leadership and the superintendent set the agendas and can address the concern.</p>
<p>8. In some instances, board members may have an existing professional relationship or volunteer relationship with schools, programs or Eugene 4J staff that necessitates interactions in the board member’s capacity as a private citizen or volunteer. The board member must clearly state the visit or interaction has no official board-related purpose. The board member should inform the superintendent and building administrator of this visit or interaction. When visits or interactions are as a part of a work or volunteer schedule, the board member should inform the superintendent, to the extent possible, of the schedule of meetings.</p>		<p>Laural suggests removing: “The board member should inform the superintendent and building administrator of this visit or interaction. When visits or interactions are as a part of a work or volunteer schedule, the board member should inform the superintendent, to the extent possible, of the schedule of meetings.”</p> <p>We kept this in because district employees often see Board members differently even if they had previous relationships and it is important to be aware of the perceived or real power differential and to be transparent about the role you are in at the time of your visit.</p>
<p>9. Board members, at times, may wish to learn more about a specific topic, issue or program within the school district. These requests should first be made to the superintendent (see #2 above). If a site or program visit is requested, this should also be made first to the superintendent who can inform the building administrator and or program staff. Further, from time to time, building administrators or program staff may proactively invite</p>		<p>Gordon suggests that we remove this agreement.</p> <p>We kept this in because informing the Superintendent is a courtesy and a way of respecting our different roles, The Superintendent is our only employee and she is ultimately responsible for the rest of the employees in the district including workloads and building</p>

	<p>board members to a site or program visit as learning opportunities; these are encouraged. Again, board members should be in communication with the superintendent when such requests are received and should be mindful of the Oregon Public meetings Law.</p>		<p>safety and functioning. We should not go around her and undermine her ability to support staff and her authority.</p>
		<p>Proposed new item:  11. If a Board member is experiencing threats, bullying, or insults, they should alert Board Leadership as soon as they are comfortable doing so. If the behavior is being delivered via Board email or during a Board meeting, then Board Leadership will respond on behalf of the entire Board to ensure the personal safety of Board members and that interactions with the public are respectful and constructive. If Board members are receiving threats, insults, or bullying that affect their feelings of safety and ability to perform their duties, or that may affect other Board members, they are encouraged to alert Board leadership as soon as possible. Leadership and the Board member will decide on appropriate action.</p>	

**Based on discussion, here is the revised Agenda Planning section:**

1. The agenda of each regular board meeting is developed in collaboration between the superintendent and board leadership and is based on an annual calendar and board goals set by the board at a summer retreat.
  
2. At each regular meeting of the board there will be an opportunity for any member to request an item to be considered for further information or inclusion on the agenda for an upcoming meeting. Board leadership will assess interest or agreement by other members of the board with a straw poll. In order to better plan and manage board time and staff and district resources, the request will be considered if it is supported by at least three members of the board. A request for an agenda item can also be sent to board leadership for consideration via an email message.
  
3. Each request will be reviewed by board leadership and will be considered for next steps, which may be information provided to the board in the superintendent's weekly memo, an

item for information or an item for future action on an upcoming board meeting agenda. Leadership will communicate the next steps decided for the proposed topic to the requesting board member.

4. Regular meeting agendas will include a short verbal report by the chair to preview upcoming meetings and the major topics to be considered. The weekly memo from the superintendent will also include the working calendar of agenda topics for upcoming meetings.

5. In general, agendas will not be changed after they are published.

- On occasion, an item may be removed, postponed or changed by board leadership with proper notice to the board and the public in advance of the meeting.
- On occasion, with a majority vote of the board during agenda review at the beginning of the meeting, an agenda may be changed to remove, postpone or change an item.
- In exceptional circumstances, with a majority vote of the board during agenda review at the beginning of the meeting, an agenda may be changed to add an item. This is discouraged, as it is not transparent to the public and does not allow for staff preparation and therefore should be done only for a time-sensitive matter under circumstances that could not have been foreseen. This will not lead to a board action in the same meeting in which it is raised, except under true emergency conditions.

## **DRAFT September 2021**

### **School Board Working Agreements - 2021-2022**

The Board of Directors is the educational policy making body for Eugene School District 4J.. The Board is responsible to guide practices, processes and programs with the goal of producing the highest educational achievement for all students. The board is charged with accomplishing this goal while also being responsible for prudent management of available resources. To ensure student success, members of the school board and the superintendent agree to function together with integrity and commitment as a leadership team. To help the Board function together effectively and efficiently, the Board establishes Working Agreements that provide a set of guidelines, shared agreements and expectations and hold each other accountable to follow them.

These agreements are intended to augment and detail section A and B of the Eugene School District 4J Policies. (See <http://www.4j.lane.edu/board/policies/>)

#### **Board Organization and Governance**

1. The board will seek to work with the superintendent in a cooperative and collaborative partnership aligned toward a common mission and goals.
2. The board will focus on the responsibilities of policy making, planning and evaluation of the superintendent, and fiscal oversight.
3. The board will make decisions in the best interest of students and the district as a whole.
4. The board will actively solicit input, listen to all perspectives and give careful consideration to all issues presented to the board.
5. Individual board members have no authority to take individual action regarding policy or district and school administrative matters.
6. Individual board members will respect decisions of the majority after honoring the right of the individual members to express opposing viewpoints and vote their convictions.
7. Each year the board will select a chair and vice chair, and this constitutes "Board Leadership".
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3. Board leadership, in conjunction with the superintendent, will provide a list of board meetings and topics at least once a month. Leadership will take extra care to prioritize items that have been supported by at least three members of the Board. This list is subject to change by a majority vote of the Board.
4. Board leadership will informally survey each member of the board to determine preference and interest for the various board committees. The chair will present the annual board assignments during a regular meeting of the board of directors and will seek ratification of these assignments at that same meeting. When making committee assignments, the chair will consider the preferences expressed by individual board members, and will strive to rotate assignments to maximize opportunities to gain a broader understanding of the district. At the same time, the board chair will assign mentor relationships with the student board representatives. The chair retains the right to make these assignments should ratification not occur.

5. Board members who are not the official appointee to a committee may attend meetings of any committee, but the board member(s) should take caution and be aware that four members of the board constitute a quorum of the board.
6. Board leadership will be responsible for the board self-assessment.
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3. Information requests supported by a majority of the Board will be honored as soon as is possible.” Information requests by individual Board members which require 15 minutes or more of staff work or staff resources will be referred by the superintendent to board leadership or the full board to determine if the request to use resources aligns with board and district priorities.
4. When attending meetings or speaking directly to district staff, board members are expected to respect and understand their status as the elected leaders of the school district and how this position will be perceived. It is important to keep communication on district issues focused to the superintendent.
5. Board members will communicate questions or concerns about agenda items to the superintendent and board leadership.
6. The board chair or designee is the official spokesperson for the board. If a media request is made to another member who is not the chair, that member may speak with the media as an individual member, and, should inform the board as a whole.
7. The board chair will be responsible to answer in writing all correspondence sent to the board. All board members will be copied on responses. However, board members should be cautious to abide by the Oregon Public Meetings Law (ORS 192) with regard to serial meetings via electronic communication; avoid the use of “reply to all”. The board chair will strive for a response timely response to correspondence.
8. In some instances, board members may have an existing professional relationship or volunteer relationship with schools, programs or Eugene 4J staff that necessitates interactions in the board member's capacity as a private citizen or volunteer. The board member must clearly state the visit or interaction has no official board-related purpose. The board member should inform the

superintendent and building administrator of this visit or interaction. When visits or interactions are as a part of a work or volunteer schedule, the board member should inform the superintendent, to the extent possible, of the schedule of meetings.

9. Board members, at times, may wish to learn more about a specific topic, issue or program within the school district. These requests should first be made to the superintendent (see #2 above). If a site or program visit is requested, this should also be made first to the superintendent who can inform the building administrator and or program staff. Further, from time to time, building administrators or program staff may proactively invite board members to a site or program visit as learning opportunities; these are encouraged. Again, board members should be in communication with the superintendent when such requests are received and should be mindful of the Oregon Public meetings Law.
10. With the popularity and availability of photography for social media purposes, photos of students in which students can easily be identified should not be posted without prior and explicit consent of the parent or guardian of the student.
11. If a Board member is experiencing threats, bullying, or insults, they should alert Board Leadership as soon as they are comfortable doing so. If the behavior is being delivered via Board email or during a Board meeting, then Board Leadership will respond on behalf of the entire Board to ensure the personal safety of Board members and that interactions with the public are respectful and constructive. If Board members are receiving threats, insults, or bullying that affect their feelings of safety and ability to perform their duties, or that may affect other Board members, they are encouraged to alert Board leadership as soon as possible. Leadership and the Board member will decide on appropriate action.

## **Agenda Planning**

1. The agenda of each regular board meeting is developed in collaboration between the superintendent and board leadership and is based on an annual calendar and board goals set by the board at a summer retreat.

2. At each regular meeting of the board there will be an opportunity for any member to request an item to be considered for further information or inclusion on the agenda for an upcoming meeting. Board leadership will assess interest or agreement by other members of the board with a straw poll. In order to better plan and manage board time and staff and district resources, the request will be considered if it is supported by at least three members of the board. A request for an agenda item can also be sent to board leadership for consideration via an email message.

3. Each request will be reviewed by board leadership and will be considered for next steps, which may be information provided to the board in the superintendent's weekly memo, an item for information or an item for future action on an upcoming board meeting agenda. Leadership will communicate the next steps decided for the proposed topic to the requesting board member.

4. Regular meeting agendas will include a short verbal report by the chair to preview upcoming meetings and the major topics to be considered. The weekly memo from the superintendent will also include the working calendar of agenda topics for upcoming meetings.

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## Planning and Evaluation

1. Board members will conduct an annual self-assessment of the board's performance; the annual review ideally should be completed within the context of the board's spring retreat.
2. Board members will review the "Board of Director's Guiding Beliefs and Values" statement and "Working Agreements" at least annually.
3. Board members will participate in establishing annual expectations and goals for the superintendent.
4. Board members will objectively evaluate the superintendent's annual performance and provide appropriate feedback.
5. The board will annually set goals for itself, which will be reviewed and evaluated within the agenda of the summer board retreat.

I \_\_\_\_\_, have read and understand these working agreements. I agree to work under these agreements during my term as an elected school board member.

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(Signature)

1. [Board Policy Sections A and B](#)
2. List of Board Committees

3. Role of Student Representatives ([Board Policy BCBA](#))
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## School Board Working Agreements - 2021-2022

The Board of Directors is the educational policy making body for Eugene School District 4J. The Board is responsible to guide practices, processes and programs with the goal of producing the highest educational achievement for all students. The board is charged with accomplishing this goal while also being responsible for prudent management of available resources. To ensure student success, members of the school board and the superintendent agree to function together with integrity and commitment as a leadership team. To help the Board function together effectively and efficiently, the Board establishes Working Agreements that provide a set of guidelines, shared agreements and expectations and hold each other accountable to follow them.

~~The board's primary responsibility is to establish policies for the 4J School District to guide practices, processes and programs with the goal of producing the highest educational achievement. The board is charged with accomplishing this goal while also being responsible for prudent management of available resources. The board must fulfill these responsibilities by:~~

- ~~• Functioning primarily as a legislative body to formulate and adopt policy~~
- ~~• Hiring and managing a superintendent to implement policy and run the district~~
- ~~• Evaluating the results of the work of the district~~
- ~~• Carrying out its functions openly and seeking the involvement of students, staff and the public during its decision-making processes~~
- ~~• Honoring and respecting the trust and faith the community has placed in the board as individually elected officials by encouraging and soliciting participation and engagement of the community~~

~~To ensure student success, members of the school board and the superintendent agree to function together with integrity and commitment as a leadership team.~~

~~These working agreements do not seek or intend to restrict the rights of an individual board member, but rather to provide a set of guidelines, shared agreements and expectations among and between the individual members, the superintendent and district staff. As a board, there is accountability for these shared agreements in an effort to focus the work of the district.~~ These agreements are intended to augment and detail section A and B of the Eugene School District 4J Policies. (See <http://www.4j.lane.edu/board/policies/>)

### 4. Board Organization and Governance

1. The board will seek to work with the superintendent in a cooperative and collaborative partnership aligned toward a common mission and goals.
2. The board will focus on the responsibilities of policy making, planning and evaluation of the superintendent, and fiscal oversight.

3. The board will make decisions in the best interest of students and the district as a whole.
4. The board will actively solicit input, listen to all perspectives and give careful consideration to all issues presented to the board.
5. Individual board members have no authority to take individual action regarding policy or district and school administrative matters.
6. Individual board members will respect decisions of the majority after honoring the right of the individual members to express opposing viewpoints and vote their convictions.
- ~~6. Individual board members will respect decisions of the board. Each board member should express viewpoints, and then respect and abide by the vote of the majority.~~
7. Each year the board will select a chair and vice chair, and this constitutes “Board Leadership”.
8. Newly elected or appointed board members will be offered and expected to participate in orientation sessions to be provided by Eugene 4J staff and supplemented by outside training as deemed appropriate. And Board leadership will work to support new Board members in their onboarding process, including helping them connect with resources.”

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- ~~1. At each regular meeting of the board there will be an opportunity for members to request an item to be considered by the board. In order to better plan and manage staff and district resources, the request must be supported by at least three members of the board. There will be a verbal vote on such requests to ascertain if there are three members in support of the request. The first step for staff response will be information included in the superintendent's weekly memo. If, at this point, a member would like to ask for a work session or "item for information" at a regular meeting of the board, support of at least three members will be needed to place it on the agenda at a future meeting. When the intent is to eventually create or amend board policy, the item will be researched and vetted by staff, and presented at the next reasonably available meeting as an "item for information". The proposed policy or proposed amendment will then be placed as an "item for future action" so as to ensure sufficient time to inform and receive comments from community members. The next step, if the item is to be moved forward, will be the consideration of the matter as an "item for action."~~
- ~~2. When a work session, new policy or policy amendment request has been supported by at least four board members, the request will be reviewed by board leadership and will be placed on a future meeting agenda.~~
- ~~3. The board chair will report to the body the status of agenda requests at the next regularly scheduled meeting, provided that there has been sufficient time to review the request with the superintendent and staff. In addition, the weekly memo from the superintendent will also include the "Working Calendar and Draft Agenda".~~
- ~~4. At the end of regular meetings at which there have been requests for more information or a work session on a topic, the chair will offer a summary of items which have been moved forward.~~
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2. List of Board Committees
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