

Board of Directors Meeting
 School District 4J, Lane County
 Hybrid Meeting (virtual and
 in-person)
 200 North Monroe Street
 Eugene, Oregon 97402
 Wednesday, June 7, 2023

NOTICE: The Regular Board Meeting at 7:00 p.m. will be open to the public to attend in person, via live broadcast on KRVM 1280-AM and 98.7 FM, on the internet at www.4j.lane.edu/stream, and via Zoom Webinar at <https://4j-lane-edu.zoom.us/j/91225128314>

School Board Meeting Request Forms:

Sign up to provide public comment: www.4j.lane.edu/board/publiccomment

The board will hear public testimony in person or via Zoom from community members who sign up by Monday the week of the meeting. Up to 10 people will be scheduled to provide public comment at each regular meeting. Respondents will be notified on Tuesday or Wednesday, the day of the meeting. Priority will be given to residents who have not recently provided public comment in a board meeting. Requests to provide public comment must be submitted no later than 5 p.m. on the Monday before the meeting.

**7:00 PM
 Regular Meeting**

- I. **7:00 p.m. Regular Board Meeting:**
- II. Call to Order, Roll Call, Flag Salute, Land Acknowledgement
- III. Agenda Review
- IV. Receive Reports from High School Student Representatives
- V. Introduction of Guests and Superintendent's Report
- VI. Items Raised by the Audience
- VII. Comments by Employee Groups
- VIII. Comments and Committee Reports by Individual Board Members
- IX. Public Hearing on 2023-2024 Budget 3
 Presenter: Matt Brown, Finance Director
- X. Consent Group - Items for Action
- 1. Approve Board Meeting Minutes for 15
 May 3, 2023
 May 10, 2023
 May 17, 2023
- 2. Approve TNTP Contract Extension 2023-24 SY 69
 Presenter: Rob Hess, Chief of Staff
- 3. Approve BEPA 2.0 (Be Physically Active 2Day) 82
 Presenter: Eric Anderson, Curriculum Director
- 4. Approve Bond Project — Safety and Security — High School Entry 86
 Improvements
 Presenter: Ryan Spain — Director of Facilities
- 5. Approve Bond Project — Kelly Middle School: Furniture Purchase 87
 Presenter: Ryan Spain
- 6. Approve Revisions to Board Policy IGBB — Talented and Gifted 88
 Program (2nd Read)
 Presenter: Rob Hess, Chief of Staff
- 7. Approve Revisions to Board Policy IGBBA — Identification — Talented 95
 and Gifted Students (2nd Read)
 Presenter: Rob Hess, Chief of Staff

	8. Approve Deleting Board Policy IGBBC — Talented and Gifted — Program and Services (2nd Read) Presenter: Rob Hess	102
	9. Approve Revisions to Board Policy IK — Academic Achievement (2nd Read) Presenter: Rob Hess, Chief of Staff	105
XI.	Items for Information	
	1. 4J Student Climate Justice Team Presenters: Tana Shepard, Climate, Energy and Conservation TOSA; Sarah Ruggiero Kirby, Secondary Science TOSA, Outdoor School Coordinator; 4J Students of the 4J Student Climate Justice Team 15 Minutes	112
	2. Discuss Impacts of Community Benefits Agreement (CBA) for New Construction Presenter: Vice-Chair Gordon Lafer 10 Minutes	123
	3. Legislative Committee Update Presenter: Judy Newman, Legislative Board Subcommittee Chair 5 Minutes	124
XII.	Items for Action	
	1. Board Calendar 2023-2024 Presenters: Maya Rabasa, Board Chair; Andy Dey, Superintendent 5 Minutes	125
	2. Board Self Evaluation Presenters: Jenna McCulley, Communications Director; Maya Rabasa, Board Chair 15 Minutes	
	3. Proposed Board Policy IIAA — Request for Reconsideration about Curriculum/Instructional/Library Materials (2nd Read) Presenter: Rob Hess, Chief of Staff 15 Minutes	127
	4. Complaint/s Decision Andy Dey, Superintendent; Maya Rabasa, Board Chair	138
XIII.	Items for Action at a Future Meeting	
	1. Eugene Police Department: Discuss a Reimagined Affiliation with EPD Presenter: Andy Dey, Superintendent 20 Minutes	139
	2. FY 2023/2024 Budget Adoption Presenter: Matt Brown, Finance Director 10 Minutes	140
	3. Approve Revisions to Board Policy JGAB — Use of Restraint and Seclusion (1st Read) Presenter: Rob Hess, Chief of Staff 10 Minutes	143
	4. Consider Proposed Board Policy EFA — Local Wellness Presenter: Rob Hess, Chief of Staff 15 Minutes	158
XIV.	Suggestions by the Board for Consideration of Items at a Future Meeting	
XV.	Adjourn	

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

INFORMATION FOR THE DEAF AND HARD OF HEARING:

Closed Captioning is available during Board meetings through a zoom live feed which is also displayed at in-person meetings.



ITEM FOR ACTION – PUBLIC HEARING

Date of Meeting

6/7/2023

Title

FY 2023-2024 Budget – Public Hearing

Presenter

Matt Brown

Background

The board must hold a public hearing and comment period to give an opportunity for the public to speak on the upcoming budget. In addition to this public hearing, public comment was available at each of the 4 budget committee meetings. The budget resolution is available to view and Director of Financial Services, Matt Brown, will give a presentation on an overview of the 2023-2024 budget before public comments are heard. Matt Brown will be available to answer questions that the board or public may have.

Options and Alternatives

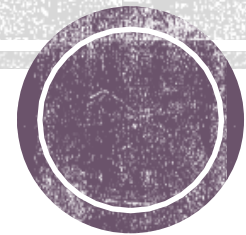
No Options/Alternatives are available.

Recommendation

Complete the public hearing process

2023-2024 Budget

Public Hearing 6/7/23



Budget Committee Meeting Review

Jan 30 - Introductions & Financial Training

Mar 20 - Debt Service, Capital Projects, and Insurance Reserves

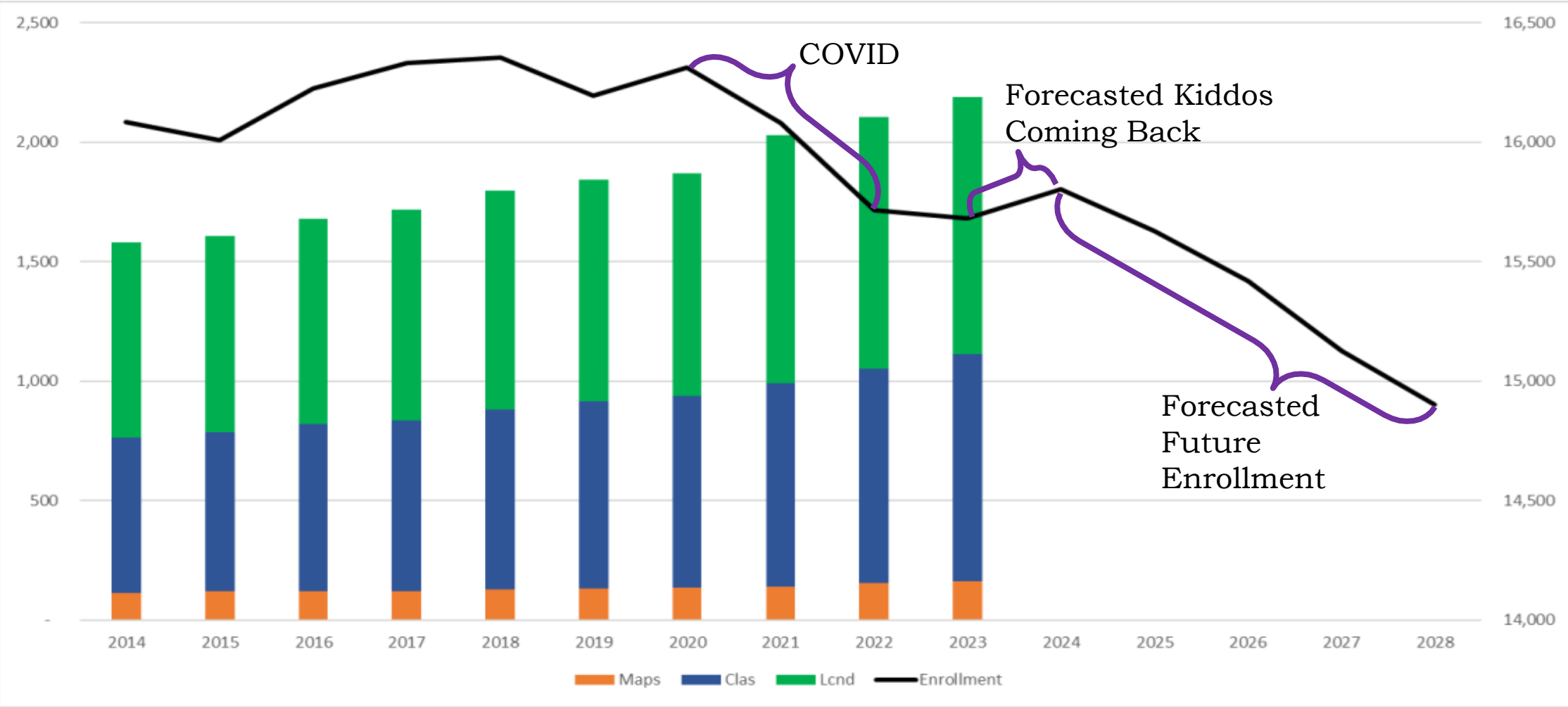
Apr 17 - Special Revenue Funds

May 08 - General Fund & Budget Recommendation

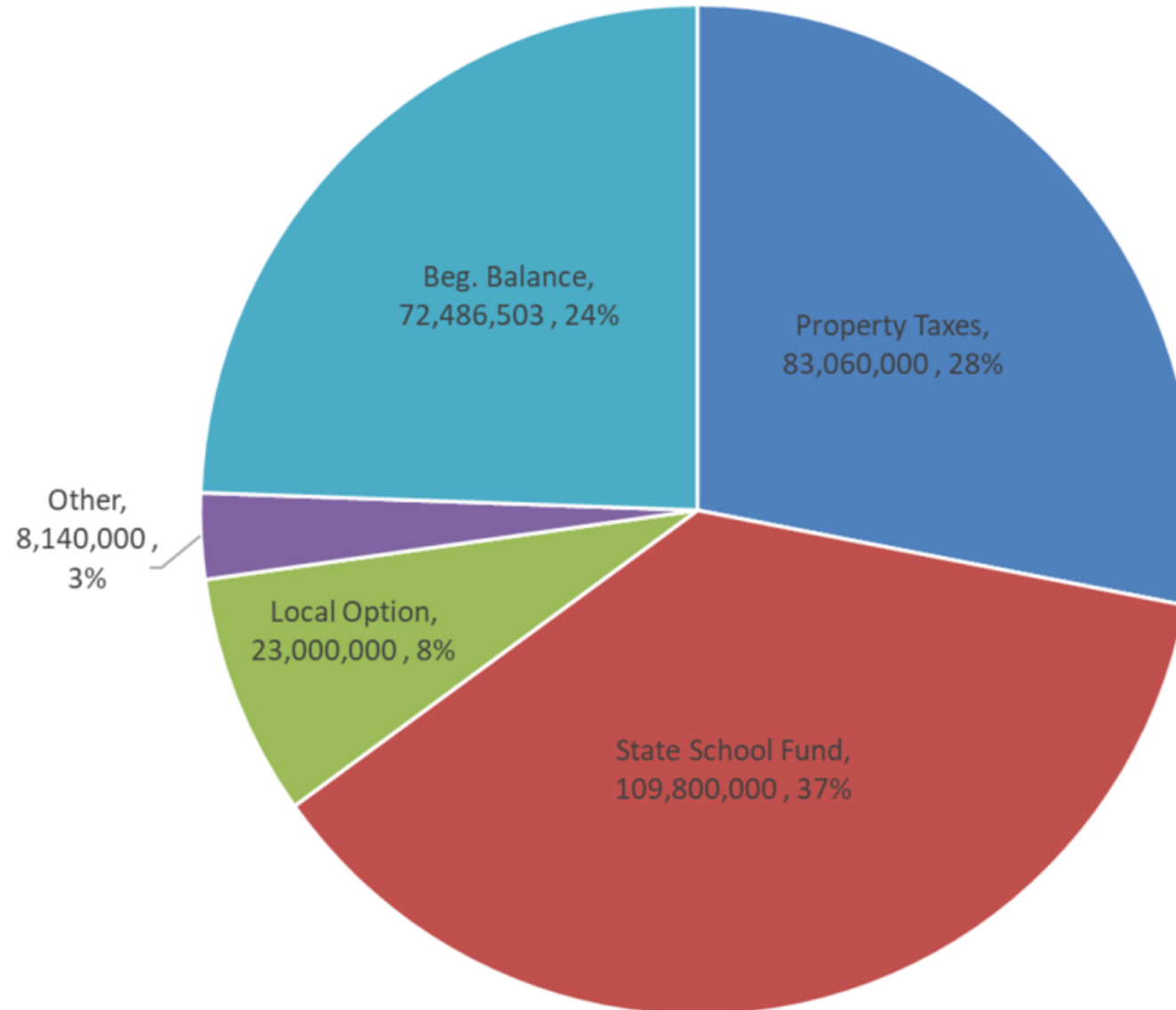
Jun 07 - Budget Public Hearing

Jun 21 - Budget Resolution Adoption (Approp, Taxes, Bonds)

Budget Overview - Enrollment/Staffing



Budget Overview - GF Revenue



Budget Overview - State School Fund

BASE SCENARIO			
SSF =	\$1,000,000		
	<u>Enrollment</u>	<u>%</u>	<u>SSF Amt</u>
School 1	1,000	33%	333,333
School 2	800	27%	266,667
School 3	600	20%	200,000
School 4	400	13%	133,333
School 5	200	7%	66,667
	3,000	Total Enrollment	

SCENARIO: 1 School Drops			
SSF =	\$1,000,000		
	<u>Enrollment</u>	<u>%</u>	<u>SSF Amt</u>
School 1	1,000	38%	384,615
School 2	400	15%	153,846
School 3	600	23%	230,769
School 4	400	15%	153,846
School 5	200	8%	76,923
	2,600	Total Enrollment	

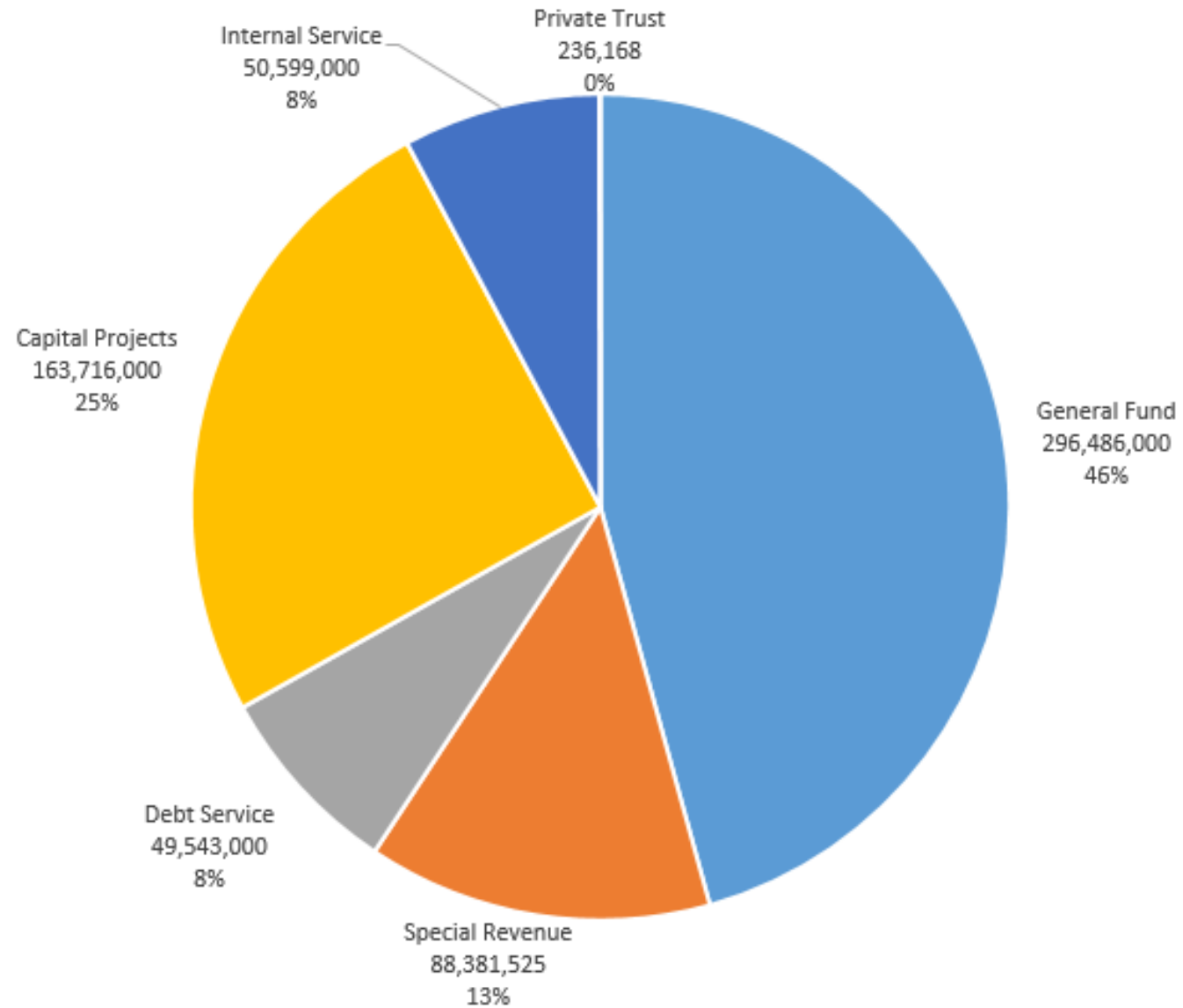
School #2 Enrollment drops 50%
All others remain constant

SCENARIO: All Schools Drop			
SSF =	\$1,000,000		
	<u>Enrollment</u>	<u>%</u>	<u>SSF Amt</u>
School 1	800	33%	333,333
School 2	640	27%	266,667
School 3	480	20%	200,000
School 4	320	13%	133,333
School 5	160	7%	66,667
	2,400	Total Enrollment	

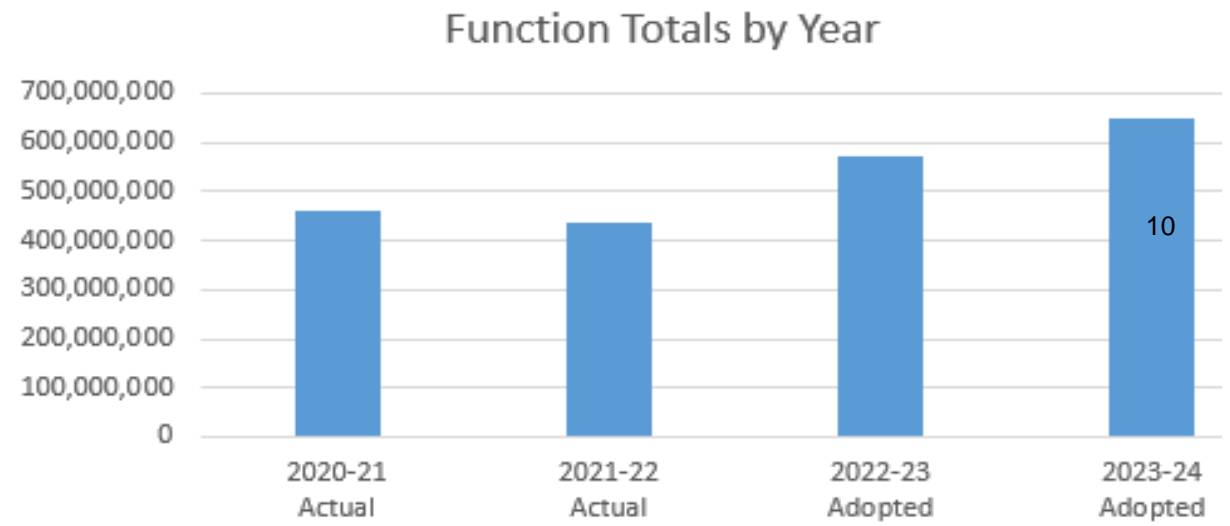
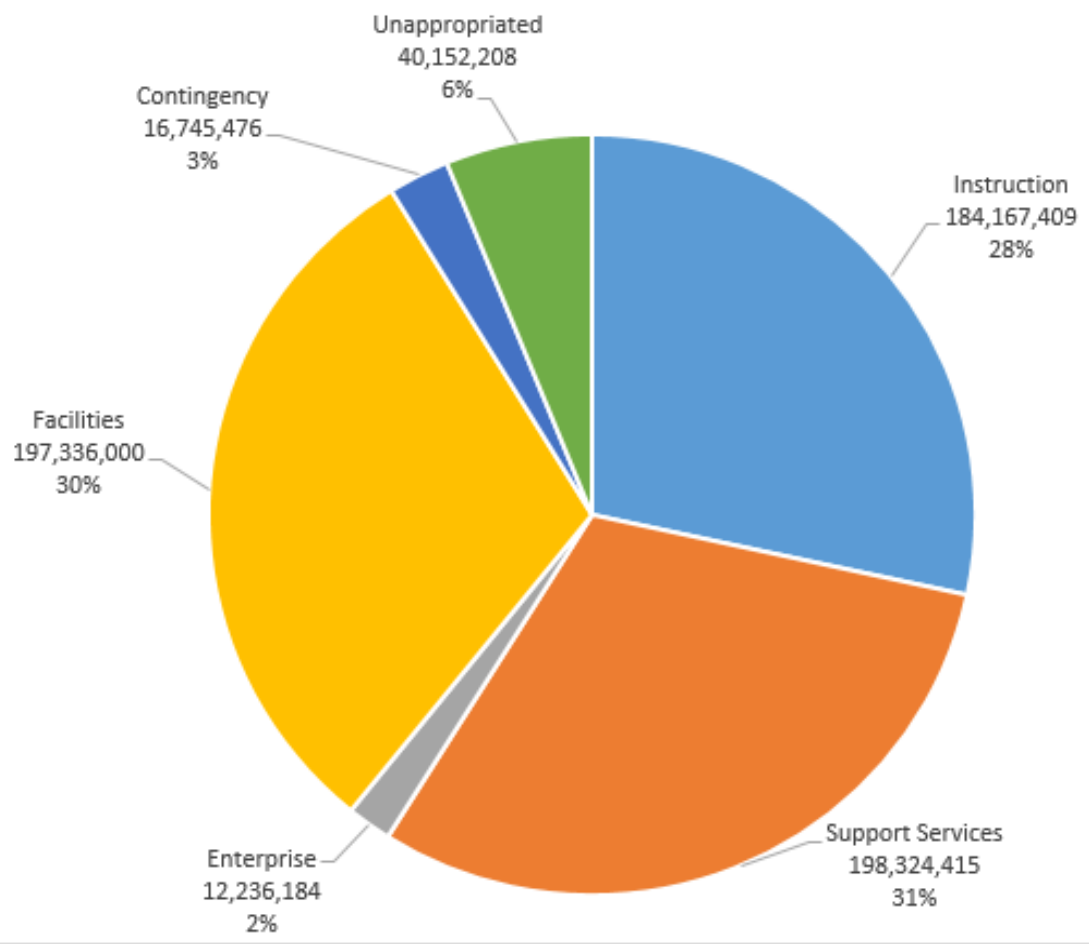
All schools drop 20%



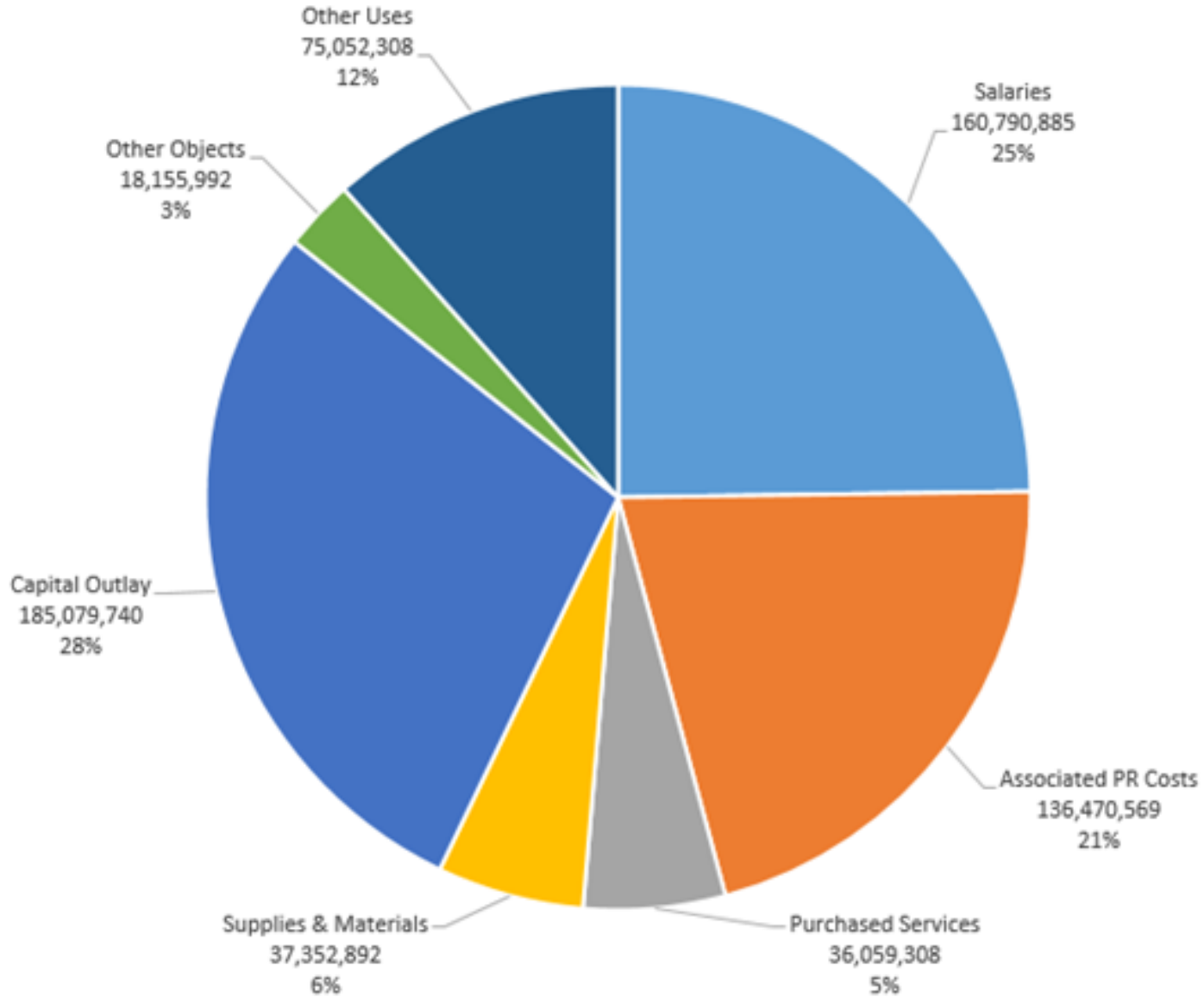
Budget Overview - By Fund Type



Budget Overview - By Function



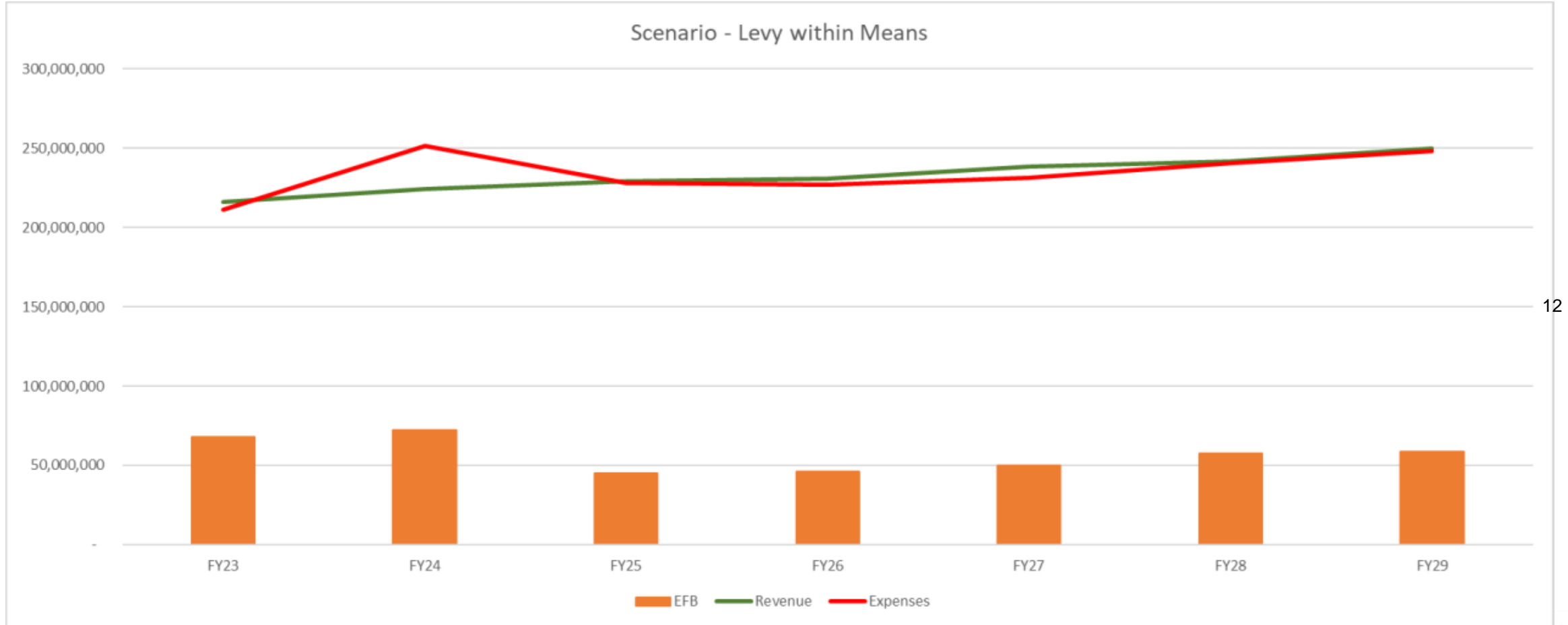
Budget Overview - By Object



- 46% Of Entire Budget is related to people costs
- 88% of General Fund is related to people costs



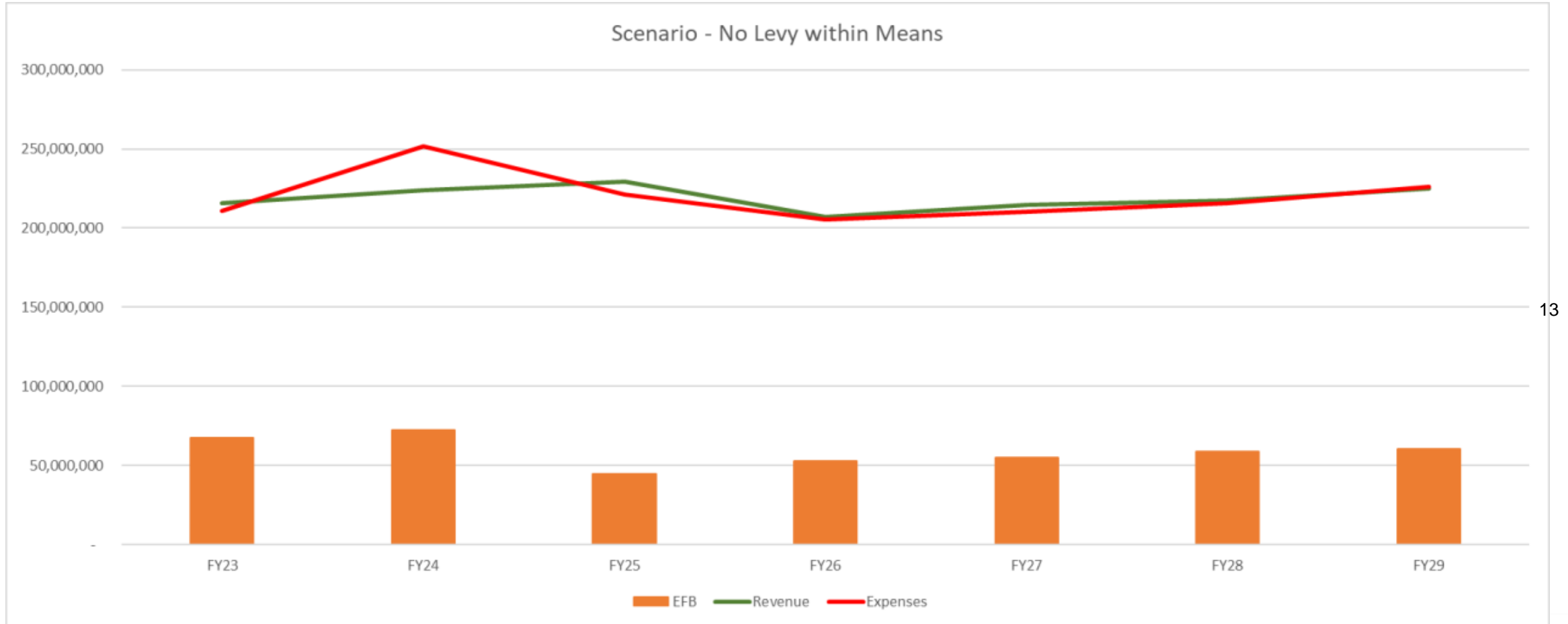
Forecast - Levy Passes



	FY 2025	FY 2026	FY 2027	FY 2028
Expense Cuts	\$25 Million	\$12 Million	\$6 Million	



Forecast - Levy Doesn't Pass



	FY 2025	FY 2026	FY 2027	FY 2028
Expense Cuts	\$31 Million	\$26 Million	\$4 Million	\$4 Million



Budget Overview - the NEW Next Year

- New Budget Book - July Release
- New Organizational Structure
- New Financial Structure
- New Capital Improvement Plan



Eugene School District 4J
200 North Monroe Street
Eugene, OR 97402-4295
541-790-7700
www.4j.lane.edu

ITEM FOR ACTION–CONSENT AGENDA

Date of Meeting

June 7, 2023

Title

Approve Board Meeting Minutes for —

May 3, 2023

May 10, 2023

May 17, 2023

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

Date: May 03, 2023

The Board of Directors (BOD) of School District No. 4J, Lane County, Eugene, Oregon, held a regular Board of Director's (BOD) meeting at 7:00 p.m. via video conference and at the Education Center, 200 North Monroe Street in Eugene, Oregon. Notice of the meeting was mailed to the media and posted in the Education Center on April 28, 2023.

ROLL CALL

BOARD MEMBERS PRESENT:

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

STAFF:

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

COUNSEL:

Eric DeFreest

EMPLOYEE ASSOCIATIONS:

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

STUDENT ASVISORY PANEL MEMBERS:

Churchill High School
Sheldon High School

MEDIA:

KRVM, Register Guard

I. REGULAR BOARD MEETING

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

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

III. RECEIVE REPORTS FROM HIGH SCHOOL REPRESENTATIVES

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

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

There were no other comments.

IV. AGENDA REVIEW

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

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

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

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

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

There were no objections to the proposed agenda changes.

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

V. INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

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

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

There were no other comments.

VI. ITEMS RAISED BY THE AUDIENCE

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

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

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

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

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

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

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

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

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

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

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

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

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

There were no other public comments.

VII. COMMENTS BY EMPLOYEE GROUPS

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

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

There were no other comments.

VIII. COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS

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

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

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

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

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

There were no other comments.

IX. CONSENT GROUP – ITEMS FOR ACTION

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

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

IX.3. Approve Barracuda Email Protection Services Subscription

IX.4 Approve Extension of DreamBox for 2023–2025

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

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

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

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

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

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

Keerti Hasija Kauffman left the meeting.

X. ITEMS FOR INFORMATION

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

Presenter: Andy Dey, Superintendent

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

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

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

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

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

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

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

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

Superintendent Dey confirmed that was part of the plan.

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

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

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

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

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

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

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

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

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

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

Chair Rabasa agreed with Ms. Newman's suggestion.

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

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

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

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

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

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

Superintendent confirmed Chair Rabasa was correct.

Chair Rabasa asked for clarification regarding community engagement.

Superintendent Dey said there was two reasons for community engagement.

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

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

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

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

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

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

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

There were no other comments or questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There were no other comments or questions.

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

Presenter: Adrienne Pierce, Curriculum Administrator

Jamie Tait, Curriculum Administrator

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

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

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

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

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

Ms. Pierce said yes.

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

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

There were no other comments or questions.

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

Presenter: Eric DeFreest, Lawyer

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

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

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

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

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

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

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

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

Mr. DeFreest said no.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There were no other comments or questions.

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

Presenter: Judy Newman, Legislative Board Subcommittee Chair

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

There were no other comments or questions.

XI. ITEMS FOR ACTION

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

Presenter: Rob Hess, Chief of Staff

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

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

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

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

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

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

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

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

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

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

XII. ITEMS FOR ACTION AT A FUTURE MEETING

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

Presenter: Andy Dey, Superintendent

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

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

Superintendent Dey said no.

There were no other comments or questions.

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

There were no suggestions.

XIV. ADJOURN

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

Andy Dey
District Clerk

Maya Rabasa
Board Chair

(Recorded by Diana Tisdale, LCOG)

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

Date: May 10, 2023

The Board of Directors (BOD) of School District No. 4J, Lane County, Eugene, Oregon, held a regular BOD meeting at 5:05 p.m. via video conference and at the Education Center, 200 North Monroe Street in Eugene, Oregon. Notice of the meeting was mailed to the media and posted in the Education Center on May 06, 2023.

ROLL CALL

BOARD MEMBERS PRESENT:

Maya Rabasa, Chair
Michelle Hsu
Keerti Hasija Kauffman
Alicia Hays
Judy Newman

STAFF:

Andy Dey, Superintendent
Debbie McKim

I. REGULAR BOARD MEETING

II. CALL TO ORDER, AND ROLL CALL

Chair Rabasa called the regular meeting to order at 5:05 p.m. She said the names of board members who were present.

III. COMMENTS BY BOARD CHAIR

Chair Rabasa asked board members if there were any changes to the agenda.

There were no changes to the agenda.

IV. ITEMS FOR ACTION

IV.1. Determine Response to Three Complaints

Chair Rabasa stated that the board would determine their response to three complaints. Each complaint would be discussed based on the order that the complaints were received. The first complaint was received on February 14, 2023, the second complaint was received on March 08, 2023, and the third complaint was received on March 13, 2023. During the April 19, 2023, regular BOD meeting, the board voted to approve asking for an extension from all three of the complainants. The complainant from the February 14th complaint granted the extension, the complainant from the March 8th complaint granted the extension, and the complainant from the March 13th complaint did not respond, which meant that the BOD needed to determine their response by the original deadline per policy. The complainant from the March 13, 2023, complaint requested that the board process their complaint in a timely manner.

MOTION: Ms. Hsu moved, seconded by Ms. Kauffman to dismiss the February 14, 2023, complaint.

Chair Rabasa asked if there was any discussion.

Ms. Hsu said the content of the complaint did not comply with policy. The complaint was filed on behalf of someone else, which seemed unusual to her. In the last year or more, the number of complaints that came in were unprecedented. She thought it would be best to discourage these types of complaints from coming in by dismissing this one.

Ms. Hays said she agreed with Ms. Hsu in that the board should try to discourage complaints, regarding board behavior or clarity on policies. However, she was not sure if the board could dismiss this complaint because 4J Board Policy stated that the board would investigate complaints. She stated that the board need to change the policy, but until the policy was changed, the board needed to adhere to policy. Therefore, she would be voting against the motion to dismiss the complaint.

Ms. Newman asked if it were determined that someone could file a complaint on behalf of someone else.

Chair Rabasa said policy stated you could file a complaint on behalf of yourself or a 4J student you had legal guardianship over.

Ms. Newman said if that part of the policy were true, and the complainant was not making the complaint on behalf of someone whom they had guardianship over, the board should dismiss the complaint. If the policy did not state that, then she agreed with Ms. Hays in that the complaint should be investigated. She noted that she would like to figure out a way that the board could limit the number of complaints that the board was getting.

Ms. Hays asked if the board received legal counsel on whether the board should dismiss this complaint.

Superintendent Dey said no legal advice was sought or received regarding this complaint. He noted that there were conflicting standards in two policies. KL-AR stated that a person could only file a complaint on behalf of their self or a 4J student of who they had legal guardianship of. Whereas ACC stated that you could file a complaint on behalf of someone else.

Chair Rabasa read the following excerpt from 4J Board Policy KL-AR which stated:

Complainants may file complaints on their own behalf, or on behalf of their enrolled student, or about district policies or practices. Complainants cannot file complaints on behalf of another person or student.

Chair Rabasa read the following excerpt from section four of the policy titled Reporting and Administrative Action which stated:

Conduct a thorough, sensitive, and timely investigation. Should an investigation not be completed within 10 workdays, an update should be provided to impacted persons.

Ms. Hsu asked if that meant a district investigation.

Chair Rabasa replied yes.

Ms. Newman said since there seemed to be disconnect between the two policies, she suggested seeking legal advice on how to proceed. If legal counsel confirmed that it was not necessary to follow through with an investigation, she would be the first person to suggest dismissing this complaint.

Dr. Dey said the language in the ACC policy connotes that it did not need to be the person who was the possible victim of harassment, and if a teacher or 4J staff member knew of harassment, they should take the appropriate steps as noted in policy. The complainant could not file a complaint on behalf of someone else according to the KL–AR policy, but according to the ACC policy, making a complaint on behalf of someone else was exactly what the policy said should be done.

Chair Rabasa said the person who filed the complaint was neither a teacher, nor a member of 4J staff. She asked board members if they wanted to make a friendly amendment to their motion since the complainant granted an extension on this complaint.

MOTION: Ms. Newman moved to table the vote to dismiss the February 14, 2023, complaint until legal counsel had determined whether someone could file a complaint on behalf of someone else.

Chair Rabasa asked Ms. Hsu if she accepted the amendment.

Ms. Hsu asked for clarification regarding the ACC policy, which seemed specific to harassment incidents that were within 4J schools.

Ms. Newman replied that the policy encompassed board meetings and anything school related.

Ms. Hsu asked if the February 14, 2023, complaint fell under the ACC or KL–AR policy.

Chair Rabasa said that would be the question for legal counsel.

Ms. Hsu clarified that her motion was based on KL–AR policies.

Superintendent Dey stated that the ACC policy stated that a complaint could be made anonymously, and in an anonymous complaint, the board would not know whether the student or the student's parent / guardian made the complaint. The board would be obligated to investigate. He added that the board could rely on the advice of legal counsel, but he would believe that given the language in the policies to date, the most prudent response would be to investigate, and then figure out a way to change the policy to eliminate the ambiguity.

Chair Rabasa said during their executive session, the board discussed the content of the complaint and suggested resolutions. Part of the complaint entailed that the board failed to protect a fellow board member by continuing to not implement recommendations provided by security, resulting in the board member feeling unsafe in their own home. The board implemented paid security for their fellow board member and offered mediation as methods of resolution. The board member rejected mediation. Chair Rabasa asked if it mattered that that the complainant said the board failed to protect a fellow board member by continuing to not implement recommendations provided by security when, in fact, resolutions were offered to remedy the situation. Even if the board fixed their policy, that question needed to be answered. She asked board members if they could revisit that after they got advice from legal counsel.

Ms. Hays was about to speak.

Ms. Hays noted that Ms. Hsu had spoken twice on her motion and per board policy, twice was the limit for board members to speak regarding a motion.

Chair Rabasa said Ms. Hsu, Ms. Newman and herself had spoken twice. She asked Ms. Hays or Ms. Kauffman in they would like to speak.

Ms. Kauffman said she was in favor of tabling the vote until they got advice from legal counsel.

Chair Rabasa asked if there was any objection to extending the discussion.

MOTION: Ms. Newman moved, seconded by Ms. Hsu to extend the conversation regarding the February 14, 2023, complaint.

Chair Rabasa asked if there was any discussion about extending the discussion.

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

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

Maya Rabasa, Keerti Hasija Kauffman, Alicia Hays, Michelle Hsu, and Judy Newman voted in favor of extending the conversation regarding the February 14, 2023, complaint.

Ms. Hsu said when her and Ms. Kauffman first joined the board, they spent time working on complaints, especially complaints that involved allegations of racism. They did not seem like valid complaints, yet they were validated. The February 14, 2023, complaint was not one that she would invest any further time or money into. Dealing with such complaints took time and money. District funds were better spent on 4J students.

Ms. Newman said she was in favor of getting legal advice regarding third party complaints. Once the board had clarification on their policies, they could dismiss it, or an investigation could be done.

Ms. Hays said she could agree with Ms. Hsu about the time and money spent on complaints, but the board passed a poorly written policy. That did not mean the board did not need to follow the policy. It also did not mean an investigation was not necessary because certain board members did not think the complaint was valid. That would be contrary to why the board passed the policy. She agreed that the policy needed to be amended. She was in favor of getting legal advice to clarify the policy. She acknowledged that Ms. Hsu made good points.

Chair Rabasa said section four of the ACC policy was clear, but before the board could look at that, they needed to look at the policy from the beginning to review the policy's purpose, and scope, and the definitions, expectations, and consequences. She was unsure if the complaint fell under the scope and the purpose of the policy. The complaint specifically referenced safety at home.

Ms. Kauffman said suggested tabling the discussion until they heard from legal counsel. Without that, they had nothing to discuss. She was also in favor of spending the time and money of the district on teachers and students. She agreed with Chair Rabasa in that the board should review sections one, two, and three, before they took

into consideration section four of the ACC policy, to ensure the complaint was valid on those accounts as well.

Ms. Hays said the policy lists race and discrimination under Types of Complaints, harassment, intimidation, and cyber-bullying were listed under Bullying. It was as if the board expected complainants to be good writers, since the board seemed to want to pick apart the wording of the complaint. She asked if the board was going to judge what was written before an investigation were allowed to be moved forward. That made her nervous, particularly because the policy was specifically written to address racial harassment.

Chair Rabasa said the writing quality had nothing to do with any of the complaints. It was about the content of the complaints.

Ms. Hays clarified that when she said writing quality, she was referring to the content.

Chair Rabasa asked if the complaint would be valid if it was about someone's experience in their home.

Ms. Hays said if the board's behavior at a board meeting caused them to be fearful in their homes, then yes it would be.

Chair Rabasa apologized to Ms. Hsu because the discussion continued without Ms. Hsu indicating whether she accepted the friendly amendment made by Ms. Newman. She asked Ms. Hsu if she accepted the amendment to table the vote to dismiss the February 14, 2023, complaint until legal counsel had determined whether someone could file a complaint on behalf of someone else.

Ms. Newman said there were questions that needed clarification. The person making the complaint marked racial harassment, and cyber-bullying on the complaint form. The question was, could the board second guess that. There were three or four questions that needed clarification, but the motion was specifically about tabling the vote to dismiss the February 14, 2023, complaint until legal counsel had determined whether someone could file a complaint on behalf of someone else.

Ms. Hsu accepted Ms. Newman's friendly amendment to her motion. She noted she was hopeful that they could get legal advice as soon as possible, so it could be resolved. She emphasized that she was looking at more than number four on the policy.

Chair Rabasa called for a vote.

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

Maya Rabasa, Keerti Hasija Kauffman, Alicia Hays, Michelle Hsu, and Judy Newman voted in favor of tabling the vote to dismiss the February 14, 2023, complaint until legal counsel had determined whether someone could file a complaint on behalf of someone else.

Chair Rabasa said complaint number two was filed on March 08, 2023. She asked if anyone would like to make a motion.

MOTION: Ms. Hays moved, seconded by Ms. Newman to follow the policy as written under racial harassment ACC and hire an investigator to investigate the March 08, 2023, complaint.

Chair Rabasa asked if there was any discussion.

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

The motion failed (3:2:0).

Maya Rabasa, Alicia Hays, and Judy Newman voted in favor of following the policy as written under racial harassment ACC and hiring an investigator to investigate the March 08, 2023, complaint.

Keerti Hasija Kauffman, and Michelle Hsu voted against following the policy as written under racial harassment ACC and hiring an investigator to investigate the March 08, 2023, complaint.

Chair Rabasa asked if someone would like to make a different motion regarding the March 08, 2023, complaint.

MOTION: Ms. Hsu moved, seconded by Ms. Newman to dismiss the March 08, 2023, complaint.

Chair Rabasa asked if there was any discussion.

Ms. Hsu said the board had previously dismissed complaints of similar nature. She believed this complaint was retaliatory.

Chair Rabasa said this complaint was another example of the board needing to review and fix their policy. The complaint came from one board member regarding another board member. The precedent thus far had allowed board members to be included in the standards of their policy. The board needed to clarify if that was the intention they wanted in their policy. Hiring an investigator to determine whether actions were taken with the intention of inflicting harm based on a protected status may be necessary. Policy resolution and Robert's Rules supported those types of actions.

Ms. Hays asked Superintendent Dey to ask legal counsel if section number four of the ACC policy superseded other sections of the policy, and noted clarity on that would be helpful.

Chair Rabasa agreed with Ms. Hays and said her question would be who would investigate whether actions made under policy were made with the intention of causing harm, and how they could come to an agreement on who could answer that question.

Ms. Newman said she had reviewed the policies and did not think there was anything there that would provide guidance on a complaint made by a board member regarding another board member who was deliberating on the complaint. She suggested getting clarification from legal counsel about that.

Chair Rabasa said that was a matter of developing a better policy in the future.

Ms. Newman agreed and that she would develop a better policy with legal guidance. That might not be relevant right now.

Ms. Kauffman said she voted to dismiss the March 08, 2023, complaint based on validity especially because an investigation would need to establish validity and she did not think validity could be determined. She did not want to spend time, money, and

resources on things that the board already agreed to and invalidated in the past and set precedent with.

Chair Rabasa made a friendly amendment to Ms. Hsu's motion.

MOTION: Chair Rabasa moved to dismiss the March 08, 2023, complaint, but with the follow-up action of amending the policy regarding how to manage complaints from board members made against board members.

Ms. Hsu accepted Chair Rabasa's motion to amend her motion.

Ms. Newman said the policy seeks to prevent and prohibit all forms of racially harassing conduct in district programs and activities even if the conduct did not include an intent to harm, was not directed at a specific target, or involved repeated incidents or tangible injuries. An investigation would not be looking for an intent to harm based on policy. The investigation would be looking at the actual claims made in the complaint.

Chair Rabasa said the claims could be substantiated by looking at Robert's Rules, which policy resolution supported. She asked Ms. Newman if she accepted the friendly amendment.

Ms. Newman accepted Chair Rabasa's motion to amend Ms. Hsu's motion.

Chair Rabasa asked if there was any discussion.

Ms. Hays said she would not vote in favor of this motion.

Chair Rabasa called for a vote.

The motion failed (3:2:0).

Maya Rabasa, Keerti Hasija Kauffman, and Michelle Hsu voted in favor of dismissing the March 08, 2023, complaint, but with the follow-up action of amending the policy regarding how to manage complaints from board members made against board members.

Alicia Hays, and Judy Newman voted against dismissing the March 08, 2023, complaint, but with the follow-up action of amending the policy regarding how to manage complaints from board members made against board members.

Superintendent Dey said because two motions failed, the board would be taking no action.

Chair Rabasa said there were two failed motions and no other motions. She asked board members if they wanted to make another motion.

There were no other motions made.

Chair Rabasa stated that the board was taking no action on the March 08, 2023, complaint.

Chair Rabasa said complaint number three was submitted on March 13, 2023. She asked board members if they would like to make a motion.

MOTION: Ms. Newman moved, seconded by Ms. Kauffman to investigate the March 13, 2023, complaint.

Chair Rabasa asked if there was any discussion.

Chair Rabasa said she needed more information on this complaint and was not sure if that meant an investigation or a hearing. She was not sure what would be investigated, and a hearing would allow the board to participate in asking questions. It would give the complainant and respondent the opportunity to expand on their input and responses. She asked board members why an investigation versus a hearing would be better.

Ms. Hsu asked if an investigation within the district occurred or not since this involved a board member.

Chair Rabasa said no investigation took place because the complaint came directly to the board. It was a complaint made by a 4J employee against a board member.

Ms. Hsu asked if anyone knew if either party would be willing to participate in a hearing.

Chair Rabasa said the board could make the decision to have a hearing and give the option to the complainant. If the complainant did not show up to the hearing, it would give the board the opportunity to deliberate more.

Ms. Newman asked if the hearing would need to be public and what that would entail. She made the motion for an investigation to involve someone with expertise, so it could be done discreetly. She was not familiar with the process of a hearing and did not know what she would be getting by voting to approve a hearing.

Chair Rabasa said the board member would be part of the hearing because there was not policy to prohibit them, and board members had been involved with all the deliberations surrounding their complaints.

Ms. Newman said she would not be in favor of a hearing.

Chair Rabasa said an investigation could lead to a hearing.

Chair Rabasa asked if there were any more discussion.

There was no further discussion.

Chair Rabasa called for a vote.

The motion failed (3:2:0).

Maya Rabasa, Keerti Hasija Kauffman, and Judy Newman voted in favor of investigating the March 13, 2023, complaint.

Alicia Hays, and Michelle Hsu voted against investigating the March 13, 2023, complaint.

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

MOTION: Chair Rabasa moved, seconded by Ms. Hsu to hold a hearing regarding the March 13, 2023, complaint.

Chair Rabasa asked if there was any discussion.

Chair Rabasa said it would be unfortunate if the board decided not to process this complaint given that it was an employee complaining about a board member. It would not send a good message to 4J employees, specifically because one of the listed items within the complaint was a direct violation of policy. She encouraged the board to not let this complaint go unprocessed.

Ms. Kauffman agreed that more information was needed. She asked if the complainant would get the opportunity to speak.

Chair Rabasa replied that the complainant would have the opportunity to speak, and the board would be able to ask questions. It would give the employee the chance to be heard.

Ms. Kauffman said the employee should be given the opportunity to be heard.

Ms. Hays said the board had a practice of not doing that. Current board members may not have been on the board at that time, but there was a similar situation, and the board did not investigate, and they did not have a hearing. She could not move forward with the motion considering how the last similar complaint was treated.

Ms. Newman asked if two motions failed and no action were taken as a result, would that mean no action would be taken and the board was done with it.

Chair Rabasa said yes. She said the board did act on the other complaint that Ms. Hays was referring to, and the board deliberated over it repeatedly. This complaint had not been given the same amount of attention. She noted a hearing was scheduled in that situation, but it did not happen. The deliberation for that complaint took place in executive session, which is why the board should not be talking about that complaint.

Ms. Hays said why was that one discussed in executive session but not the March 13, 2023, complaint.

Chair Rabasa replied that the interpretation of the law shifted since then. That complaint involved agreements and a short claims notice. There were legal concerns and employment actions connected to that complaint.

Ms. Newman said they had legal advice on how to proceed with that complaint. She thought if the complainant requested a hearing, then they would get a hearing. The March 13, 2023, complaint stemmed from conversations within a private Facebook group and apparently, no one else saw the conversations between the complainant and the board member. She did not know if that was another factor in how that played into policy.

Chair Rabasa said the policy stated that when using social media and other websites, board members would treat and refer to other board members, staff, students, and members of the public with respect. The thing that is similar with this complaint and the March 08, 2023, complaint was that the complainant was an employee and a board member in both instances. The previous complaint was specifically about employment. It cited a hostile work environment.

Ms. Hsu said the only similarity was that it was a complaint made by an employee against a board member. The board should not make false equivalences because the

situation was different. Regarding precedence, what happened last year was muddy and messy, and the board did have legal counsel at that time.

Chair Rabasa asked if there were more discussion on the current motion. If so, the board would need to vote to extend the discussion.

There was no further discussion.

Chair Rabasa called for a vote.

The motion failed (3:2:0).

Maya Rabasa, Keerti Hasija Kauffman, and Michelle Hsu voted in favor of holding a hearing regarding the March 13, 2023, complaint.

Alicia Hays, and Judy Newman voted against holding a hearing regarding the March 13, 2023, complaint.

Chair Rabasa asked if anyone had another motion to put on the table.

Ms. Hays said Chair Rabasa brought up good points about the investigation and the employee. She said the board needed clarity to understand if a policy violation could occur in a closed group. She was unsure if it would take an investigation or the collective wisdom of the board to determine that. She did not know if an inquiry from an attorney could determine that.

Chair Rabasa said she did not know how the board could say that the policy was not violated regarding the March 13, 2023, complaint. The board just spent time reviewing the racial harassment policy. How could the board disregard this complaint knowing a board member violated that policy.

Ms. Hays said the board just did that regarding the complaint made on March 08, 2023. She was in favor of investigating that and other board members disagreed. She would like to figure out how to move something forward, or the board could let it go and let the complainant utilize other options.

Chair Rabasa said the board just told an employee that it was okay that they were disrespected on social media.

Ms. Hays said unfortunately, the board had been telling employees that for the last year-and-a-half and asked why precedence mattered now.

Chair Rabasa said the reason precedence mattered is because it can stop past patterns of behavior.

Ms. Hays said she would back track and vote for an investigation on this. The board was struggling to figure this out, and she hoped employees could understand that.

Chair Rabasa said it made her uncomfortable to continue discussions without another motion on the table.

MOTION: Chair Rabasa moved, seconded by Ms. Hsu to issue a statement of censure.

Chair Rabasa spoke first because she made the motion. She would have liked to have managed this in a different way, but she was not sure how else to communicate that the board was not okay with the policy's continued violations.

Ms. Newman said she was out of her league with these types of complaints. They were issues of free speech, and people interpret the policy in different ways. Sometimes the policy seemed clear, other times it did not. This complaint fell into a grey area because the complaint stemmed from conversations inside a closed group. She was out of her league and needed clarity. That was why she said hiring an investigator with expertise could be beneficial. Therefore, she could not support issuing a statement of censure because she did not know what door that would open.

Ms. Hsu asked if this could be exclusively between the complainant and the respondent. She did not want to silence the employee, who had presented a clear case.

Chair Rabasa made a friendly amendment to her motion.

MOTION: Chair Rabasa moved, seconded by Ms. Hsu to table issuing a statement of censure until legal counsel had been received regarding if the policy was violated.

Chair Rabasa said regardless of precedence, the board should be able to grow and learn from their mistakes and make better decisions in the future that may be different from the precedence of the past.

Ms. Kauffman said she would be in favor of getting advice from legal counsel.

Ms. Hays said she was okay with getting advice from legal counsel, but that she was not okay with a censure sitting on the table.

Ms. Kauffman asked Chair Rabasa to repeat the motion.

MOTION: Chair Rabasa moved, seconded by Ms. Hsu to table issuing a statement of censure until legal counsel had been received regarding if the policy was violated.

Ms. Newman asked if the board could vote that down and make a new motion to get advice from legal counsel. She did not feel comfortable having a censure on the table.

Chair Rabasa said she believed that would be okay. The vote would die if no one were in favor of it. She noted legal counsel may offer more options that the board did not consider, which could be more effective. She asked if she could revise her amended motion to remove issuing a statement of censure and include only to seek legal advice regarding the complaint and policy. She said it was a revision to her friendly amendment, and since it was coming from her it would be permissible.

Chair Rabasa revised her friendly amendment.

MOTION: Chair Rabasa moved, seconded by Ms. Hsu to table a decision on the March 13, 2023, complaint pending advice from legal counsel to determine if the policy was violated.

Chair Rabasa asked if there was any more discussion.

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

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

Maya Rabasa, Keerti Hasija Kauffman, Michelle Hsu, Alicia Hays, and Judy Newman voted in favor of tabling the decision on the March 13, 2023, complaint pending advice from legal counsel to determine if the policy was violated.

Chair Rabasa stated that the next regular board meeting was scheduled for May 17, 2023. At 7 p.m.

There were no other comments or questions.

V. ADJOURNMENT

Chair Rabasa adjourned the meeting at 6:23 p.m.

Andy Dey
District Clerk

Maya Rabasa
Board Chair

(Recorded by Diana Tisdale, LCOG)

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

Date: May 17, 2023

The Board of Directors (BOD) of School District No. 4J, Lane County, Eugene, Oregon, held a work session from 5:45 to 6:38 p.m. and a regular Board of Director's (BOD) meeting at 7:00 p.m. via video conference and at the Education Center, 200 North Monroe Street in Eugene, Oregon. Notice of the meeting was mailed to the media and posted in the Education Center on May 14, 2023.

ROLL CALL

BOARD MEMBERS PRESENT:

Maya Rabasa, Chair
Gordon Lafer, Vice Chair
Alicia Hays
Michelle Hsu
Judy Newman

STAFF:

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

STUDENT ASVISORY PANEL MEMBERS:

Churchill High School
North Eugene High School
Sheldon High School
South Eugene High School
Eugene Online Academy

MEDIA:

KRVM, KVAL, Register Guard

I. WORK SESSION

II. CALL WORK SESSION TO ORDER AND ROLL CALL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Rabasa asked if the policy referenced administrative leave.

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

Removal of Board Member from Office

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

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

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

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

Ms. Hays apologized for using the words administrative leave.

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

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

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

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

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

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

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

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

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

There were no other comments or questions.

IV. ADJOURN WORK SESSION

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

V. REGULAR BOARD MEETING

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

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

VII. RECEIVE REPORTS FROM HIGH SCHOOL STUDENT REPRESENTATIVES

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

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

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

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

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

VIII. AGENDA REVIEW

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

The was no opposition to the proposed agenda changes.

IX. INTRODUCTION OF GUESTS AND SUPERINTENDENTS REPORT

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

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

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

X. ITEMS RAISED BY THE AUDIENCE

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

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

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

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

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

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

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

XI. COMMENTS BY EMPLOYEE GROUPS

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

XII. COMMENTS AND COMMITTEE REPORTS BY BOARD MEMBERS

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

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

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

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

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

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

XIII. CONSENT GROUP

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

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

XIII.3. Approve Canvas Extension

XIII.4. Seesaw Extension 2023 – 2026

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

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

Chair Rabasa asked if there was any discussion.

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

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

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

XIV. ITEMS FOR INFORMATION

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

Presenter: Jenna McCulley, Communications, and Intergovernmental Relations Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There were no other comments or questions.

XIV.2. Legislative Update

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

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

The meeting reconvened at 9:04 p.m.

XV. ITEMS FOR ACTION

XV.1. Consider Approval of Downtown Urban Renewal Plan Amendment

Presenter: Amanda D'Souza, City of Eugene Development Programs Manager

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

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

Chair Rabasa asked if there was any discussion.

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

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

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

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

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

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

Chair Rabasa asked if there was any discussion.

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

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

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

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

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

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

Chair Rabasa asked if there was any discussion.

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

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

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

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

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

Chair Rabasa asked if there was any discussion.

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

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

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

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

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

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

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

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

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

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

Vice Chair Lafer said ideally, yes.

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

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

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

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

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

Vice Chair Lafer withdrew his amendment.

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

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

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

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

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

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

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

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

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

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

There was no other motion.

Chair Rabasa said the board would take no action.

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

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

Chair Rabasa asked if there was any discussion.

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

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

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

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

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

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

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

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

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

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

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

The motion passed (4:1:0).

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

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

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

No motion was made.

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

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

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

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

Chair Rabasa asked if there was any discussion.

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

The motion passed (4:1:0).

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

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

XVI. ITEMS FOR ACTION AT A FUTURE MEETING

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

Presenter: Rob Hess, Chief of Staff

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

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

He suggested that the board select option number two.

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

Mr. Hess said that was correct.

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

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

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

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

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

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

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

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

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

There were no other comments or questions about this topic.

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

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

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

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

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

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

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

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

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

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

There were no other comments or questions about this topic.

XVI.3. Revisions to Board Policy IK Academic Achievement (First Read)

Presenter: Rob Hess, Chief of Staff

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

There were no comments or questions.

XVI.4. Approve Deleting Board Policy IGBBC – Talented and Gifted (TAG) – Programs and Services

Presenter: Rob Hess, Chief of Staff

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

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

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

There was no other comments or questions about this topic.

XVII. BOD SUGGESTIONED CONSIDERATIONS AT A FUTURE MEETING

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

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

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

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

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

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

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

There were no other comments or questions.

XVIII. ADJOURN

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

Andy Dey
District Clerk

Maya Rabasa
Board Chair

(Recorded by Diana Tisdale, LCOG)



ITEM FOR ACTION – CONSENT AGENDA

Date of Meeting

Wednesday - June 7th, 2023

Title

TNTP Contract Extension 2023-24 SY

Presenter

Rob Hess, Chief of Staff

Background

TNTP (The New Teacher Project) is a national nonprofit founded by teachers to help school systems end educational inequality. Since 1997, they've partnered with more than 200 public school districts, charter school networks, and state departments of education. Today, they are active in more than 50 cities across the country.

In addition, Eugene 4J has partnered with TNTP for Curriculum Adoption and implementation consultation for Elementary and Secondary ELA. We know that this partnership was invaluable as it greatly aided in our successful adoption and implementation processes, which included consultation and facilitation of portions of our launch, pilot, evaluate and report, adopt and implementation phases.

This year TNTP partnered with Eugene-4J's secondary literacy team to design and facilitate a materials review process for the selection of high-quality instructional materials for 6-8 and 9-12 literacy. The focus has been on supporting the review team in designing a comprehensive materials review plan, developing a review tool that reflects 4J's emerging literacy vision, reviewing and gathering data from 8 different programs, engaging stakeholders, and culminating this spring with the selection of two programs for grades 6-8 and two programs in 9-12 to advance to pilot next fall.

4j is committed to expanding access to high-quality curricular materials as a powerful way to narrow opportunity gaps and accelerate student learning at scale. During 2023-24, in addition to the implementation phase of our secondary ELA instructional materials



adoption, 4j will also be embarking on a two-year materials selection process in mathematics allows for the review team to focus on both the selection of high-quality materials and the engagement of stakeholders throughout the process, ultimately leveraging materials' selection as a lever for strengthening and refining instruction within the district. The selection and implementation of high-quality mathematics materials is key to ensuring that students have access to focused, coherent, and rigorous, standards-aligned instruction and ultimately improved mathematics outcomes.

Options and Alternatives

This purchase will extend our current contract with TNTP for both the consultation of our ELA Instructional Materials Adoption and Implementation, and add an additional contract for the support of our Elementary Math Instructional Materials Adoption. Currently, all secondary ELA teachers and the 300 elementary teachers will be positively impacted by both adoptions.

If the board decides to not approve the extension of this consultation contract with TNTP, our secondary ELA adoption will be without strong consultation, guidance and facilitation of the implementation phase of the adoption. Plus, our Elementary Math Adoption would not have the same support, consultation and guidance that the 2 previous ELA adoptions were granted, which will gravely impact the success and progress of the Elementary Math Adoption. Let it be noted that along with the consultation with TNTP, our elementary instructional materials adoption was a team of 4-7 staff members with support from the Curriculum Director and the Secondary Curriculum Administrator. Noting that neither elementary nor secondary will have the additional support of curriculum administrators next year, and both subjects only 1 Teacher on Special Assignment supporting these adoptions, it is pertinent that TNTP be a consulting support for these adoptions.

Which students, and how many, are served by this project?

All students K-12 are served through this extension of our contract, which is an estimated 15,800 students for the 2023-24 SY. This includes students enrolled at EOA and Fox Hollow.

Budget/Resource Implications:



TNTP 1 year Extension (2023-2024)		
Product	Product Description	Unit Price
TNTP - an extension of contract for Secondary ELA Instructional Materials Adoption/Implementation	Extensions of contract until December 2023 - to support the secondary literacy team with the final stages of the review process.	\$87,953
TNTP - addition of contract for Elementary Math Instructional Materials Adoption	Additional 1 year Contract - Partnering on the K-5 Adoption Process with In Person and Virtual Facilitation of Key Stages	\$204,648
Total - 12 month		\$292,601

Board and Superintendent Goals

(connecting to 3 Big Rocks)

Focus on equitable outcomes for all:

Goal 1: A coordinated focus on equitable access and advancement for all with an amplified focus on the desires of those who have been historically underserved

Objective 1: Support student learning with rigorous, relevant, consistent curriculum and clear expectations for teaching and learning across the district.

Objective 2: Provide equitable educational opportunities at all elementary schools.

Recommendation:

The Superintendent recommends the approval of \$292,601 from the Instruction Budget (per 12-month contract) for TNTP to extend the consultation and facilitation support of the Secondary ELA Instructional Materials Adoption/Implementation and the Elementary Math Instructional Materials Adoption.

Proposal to Eugene 4J School District

Support for K-10 Math Materials Adoption
April 10, 2023



Introduction

In 2022, 35% of Eugene’s 8th graders met state grade level expectations in mathematics. A closer look at the data reveals that 16% of Hispanic/Latino students, 21% of Black/African American students and 10% of students with disabilities are meeting grade level expectations. As a result, there is a strong need for Eugene/4J to interrupt inequitable practices in mathematics, and ensure that *all students* have the access and opportunity to succeed with grade level content. Given the need to address mathematics achievement and inequities in 4J, there is an opportunity to leverage the selection process of high-quality instructional materials to revamp mathematics programming in order to address the disparities.

In TNTP’s recent report, [The Opportunity Myth](#), the organization found that grade-appropriate assignments, strong instruction, deep engagement in what they are learning, and high expectations from teachers who believe they can meet grade-level standards were the four key resources that correlated with student mastery of grade-level standards. With every year that students are denied access to the four key resources, particularly when students are denied access to grade-appropriate assignments, they fall further behind not only in grade-level learning, but also in the potential for reaching life-altering goals like finishing high school with robust options for social and economic mobility. The urgency of these compounding losses demands that we imagine a new way forward, and not simply work around the current system, which was designed to produce the results we currently see in public education.

Eugene 4J is committed to expanding access to high-quality curricular materials as a powerful way to narrow opportunity gaps and accelerate student learning at scale. Embarking on a two-year materials selection process in mathematics allows for the review team to focus on both the selection of high-quality materials and the engagement of stakeholders throughout the process, ultimately leveraging materials’ selection as a lever for strengthening and refining equitable mathematics programming within the district. The selection and implementation of high-quality mathematics materials is key to ensuring that students have access to focused, coherent, and rigorous, standards-aligned instruction and improved mathematics outcomes, ultimately ensuring that Eugene 4J is able to double down on a commitment to equity by dismantling inequitable systems that do not deliver on the promise of education.

Our Approach

TNTP believes our nation’s public schools can offer *all* children an excellent education. A national nonprofit founded by teachers, we help school systems end educational inequality. We work at every level of the public education system to attract and train talented teachers and school leaders, ensure rigorous and engaging classrooms, and create environments that prioritize great teaching and accelerate student learning. Since 1997, we’ve partnered with more than 200 public school districts, charter school networks, and state departments of education. Today, we are active in more than 50 cities across the country.

In pursuit of our mission of ending the injustice of educational inequality, we center equity in all of our work. We strive to ensure equally high outcomes for all students and remove the predictability of success or failure that currently correlates with social or cultural factors. Together with our partners, we work to ensure that all kids have the opportunity to succeed in school and in life, and we endeavor to disrupt inequities at every level of the education system that hold students back from reaching their full potential. We also express our commitment to equity in the measures we use to evaluate our success as an organization. One of the most important of such measures is the decrease in equity gaps in students’ mastery of the standards across our projects.

Our work in support of mathematics instruction is no exception to our focus on equity. We believe that providing all students access to four crucial resources is a prerequisite to equitable education: grade-appropriate assignments, instruction requiring students to do the thinking, deep engagement, and teachers with high expectations. As our organizational vision of excellence in mathematics outlines (Appendix A), we approach our support for mathematics initiatives with the goal of increasing students’ access to these four resources.

Research has repeatedly shown the importance of high-quality instructional materials. In *The Opportunity Myth*, we found that assignments that came from high-quality, district-adopted materials were consistently more likely to be grade appropriate than assignments that came from lower-quality instructional materials or that teachers found from crowd-sourced websites. Given that finding, we recommended that districts start by ensuring that they have high-quality instructional materials and supporting teachers to use them well as a core strategy to ensure equitable access to grade-appropriate assignments.

Materials Selection: A Lever for Change

TNTP has the knowledge and expertise to support Eugene 4J through their K-10 mathematics materials selection process specifically because our approach to curriculum adoption is centered around key tenets in instructional change management (also described in Appendix B):

- **A materials adoption process provides an opportunity to analyze and revamp mathematics programming.** In *The Opportunity Myth*, we found that most schools with a higher proportion of white students or those from higher-income backgrounds tended to provide a wider array of advanced and honors courses. Consequently, these students had significantly greater access to advanced courses than their peers of color or from lower-income backgrounds. In one district, for example, 56 percent of all 11th and 12th graders took at least one AP class, but only 27 percent of students of color did so. Students who have access to rigorous mathematics content and challenging, engaging instruction are better-positioned to meet their goals for themselves.
- **High-quality curriculum is essential to supporting teachers and students in accessing grade-appropriate content, however it alone does not result in changes in instructional practice.** Teachers and leaders need a deep understanding of the design behind the curriculum, including its implementation of the big ideas, standards, and the research behind it, to fully sustain and leverage its impact. Then, and only then, can teachers make appropriate decisions about when and how to adjust the curriculum to meet the needs for all students.
- **Building capacity at the leadership level is essential to ensure long-term sustainability.** Therefore, TNTP will work side by side with the 4J Mathematics TOSAs and district and school leaders to position them as leaders of this work, with the support and backing of TNTP's national expertise.
- **Stakeholder engagement and student voice are at the forefront of every step of the adoption process.** We lift up voices of our ultimate stakeholders, the students and families themselves, to ensure that the materials we select match their expectations for their math experience.

Further, TNTP has had the privilege of working side by side with the 4J Literacy TOSA's for the Elementary and Secondary literacy materials adoptions, and has developed a keen understanding of both the district Administrative Rules for materials selection in Eugene as well as 4J's culture in teaching and learning.

Our Support

With these tenets as the foundation for the mathematics materials selection process, TNTP will collaborate with Eugene 4J in 2023-2024 to:

- Draft a vision for a high-quality student experience in K-10 mathematics to drive the materials selection and implementation process
- Communicate the need and the process for new materials to teachers, leaders, students, families and community
- Analyze current mathematics programming and make recommendations to disrupt inequitable practices
- Bring together a diverse and inclusive adoption team, including math teachers, school leaders, and ideally, caregivers and community members
- Articulate a change management strategy plan with school and district leaders

- Develop and co-facilitate training around the components of a standards aligned and culturally responsive curriculum for the adoption team, based off of guidance from Achieve the Core's [Instructional Materials Evaluation Tool](#) and NYU's [Culturally Responsive Scorecards](#)
- Collect input from students, families, and other stakeholders about what they want to see in math materials
- Utilize the above findings to co-create a curriculum reevaluation tool that meets the unique needs of the Eugene community
- Apply the co-created evaluation tool to assess the alignment of "Green rated" curriculum options (according to [EdReports](#)) and identify top choices for recommendation to pilot
- Develop a plan to pilot materials in 2024-2025
- Engage and solicit input from stakeholders to drive the ultimate decision process
- Implement a Communications Plan to invest all stakeholders in the change

Process Overview

Phase 1: Advising on the Process

TNTP will work directly with 4J Math TOSA's to design the review process for the selection of high-quality instructional curricular programs for K-10 mathematics. The review process will reflect 4J's Administrative Rules for Materials Selection, and will attend to recruiting a diverse review team, vision setting, knowledge building and investment & engagement of stakeholders in order to reach the broader potential of an effective materials adoption process.

Phase 2: Instructional Vision Setting

In partnership with the 4J Math TOSA's, TNTP will develop learning opportunities for the review team to develop a deeper understanding of the research supporting Oregon's Math Standards and effective math pedagogy. Together we will collaboratively draft a vision for a high-quality student experience in K-10 mathematics to drive the materials selection and implementation process that reflects 4J's values and priorities.

Phase 3: Drafting the Selection Rubric

TNTP will work with the review team to design and calibrate on a selection rubric that reflects the shared K-10 vision, and is grounded in the criteria from the nationally vetted [Instructional Materials Evaluation Tool](#) (IMET) and NYU's [Culturally Responsive STEAM Scorecard](#). The selection rubric will also include criteria from priorities named in 4J's mathematics vision.

Phase 4: Facilitating the Materials Review

TNTP will facilitate the materials review process, which may include:

- Organizing publisher presentations of selected materials
- Application of 4J's Equity tool to frame the selection process
- Supporting the review team members in calibrating on review findings
- Sharing findings of initial review in order to make recommendations for pilot

Phase 5: Selection of Materials for Pilot & Preparing for the Pilot

TNTP will synthesize review team ratings, and facilitate a final review and discussion of artifacts in order to make a recommendation for pilot. This phase also includes preparing to pilot the materials, including recruiting a diverse pilot team, working with publishers to order materials and/or plan for materials training, and designing the pilot process, including data collection, etc.

While Eugene has committed to a two year review process, these phases reflect the first year's work. In Year 2, Eugene would move into the pilot and final selection.

Options for Support

What follows are options to consider for a TNTP partnership to support your K-10 mathematics materials selection process to achieve the outcomes described above. Each of these options includes: Key considerations for each level of support below include *timeline for launching partnership*, *number of in person trainings*, and *staffing levels to support grade band differentiation* with the K-10 materials selection. This by no means is an exhaustive list of all the options and is provided here as a starting point for conversations to move forward.

Option A: Partnering on the K-10 Adoption Process with Monthly Virtual Review Team Sessions

TNTP would work side by side with the 4J Mathematics Team to ensure each of the outcomes above are achieved. This would include:

- Consulting weekly with the 4J Mathematics Team to define and work through the Selection Process
- Leading the development of Review Team session content that meets the above priorities.
- Supporting the 4J Mathematics Team in messaging the process and progress to stakeholders both to solicit input and engage stakeholders in the change.
- Preparing a plan for piloting the selected materials in 2024-25.

Option A Support would begin in August 2023, with a review team launch in September/October 2023, and would also include:

- Developing session content and examples for review team sessions for two grade bands (i.e. K-2, 3-5, 6-8, 9-10), which 4J would customize for other grade bands.
- Developing content and facilitating up to 8 virtually-held (1-2 hours each) with the review team.
- Developing content for 4 in person sessions (half or full day) which 4J would facilitate.

COST:

TNTP PROJECT BUDGET	Cost
Program Staff	\$145,409
Program Expenses (travel)	\$0
TOTAL	\$145,409

Option B: Partnering on the K-10 Adoption Process with In Person and Virtual Facilitation of Key Stages

TNTP would work side by side with the 4J Mathematics Team to ensure each of the outcomes above are achieved. This would include:

- Consulting weekly with the 4J Mathematics Team to define and work through the Selection Process
- Leading the development of Review Team session content that meets the above priorities.
- Supporting the 4J Mathematics Team in messaging the process and progress to stakeholders both to solicit input and engage stakeholders in the change.
- Preparing a plan for piloting the selected materials in 2024-25.

Option B Support would begin in June 2023, with a review team launch in August/September 2023, and would also include:

- Developing session content and examples for review team sessions for 3 grade bands (i.e. K-2, 3-5, 6-8, 9-10), which 4J would customize for other grade bands.
- Developing content and facilitating up to 8 virtually-held (1-2 hours each) with the review team.
- Developing content and facilitating 4 in person sessions (half or full day), with 2 facilitators for each session to provide differentiated support.

COST:

TNTP PROJECT BUDGET	Cost
Program Staff	\$188,708
Program Expenses (travel)	\$15,940
TOTAL	\$204,648

Option C: Partnering on the K-10 Adoption Process with Facilitation of Key Stages with Differentiation by Grade Band

TNTP would work side by side with the 4J Mathematics Team to ensure each of the outcomes above are achieved. This would include:

- Consulting weekly with the 4J Mathematics Team to define and work through the Selection Process
- Leading the development of Review Team session content that meets the above priorities.
- Supporting the 4J Mathematics Team in messaging the process and progress to stakeholders both to solicit input and engage stakeholders in the change.
- Preparing a plan for piloting the selected materials in 2024-25.

Option C Support would begin in June 2023, with a review team launch in August/September 2023, and would also include:

- Developing session content and examples for review team sessions for 4 grade bands (i.e. K-2, 3-5, 6-8, 9-10).
- Developing content and facilitate up to 8 virtually-held (1-2 hours each) with the review team.
- Developing content and facilitate 4 in person sessions (half or full day), with 3 facilitators for each session to provide differentiated support.

COST:

TNTP PROJECT BUDGET	Cost
Program Staff	\$252,193
Program Expenses (travel)	\$30,958
TOTAL	\$283,151

Your TNTP Team

For each of these options, your TNTP Team will be comprised of:

- Partner – The role of the TNTP Partner is to oversee all streams of work and to monitor progress toward goals. The Partner will ensure that all streams of work align to the overall vision and strategy for Eugene_4J and address the needs expressed by District leadership.
- Director – The TNTP Director supports District and school leadership throughout the partnership to ensure alignment with the district’s instructional vision. Directors lead all aspects of the work, including managing the design of content, strategic planning, and capacity building with school leaders.
- Senior Manager - The TNTP Senior Manager is a content expert who supports the arc of professional learning, curriculum review, and selection process through content development and facilitation support. The Senior Manager has deep academic expertise in Mathematics aligned with the priorities of this scope of work.

Contact Information

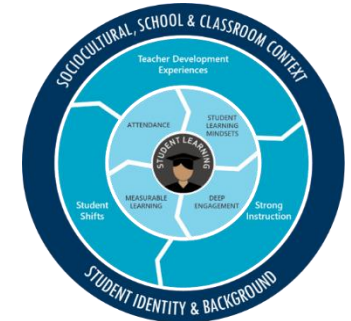
TNTP is thrilled to support Eugene_4J with their mathematics materials selection in the coming year. For questions or further discussion, please reach out Torrey Palmer, Partner, at torrey.palmer@tntp.org.

Appendix A: TNTP's Working Vision of Strong Instruction in Mathematics

Overview:

The Teaching and Learning Framework highlights the importance of strong instruction and expands our definition of this critical resource. We use the words strong instruction as anchor term representing four key elements:

- Being led and supported by **reflective practitioners** that leverage their knowledge of their context (their school and community), their content (the standards, shifts, content pedagogy, materials), and their learners (the assets and needs of all learners) to enhance their instructional practice and provide meaningful, focused supports where and when necessary.
- Situated within a **responsive classroom culture** where learners can meaningfully engage in rigorous academic content in a way that is emotionally, intellectually, culturally, and physically safe.
- Rich with opportunities for students to meaningfully engage in rigorous academic content aligned to **grade-level appropriate expectations and work**.
- Includes an appropriate amount of quality, cognitive work that provides learners with the opportunity to demonstrate their competence and confidence with what they are learning and speaks to and embodies the **high expectations** that educators and their school community have for all learners.



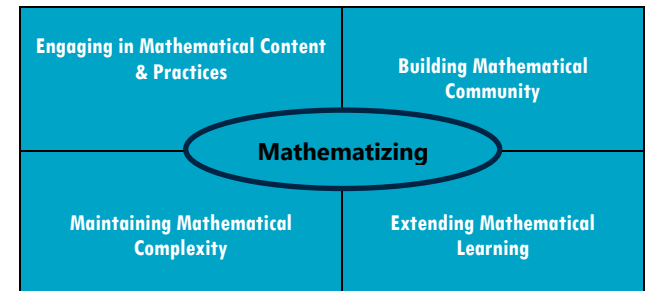
When these four critical elements of strong instruction are at play, we believe that educators foster learning institutions and environments that encourage deep engagement and learning mindsets that nurture long-term, sustained learning, and outcomes for students.

Our updated Vision of Strong Instruction in Mathematics represents the mathematics-specific practices we believe matter most to develop each element of strong instruction. The vision is not an articulation of all the aspects of a high-quality learning experience for learners, rather it represents those aspects designed to create the greatest impact to reach our mission of a high-quality learning experience for all learners.

79

Specifically, the vision seeks to center systematically marginalized groups, especially students whose families experience economic hardship, students of color, multilingual learners and students with learning and thinking differences. Educators owe a great responsibility to these resilient learners to ensure they experience an education that expands rather than limits their access to rich mathematics. In fact, we believe that if we proactively attend to the needs of learners currently existing on the edges of instructional systems, then we will radically update our adoption of practices that significantly improve outcomes for all learners.

The Vision for Strong Instruction in Mathematics is centered around the concept of mathematizing. Mathematizing involves two inter-related processes. The first is the process of moving between the world and mathematical representations of the world. The second is the process of moving within and among mathematical representations to uncover new connections, concepts, and strategies. Through these inter-related processes students come to better understand their world and generalize their learning as they grow their mathematical understandings in connected and cohesive ways. These processes differ from an answer-getting tradition of mathematics whose goal is not to create independent learners but to perform calculations, first demonstrated by a teacher, to arrive at an answer. When planning, teaching, or observing a classroom it is critical to ask yourself if you are seeing opportunities for students to mathematize.



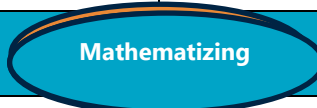
Each of the remaining four aspects of the vision furthers our understanding of what a classroom focused on mathematizing means.

They are grounded in the elements of strong instruction: Responsive Classroom Culture (RC), Grade-Appropriate Assignments and Work (GA), High Expectations (HE), and Reflective Practice (RP). In addition, each statement of the vision pushes us to create new ways of designing learning and disrupting the harmful myths about mathematics that permeate our society. It is not enough to merely change the culture of learning mathematics in our classrooms and schools, we must intentionally shift mindsets of everyone within the system about what mathematics is, how we learn mathematics, and who can do mathematics.

This vision is grounded in research on how students learn and our work with educators and will evolve as we continue to learn more. We intentionally use the words educators and learners to push our thinking about the entirety of the community of administrators, teachers, caregivers, community members and students, all of whom play a role in developing supportive mathematical learning experiences and all of whom can benefit from extending their own learning of mathematics. We are grateful for the amazing work of educators and learners that inspired this vision. The Vision of Strong Instruction in Mathematics can be used by TNTP teams to: support clients in building their own content area visions; examine classroom instruction, instructional practices and/or accompanying instructional resources; guide project or client teams before- or post- action reflections, develop contract goals and metrics; and guide content-specific resource design and development.

Educators engage *all* learners in research-based, culturally relevant experiences that move beyond mere answer-getting to doing the work of mathematicians by representing their lived experiences and by explaining complex phenomena. As a result, each learner has multiple opportunities to learn mathematics and meet their goals.

Engaging in Mathematical Content and Practices (GA)	Building Mathematical Community (RC)
<p>Educators develop the conceptual understanding and procedural fluency of learners by connecting to and building on their prior knowledge and lived experiences with mathematics.</p> <p>As a result, the learning for all:</p> <ul style="list-style-type: none"> • Focuses on learning goals situated within webs of interconnected mathematical practices, concepts, and strategies and disrupts goals focused on learning steps and tricks to find answers. • Builds mathematical generalizations by valuing the conceptions of each member of the community and disrupts learning that dismisses the ideas of learners. • Builds upon the multiple resources, experiences, and knowledge of learners by creating connections within and among all types of representations (contextual, physical, verbal, visual, symbolic) and disrupts requiring proficiency in procedural knowledge before allowing continued learning in mathematics. • Ensures every learner speaks, writes, listens, and reads mathematics with their fellow learners, every day and disrupts mathematics as only a silent and individual endeavor. <p>Such that <i>all</i> learners engage in the work of a mathematician.</p>	<p>Educators and learners build strong relationships with each other and mathematics and disrupt harmful myths about mathematics.</p> <p>As a result, the learning for all:</p> <ul style="list-style-type: none"> • Highlights the social and collective nature of mathematics as a human activity and disrupts the myth that mathematics is universal and cultureless. • Develops a growth mindset that normalizes errors and benefits from diversity of thought and disrupts mathematics as a competition that sorts and selects learners. • Develops mathematical agency by affirming and validating the shared authority of the community in determining mathematical legitimacy and disrupts the teacher and textbook as the sole authority of right and wrong. • Fosters mathematical communication that supports and affirms the full linguistic repertoire of learners to communicate about mathematical ideas and disrupts deficit-based discourse that limits opportunities to engage in mathematics based on language proficiency in English. <p>Such that <i>all</i> learners develop positive mathematical identities.</p>
Maintaining Mathematical Complexity (HE)	Extending Mathematical Learning (RP)
<p>Educators maintain high expectations for learners by providing cognitively demanding tasks and strategic supports to ensure engagement with rich mathematical thinking.</p> <p>As a result, the learning for all:</p> <ul style="list-style-type: none"> • Builds from high-quality instructional materials designed to ensure all learners learn grade-level content and disrupts inequitable variations in opportunities to learn. • Ensures opportunities to productively struggle with cognitively demanding tasks by providing just-in time learning that maintains cognitive complexity and disrupts the use of just-in case remediation or reductions in cognitive complexity by “rescuing” learner but instead inhibits the perseverance, identity, and agency of the learner by shifting the thinking away from the learner. • Engages with sequences of coherent mathematical tasks that support the development of key mathematical ideas and disrupts the use of tasks that focus on learning inconsistent and imprecise language, notations, and short-cuts. • Provides assessment that elicits learners’ current mathematical understanding and provides opportunities for reflection and feedback focused on strengths and improvement and disrupts feedback focused solely on the number of correct versus incorrect responses. <p>Such that <i>all</i> learners engage with meaningful mathematical content.</p>	<p>Educators support the development of independent learners of mathematics.</p> <p>As a result, the learning for all:</p> <ul style="list-style-type: none"> • Generates new mathematical learning by reflecting on new learning and making connections to prior learning and experiences and disrupts learning focused on solving one type of task without connections to prior and future learning. • Develops a learner’s capacity to self-monitor and adjust to ensure progress towards mathematical learning goals and disrupts the notion of an educator as the gatekeeper of assessment and evaluation. • Supports learners reflecting on the ways routines, representations, and materials support their learning to develop independence in using these structures during future learning and disrupts the notion that the learning of mathematics can only occur when orchestrated by an educator in a classroom. • Fosters a learner’s intellectual curiosity about mathematics and agency to use mathematics to change their world and disrupts mathematics as a subject existing only in a mathematics classroom with no relevance to understanding or changing the world. <p>Such that <i>all</i> learners use mathematics to understand and change their world.</p>



Appendix B

Theory of Action

TNTP believes 4J is poised for meaningful, long lasting change. TNTP can support district and school leaders to enact these changes through the following Theory of Action:

If 4J:

1. Develops and effectively communicates an evidence-based, content-specific vision for excellent instruction that attends to the unique needs of all student groups, particularly those student groups that have been historically underrepresented and systemically marginalized, and
2. Collaboratively creates a change management strategy to achieve the shared mathematics vision, and
3. **Authentically partners with all stakeholders in the creation of that vision and an adoption and implementation strategy plan that achieves the vision,** and
4. Builds the mindsets, knowledge, and skills educators need to adopt and implement HQIM with integrity, collaborate with their colleagues, and partner with families and caregivers to meet the needs of all their students, especially those students that current educational systems have historically and systematically marginalized, and
5. **Builds the mindsets, knowledge, and skills district and school leaders need to manage change and improvement;** support educators in their HQIM adoption, implementation, collaboration, and family partnership; and provide meaningful feedback in pursuit of the vision, and
6. Ensures that other district systems and structures that support HQIM implementation maintain a focus on the vision, and
7. Monitors progress toward, reflects on, collaborates and refines implementation at key benchmarks in pursuit of the vision, particularly focused on the experiences of students that current educational systems have historically and systematically marginalized,

Then...

8. 4J will have planned and executed a strategic, inclusive, systems-level HQIM adoption and implementation strategy that drives meaningful improvements in students' math experiences, especially for those students that current educational systems have historically and systematically marginalized.
9. As a result, students in 4J will have access to a rigorous, high-quality instructional program in math that sets them up to achieve their goals.



ITEM FOR ACTION–CONSENT AGENDA

Date of Meeting

June 7, 2023

Title

BEPA 2.0

Presenter

Eric Anderson – Curriculum Director

Background

BE Physically Active 2Day (BEPA 2.0) is a classroom-based physical activity program aligned to National and Oregon health education and physical education standards for grades K-5 and will act as a PE Booster to assist 4j in meeting the state mandated PE minute requirements of 150 minutes per week.

The BEPA 2.0 kit includes over 50 unique, brain-boosting physical activities that teachers can use to reinforce grade-level movement skills and competencies, teach PE literacy, and in Oregon provide PE time in accordance with statewide policies to help reach PE minute requirements.

The BEPA 2.0 program includes teacher training and support, BEPA 2.0 Toolkits (duffle bags containing juggling scarves, beanbags, buckets, floor tape, beach balls, poly spots, cone tops, chalk, and an Activity Card booklet), technical assistance, partnership development, and wellness committee activities.

Options and Alternatives

The goal of BEPA 2.0 is to increase children’s physical activity during school hours, which aligns with the CDC’s Healthy Schools WSSC Model that suggests schools “create an environment that offers many opportunities for students to be physically active throughout the day.”

This program will provide all elementary schools access to this classroom-based physical activity program.

150 Minute Weekly PE Requirement:

4J elementary schools have been out of compliance with OAR [581-022-2263](#) in regards to Physical Education instruction for the past few years. In order to meet this state requirement for the 23-24 school year, each school will need to provide 150 minutes of instruction connected to the Oregon [PE Standards](#). At least 50% of these minutes need to be physical activities. The 4J compliance plan at the elementary level will combine Morning Meeting activities (15 minutes/4 times a week) that are designed to help

students exhibit responsible personal and social behavior (PE Standard #4--Social and Emotional Learning) and scheduled physical movement breaks aligned to the PE standards (10 minutes/4 times a week).

If the board decides to not approve the purchase of BEPA 2.0, our elementary schools would have to rely on a variety of lesson plans created by individual teachers/schools.

Budget/Resource Implications:

BEPA 2.0				
QTY	Units	Description	Unit Price	TOTAL
300		BEPA 2.0 Toolkit	\$153.00	\$45,900.00
		Curriculum + Bags	\$50.00	\$15,000.00
		Play Items	\$103.00	\$30,900.00
22		BEPA 2.0 Online Training Portal Access	\$. -	\$. -
Subtotal				\$45,900.00
Shipping & Handling				\$1,000.00
OSU Service Fee 8%				\$3,752.00
TOTAL DUE				\$50,652.00

Recommendation

The superintendent recommends the purchase and implementation of the BEPA 2.0 materials/program.

BE Physically Active 2 Day (BEPA 2.0) is a classroom-based physical activity program aligned to National and Oregon health education and physical education standards for grades K-5 and will act as a PE Booster to assist 4j in meeting the state mandated PE minute requirements of 150 minutes per week. The goal of BEPA 2.0 is to increase children’s physical activity **during** school hours, which aligns with the [CDC’s Healthy Schools WSSC Model](#) that suggests schools “*create an environment that offers many opportunities for students to be physically active throughout the day.*”

The BEPA 2.0 kit includes over 50 unique, brain-boosting physical activities that teachers can use to reinforce grade-level movement skills and competencies, teach PE literacy, and in Oregon provide PE time in accordance with statewide policies to help reach [PE minute requirements](#).

The BEPA 2.0 program includes teacher training and support, BEPA 2.0 Toolkits (duffle bags containing juggling scarves, beanbags, buckets, floor tape, beach balls, poly spots, cone tops, chalk, and an Activity Card booklet), technical assistance, partnership development, and wellness committee activities.

What’s in a BEPA 2.0 kit?



- Activity Cards
- Floor Tape
- Bean Bags
- Buckets
- Juggling Scarves
- Cones

- Polyspots
- Chalk



ITEM FOR ACTION–CONSENT AGENDA

Date of Meeting

June 7, 2023

Title

Bond Project – Safety and Security - High School Entry Improvements

Presenter

Ryan Spain – Director of Facilities

Background.

Local voters approved a bond measure in November 2018 to fund capital improvements at every 4J school. Improvements include means to provide a secure entry at South Eugene High School, Sheldon High School, and Churchill High School. North Eugene High School was not included with this work due to the new building already designed with these security measures. Improvements will be completed over the 2023 summer months.

Budget/Resource Implications:

Multiple bids were received and the winning bid by 2G Construction for safety and security entry improvements at South Eugene, Sheldon and Churchill High Schools was \$916,678 and within the budgeted amount. The project will be funded by the available General Obligation Bond funds.

Board and Superintendent Goals

Goal 5 Stable, Sustainable Stewardship, Objective 5 Provide safe, secure, sustainable learning spaces that meet educational needs.

Recommendation

The superintendent recommends the award to 2G Construction for safety and security work at South Eugene, Sheldon, and Churchill High Schools in the amount of \$916,678 funded from available General Obligation Bond funds.



ITEM FOR ACTION–CONSENT AGENDA

Date of Meeting

June 7, 2023

Title

Bond Project – Kelly Middle School: Furniture Purchase

Presenter

Ryan Spain – Director of Facilities

Background:

In 2018 the Eugene community overwhelmingly approved the school district’s General Obligation Bond that supported the construction of a new North Eugene High School. This decision required the relocation of Yujin Gakuen Elementary to the 850 Howard Avenue, Kelly Middle School building.

The co-location of the programs resulted in changes to the building use and classroom spaces for Kelly Middle School.

To support addressing resulting challenges the district has worked with the Kelly Middle School staff to identify replacement furnishing that will better suit their program needs, including challenges resulting from co-location and the change to space allocations.

Budget/Resource Implications:

This furniture, shipping, assembly and installation cost are included and will be funded from available ESSER funds. School Specialty, Inc. is the state contract partner and recommended award for \$492,783.

Board and Superintendent Goals

Goal 5 Stable, Sustainable Stewardship, Objective 5 Provide safe, secure, sustainable learning spaces that meet educational needs.

Recommendation

The superintendent recommends the award to School Specialty, Inc. for furniture purchase at Kelly Middle School in the amount \$492,783 funded from available ESSER funds.



ITEM FOR ACTION – CONSENT AGENDA (Second Read)

Date of Meeting

June 7, 2023

Title

Approve Revisions to Board Policy IGBB – Talented and Gifted Program

Presenter

Rob Hess, Chief of Staff

Background:

Revisions to Policy IGBB are Required. The revisions to Board Policy IGBB reflect rule changes for talented and gifted programs. Essentially, policies IGBB and IGBBC have been merged, deleting IGBBC and leaving revised IGBB.

Options and Alternatives:

To be discussed.

Recommendation

The superintendent recommends the board approve revisions to board policy IGBB – Talented and Gifted Program

Eugene School District 4J

Code: **IGBB**
Adopted: 11/07/18
Revised/Readopted: 5/22/22

Talented and Gifted Program

The district is committed to an educational program that recognizes, identifies and serves the unique needs of talented and gifted students. Talented and gifted students are those who have been identified as academically talented and/or intellectually gifted.

The Board directs the superintendent to develop a written identification process for identifying academically talented and intellectually gifted students in grades K through 12.

A written plan shall be developed that identifies programs or services needed to address the assessed levels of learning and accelerated rates of learning of identified students and provides an opportunity for the student's parents to discuss with the district the programs and services available to the student and to provide input on the programs and services to be made available to the student.

The plan will be provided at the school or the district office when requested and on the district's website. The website shall also provide the name and contact information of the district's coordinator of special education and programs for talented and gifted.

The district may also identify and provide programs for students who demonstrate creative abilities, leadership abilities or unusual abilities in visual or performing arts.

END OF POLICY

Legal Reference(s):

[ORS 343.391 - 343.401](#)
[ORS 343.407 - 343.413](#)

[OAR 581-022-2325](#)
[OAR 581-022-2330](#)

[OAR 581-022-2500](#)

Senate Bill 486 (2021)

CURRENT POLICY

Eugene School District 4J

Code: IGBB
Adopted: 11/07/18; XX/XX/XX
Revised/Readopted: 5/22/22

Talented and Gifted Program

The district is committed to an educational program that recognizes, identifies and serves the unique strengths and needs of students identified as talented and gifted students. Talented and gifted students demonstrate exceptional performance and capability when compared to applicable developmental are those who have been identified as academically talented and/or learning progressions, with consideration given for variations in student's opportunity to learn and to culturally relevant indicators of ability.

The Board directs the superintendent to develop a process for written identification of process for identifying academically talented and intellectually gifted students in grades K through 12. (See Board policy IGBBA – Talented and Gifted Students – Identification**) A written plan shall be developed that identifies programs or services needed to address the assessed levels of learning and accelerated rates of learning of identified students and provides an opportunity for the student's parents to discuss with the district the programs and services available to the student and to provide input on the programs and services to be made available to the student.

The district will develop a written plan of instruction for talented and gifted students in accordance with law that:

1. Includes a statement of the district policy on the education of talented and gifted students (this policy);
2. Identifies and assesses special talented and gifted programs and services available in the district;
3. States goals related to providing such programs and services, including timelines for achievement;
4. Describes the programs and services intended to accomplish stated goals;
5. Describes how the district provides parents/guardians an opportunity to discuss and to provide input on programs and services for their child;
6. Describes how the district will evaluate progress of the plan; and
7. States the name and contact information for the district's talented and gifted coordinator.¹
8. The district shall submit such plan to the Oregon Department of Education (ODE) as directed.

The plan will be provided at the school or the district office, when requested, and will be published on the district's website. The district website shall also provide the name and contact information of the district's coordinator of special education and programs for talented and gifted. The district will annually report the name and contact information of the district's TAG coordinator to ODE.

The district may also identify and provide programs for students who demonstrate outstanding ability or potential in creative ability in using original or nontraditional methods in thinking and producing; leadership ability in motivating the performance of others in educational or noneducational settings; and/or ability[1] in the abilities or unusual abilities in visual or performing arts, such as dance, music or art.

Complaints regarding programs and/or services can be filed in accordance with Board Policy KL – Public Complaints. the procedure in the accompanying administrative regulation, IGBB-AR—Complaints Regarding the Talented and gifted Program and/or Services.

¹ For the list of complete requirements of the plan, see ORS 343.397(1).

END OF POLICY

Legal Reference(s):

[ORS 343.391 - 343.401](#)
[ORS 343.407 - 343.413](#)

[OAR 581-022-2325](#)
[OAR 581-022-2330](#)

[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

WITH REVISIONS

Eugene School District 4J

Code: IGBB
Adopted: 11/07/18; XX/XX/XX
Revised/Readopted: 5/22/22

Talented and Gifted Program

The district is committed to an educational program that recognizes, identifies and serves the unique strengths and needs of students identified as talented and gifted. Talented and gifted students demonstrate exceptional performance and capability when compared to applicable developmental learning progressions, with consideration given for variations in student's opportunity to learn and to culturally relevant indicators of ability.

The Board directs the superintendent to develop a process for identification of talented and gifted students in grades K through 12. (See Board policy IGBBA – Talented and Gifted Students – Identification**)

The district will develop a written plan of instruction for talented and gifted students in accordance with law that:

1. Includes a statement of the district policy on the education of talented and gifted students (this policy);
2. Identifies and assesses special talented and gifted programs and services available in the district;
3. States goals related to providing such programs and services, including timelines for achievement;
4. Describes the programs and services intended to accomplish stated goals;
5. Describes how the district provides parents/guardians an opportunity to discuss and to provide input on programs and services for their child;
6. Describes how the district will evaluate progress of the plan; and
7. States the name and contact information for the district's talented and gifted coordinator.¹
8. The district shall submit such plan to the Oregon Department of Education (ODE) as directed.

The plan will be provided at the school or the district office, when requested, and will be published on the district's website. The district website shall provide the name and contact information of the district's coordinator of special education and programs for talented and gifted. The district will annually report the name and contact information of the district's TAG coordinator to ODE.

The district may also identify and provide programs for students who demonstrate outstanding ability or potential in creative ability in using original or nontraditional methods in thinking and producing; leadership ability in motivating the performance of others in educational or noneducational settings; and/or ability^[1] in the visual or performing arts, such as dance, music or art.

Complaints regarding programs and/or services can be filed in accordance with Board Policy KL – Public Complaints.

END OF POLICY

Legal Reference(s):

[ORS 343.391 - 343.401](#)
[ORS 343.407 - 343.413](#)

[OAR 581-022-2325](#)
[OAR 581-022-2330](#)

[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

¹ For the list of complete requirements of the plan, see ORS 343.397(1).

CLEAN VERSION



ITEM FOR ACTION – CONSENT AGENDA (Second Read)

Date of Meeting

June 7, 2023

Title

Approve Revisions to Board Policy IGBBA – Identification – Talented and Gifted Students

Presenter

Rob Hess, Chief of Staff

Background:

There have been some additional rule changes passed for talented and gifted programs. As a result, Oregon School Board Association policy staff worked to reduce number of policies to two.

Revisions to Policy IGBBA are Required

Policy IGBBA Identification – Talented and Gifted Students was adopted in November 2018 and revised in December 2019. The OSBA provided revisions to policy IGBBA in the August 2022 policy update.

Recommendation

The superintendent recommends the board approve revisions to board policy IGBBA – Identification – Talented and Gifted Students

Eugene School District 4J

Code: **IGBBA**
Adopted: 11/07/18
Revised/Readopted: 12/18/19

Identification – Talented and Gifted Students**

In order to serve academically talented and intellectually gifted students in grades K-12, the district directs the superintendent to establish a written identification process.

This process of identification shall include as a minimum:

1. Use of research based best practices to identify talented and gifted students from under-represented populations such as ethnic minorities, students with disabilities, students who are culturally and/or linguistically diverse or economically disadvantaged.
2. Behavioral, learning and/or performance information.
3. A nationally standardized mental ability test for assistance in the identification of intellectually gifted students.
4. A nationally standardized academic achievement test of reading or mathematics on the Smarter Balanced Assessment for assistance in identifying academically talented students.

Identified students shall score at or above the 97th percentile on one of these tests. Other students who demonstrate the potential to perform at the eligibility criteria, as well as additional students who are talented and gifted, may be identified.

If a parent is dissatisfied with the identification process or placement of their student, they may appeal the decision through Board Policy KL and the accompanying administrative regulation, KL-AR. After exhausting the district's appeal procedure and receiving the district's final decision, a parent may appeal the decision to the State Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of the OARs upon request.

END OF POLICY

Legal Reference(s):

[ORS 343.395](#)
[ORS 343.407](#)
[ORS 343.411](#)

[OAR 581-021-0030](#)
[OAR 581-022-2325](#)
[OAR 581-022-2330](#)

[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

Cross Reference(s):

IGBBC - Talented and Gifted – Programs and Services

CURRENT POLICY

Eugene School District 4J

Code: IGBBA
Adopted: 11/07/18; XX/XX/XX
Revised/Readopted: 12/18/19

Identification – Talented and Gifted Students**

In order to serve ~~academically~~ talented and ~~intellectually~~ gifted (“TAG”) students in grades K through 12, the district directs the superintendent ~~or designee after due consideration of the input of staff, parents and the community~~ to establish ~~an a-written~~ identification process.

This process of identification shall include ~~at as~~ a minimum:

1. Use of ~~research-based best~~ evidence-based practices that include a variety of tools and procedures to determine if a student demonstrates a pattern of exceptional capability, performance and/or achievement that is relevant to the identification of TAG students under ORS 343.395. ~~to identify talented and gifted students from under-represented populations such as ethnic minorities, students with disabilities, students who are culturally and/or linguistically diverse or economically disadvantaged~~
2. ~~Behavioral, learning and/or performance information.~~
3. ~~A nationally standardized mental ability test for assistance in the identification of intellectually gifted students~~
4. ~~A nationally standardized academic achievement test of reading or mathematics on the Smarter Balanced Assessment for assistance in identifying academically talented students~~
2. Collection and use of multiple modes and methods of qualitative and quantitative evidence to allow appropriate members of a student’s identification team to make a determination about the identification and eligibility of the students for TAG services, supports and/or programs; with no single test or piece of evidence eliminating a student from eligibility.
3. Use of methods and practices that minimize or seek to eliminate the effects of bias in assessment and identification of students from historically underrepresented populations including, but not limited to:
 - a. Students who are racially/ethnically diverse;
 - b. Students experiencing disability;
 - c. Students who are culturally and/or linguistically diverse;
 - d. Students experiencing poverty; and
 - e. Students experiencing high mobility.
5. Incorporate assessments, tools and procedures that will inform the development of an appropriate plan of instruction for students who are identified as TAG and describe how information from the assessments, tools and procedures used in the identification for TAG students will be used to support development of the plan of instruction.

6. Identify how the educational record under ORS 326.565 of the student being considered will document and reflect the record of the team’s decision and the procedures and data used by the team to make the decision.

~~Identified students shall score at or above the 97th percentile on one of these tests. Other students who demonstrate the potential to perform at the eligibility criteria, as well as additional students who are talented and gifted, may be identified.~~

The district will provide professional development for staff assigned the responsibility for identification of talented and gifted students.

The identification team may use sources of evidence described in OAR 581-022-2325(3) to provide students with multiple opportunities to demonstrate a pattern or preponderance of evidence of talent or giftedness.

Academic evidence reviewed shall align to the full depth, breadth, and complexity of Oregon’s content standards and benchmarks. Standardized assessments used for academic/achievement-based identification shall include technical documentation demonstrating alignment or documentation of intended use for the purpose of TAG identification. Standardized assessments used for intellectually gifted identification shall include technical documentation demonstrating alignment to research-based best practices inclusive of students from underrepresented populations.

When a student is identified for TAG, the district shall inform parents of the programs and services available to their student and provide an opportunity for parents/guardians to provide input to, and discuss TAG instruction proposed for their student. The instruction provided shall be designed to accommodate the student’s assessed levels of learning and accelerated rates of learning. Parents/guardians may request the withdrawal of their student from TAG at any time.

If a parent is dissatisfied with the identification process or placement of their student, they may appeal the decision through Board Policy KL – Public Complaint and the accompanying administrative regulation, KL-AR.

After exhausting the district’s appeal procedure and receiving the district’s final decision, a parent/guardian may appeal the decision to the Deputy State Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of the OARs upon request.

END OF POLICY

Legal Reference(s):

[ORS 343.395](#)
[ORS 343.407](#)
[ORS 343.409](#)

[ORS 343.411](#)
[OAR 581-021-0030](#)
[OAR 581-022-2325](#)

[OAR 581-022-2330](#)
[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

~~Cross Reference(s):~~

~~IGBBC – Talented and Gifted – Programs and Services~~

Eugene School District 4J

Code: IGBBA
Adopted: 11/07/18; XX/XX/XX
Revised/Readopted: 12/18/19

Identification – Talented and Gifted Students**

In order to serve talented and gifted (“TAG”) students in grades K through 12, the district directs the superintendent or designee after due consideration of the input of staff, parents/guardians and the community to establish an identification process.

This process of identification shall include at a minimum:

1. Use of evidence-based practices that include a variety of tools and procedures to determine if a student demonstrates a pattern of exceptional capability, performance and/or achievement that is relevant to the identification of TAG students under ORS 343.395.
2. Collection and use of multiple modes and methods of qualitative and quantitative evidence to allow appropriate members of a student’s identification team to make a determination about the identification and eligibility of the students for TAG services, supports and/or programs; with no single test or piece of evidence eliminating a student from eligibility.
3. Use of methods and practices that minimize or seek to eliminate the effects of bias in assessment and identification of students from historically underrepresented populations including, but not limited to:
 - a. Students who are racially/ethnically diverse;
 - b. Students experiencing disability;
 - c. Students who are culturally and/or linguistically diverse;
 - d. Students experiencing poverty; and
 - e. Students experiencing high mobility.
4. Incorporate assessments, tools and procedures that will inform the development of an appropriate plan of instruction for students who are identified as TAG and describe how information from the assessments, tools and procedures used in the identification for TAG students will be used to support development of the plan of instruction.
5. Identify how the educational record under ORS 326.565 of the student being considered will document and reflect the record of the team’s decision and the procedures and data used by the team to make the decision.

The district will provide professional development for staff assigned the responsibility for identification of talented and gifted students.

The identification team may use sources of evidence described in OAR 581-022-2325(3) to provide students with multiple opportunities to demonstrate a pattern or preponderance of evidence of talent or giftedness.

Academic evidence reviewed shall align to the full depth, breadth, and complexity of Oregon’s content standards and benchmarks. Standardized assessments used for academic/achievement-based identification shall include technical documentation demonstrating alignment or documentation of intended use for the purpose of TAG identification. Standardized assessments used for intellectually gifted identification shall include technical documentation demonstrating alignment to research-based best practices inclusive of students from underrepresented populations.

When a student is identified for TAG, the district shall inform parents/guardians of the programs and services available to their student and provide an opportunity for parents to provide input to, and discuss TAG instruction proposed for their student. The instruction provided shall be designed to accommodate the student’s assessed levels of learning and accelerated rates of learning. Parents/guardians may request the withdrawal of their student from TAG at any time.

If a parent/guardian is dissatisfied with the identification process or placement of their student, they may appeal the decision through Board policy KL – Public Complaint and the accompanying administrative regulation, KL-AR.

After exhausting the district’s appeal procedure and receiving the district’s final decision, a parent may appeal the decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of the OARs upon request.

END OF POLICY

Legal Reference(s):

[ORS 343.395](#)
[ORS 343.407](#)
[ORS 343.409](#)

[ORS 343.411](#)
[OAR 581-021-0030](#)
[OAR 581-022-2325](#)

[OAR 581-022-2330](#)
[OAR 581-022-2370](#)
[OAR 581-022-2500](#)



ITEM FOR ACTION – CONSENT AGENDA (Second Read)

Date of Meeting

June 7, 2023

Title

Approve Deleting Board Policy IGBBC – Talented and Gifted – Program and Services

Presenter

Rob Hess, Chief of Staff

Background:

There have been some additional rule changes passed for talented and gifted programs. As a result, OSBA policy staff worked to reduce number of policies to two. Essentially, policies IGBB and IGBBC have been merged.

The board is being asked to delete policy IGBBC – Talented and Gifted – Program and Services.

Recommendation

The superintendent recommends the board delete board policy IGBB – Talented and Gifted - Program and Services

Eugene School District 4J

Code: _____ **IGBBC**
Adopted: _____ 11/07/18
Revised/Readopted: _____ 3/03/21

Talented and Gifted—Programs and Services**

~~A district written plan will be developed for programs and services beyond those normally offered by the regular school program. All required written course statements shall identify the academic instructional programs and services to be provided which accommodate the assessed levels and accelerated rates of learning in identified talented and gifted students. The superintendent will remove any administrative barriers that may exist which restrict a student's access to appropriate services and will develop program and service options.~~

~~The Board has established an appeal process for a parent or guardian to utilize if they are dissatisfied with the programs and services recommended for their student that has been identified as talented and gifted, and wish to request reconsideration. The appeal process is identified in administrative regulation KL-AR Uniform Complaint Procedure.~~

~~The Board has established a complaint procedure to utilize if a person who resides in the district or a parent or guardian of a student attending school in the district has a complaint regarding the appropriateness of programs and services provided for a student identified as talented and gifted. This complaint procedure, KL-AR Uniform Complaint Procedure is available at the district's administrative office and on the home page of the district's website.~~

END OF POLICY

Legal Reference(s):

[OAR 581-022-2325](#)
[OAR 581-022-2330](#)

[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

Cross Reference(s):

IGBBA - Identification – Talented and Gifted Students
KL-AR – Uniform Complaint Procedure

DELETED



ITEM FOR ACTION – CONSENT AGENDA (Second Read)

Date of Meeting

June 7, 2023

Title

Approve Revisions to Board Policy IK – Academic Achievement

Presenter

Rob Hess, Chief of Staff

Background:

Revisions to Policy IGBBA are Required. Policy IK was adopted in November 2018 The Oregon School Boards Association (OSBA) provided revisions to policy IK in the August 2022 policy update.

The required changes recommended by OSBA, are minimal and align with OAR 581-022-2270.

Recommendation

The superintendent recommends the board approve revisions to board policy IK – Academic Achievement

Eugene School District 4J

Code: **IK**
Adopted: 11/07/18

Academic Achievement**

The Board believes it is important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent, teacher and student is essential.

The district shall ensure that all students have the opportunity to demonstrate progress toward mastery of the knowledge and skills of the student's current grade level or course content level. Students who have not yet met or who exceed all of the standards at any grade level, will be offered additional services or alternative educational or public school options.

The Board directs staff to follow these guidelines in measuring and determining student progress:

1. Staff shall inform parents and students bi-weekly of the student's progress toward achieving the academic content standards, including but not limited to:
 - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
 - b. Specific evidence of student progress toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
 - c. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
 - d. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, demonstration of extended application and demonstration of the Essential Skills.
2. Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment will be based upon academic performance. Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade;
4. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students;
5. When no grades are given but the student is evaluated in terms of progress, the school staff will also provide a realistic appraisal of the student's standing in relation to the standards of that content area;

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)
[ORS 329.485](#)

[ORS 343.295](#)
[OAR 581-021-0022](#)

[OAR 581-022-2260](#)
[OAR 581-022-2270](#)

CURRENT POLICY

Eugene School District 4J

Code: **IK**
Adopted: 11/07/18; ~~XX/XX/XX~~

Academic Achievement**

The Board believes it is important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent/~~guardian~~, teacher and student is essential.

The district shall ensure that all students have the opportunity to demonstrate progress toward mastery of the knowledge and skills of the student's current grade level or course content level. Students who have not yet met or who exceed all of the standards at any grade level, will be offered additional services or alternative educational or public school options.

The Board directs staff to follow these guidelines in measuring and determining student progress:

1. Staff shall inform parents/~~guardians~~ and students bi-monthly ~~weekly~~ of ~~their~~ ~~the~~ student's progress toward achieving the academic content standards, including but not limited to:
 - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
 - b. Specific evidence of student progress toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
 - c. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
 - d. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, ~~and~~ demonstration of extended application ~~and demonstration of the Essential Skills~~.
2. Parents/~~guardians~~ will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment will be based upon academic performance. Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade;
4. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students;
5. When no grades are given but the student is evaluated in terms of progress, the school staff will ~~show whether the student is achieving course requirements at the student's current grade level~~ ~~also provide a realistic appraisal of the student's standing in relation to the standards of that content area~~;

6. The staff will take particular care to explain to students the meaning of marks and symbols used to reflect student performance.

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)
[ORS 329.485](#)

[ORS 343.295](#)
[OAR 581-021-0022](#)

[OAR 581-022-2260](#)
[OAR 581-022-2270](#)

WITH REVISIONS

Eugene School District 4J

Code: **IK**
Adopted: 11/07/18; **XX/XX/XX**

Academic Achievement**

The Board believes it is important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent, teacher and student is essential.

The district shall ensure that all students have the opportunity to demonstrate progress toward mastery of the knowledge and skills of the student's current grade level or course content level. Students who have not yet met or who exceed all of the standards at any grade level, will be offered additional services or alternative educational or public school options.

The Board directs staff to follow these guidelines in measuring and determining student progress:

1. Staff shall inform parents and students bi-weekly of their student's progress toward achieving the academic content standards, including but not limited to:
 - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
 - b. Specific evidence of student progress toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
 - c. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
 - d. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned and demonstration of extended application.
2. Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment will be based upon academic performance. Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade;
4. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students;
5. When no grades are given but the student is evaluated in terms of progress, the school staff will show whether the student is achieving course requirements at the student's current grade level;

6. The staff will take particular care to explain to students the meaning of marks and symbols used to reflect student performance.

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)
[ORS 329.485](#)

[ORS 343.295](#)
[OAR 581-021-0022](#)

[OAR 581-022-2260](#)
[OAR 581-022-2270](#)

CLEAN COPY



ITEM FOR INFORMATION

Date of Meeting

June 7, 2023

Title

4J Student Climate Justice Team

Student leaders from various high schools will be sharing what has been happening at their individual schools, as well as collectively at the district. They will have a Google Slide Presentation that they hope to present.

Presenter/s


Staff person to present

Team facilitators (but won't be presenting):

- Tana Shepard - TOSA Climate, Energy & Conservation
- Sarah Ruggiero Kirby – TOSA Secondary Science; Outdoor School Coordinator
 - Student Presenters: Students from Churchill, South Eugene and Sheldon High Schools will present.

Background

Students will present briefly about how the team started, the goals of their team, what each school has been doing throughout the year, and how to collectively move forward on the 4J Climate Resolution with the support of the board.



School Board Presentation

June 7th, 2023



Intro : 4J Climate Justice Team

Spread information about climate justice and how to apply a sustainable lifestyle

Empowering and educating students on how they can mitigate the climate crisis



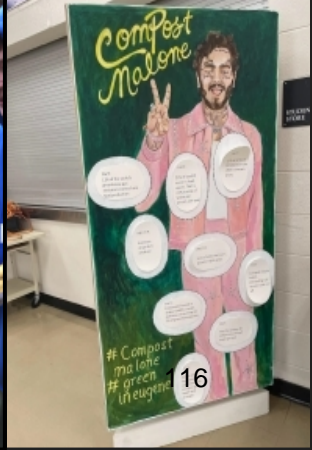
Past Achievements

- Cross-district school collaboration
- District-wide Clothing Swap
- Worked with State Legislators on Climate Education Bill
- Created informative lessons to be shared in advisories and elementary schools
- City Club of Eugene - presentation
- Presenting to ODE Science Specialists and the Council of State Science Supervisors



Churchill : Climate Action Club

- Clothing Swap
- Worked on Climate Education bill
- Volunteered at Mt. Pisgah
- Managed the Food Waste program
- Cleaned up school planters
- Collaborated with Unity Clubs across the school
- Master Recyclers (Rachel Carson) managed recycling throughout school



Sheldon : Environmental Club

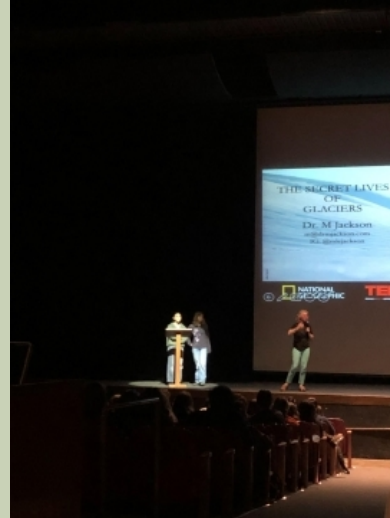
- Construction, staining, and planting of 8 raised garden beds
- Soil amendment and establishment of Native Plant Garden (in progress)
- Painting of Environmental Mural from student art contest
- Trail maintenance workday at Mount Tom house (Harrisburg)



South : Earth Guardians 350

Striving to combat climate change through civics, education, and activism.

- Volunteering with Mt Pisgah Native Plant Nursery
- Testifying at city council
- Mural
- Composting
- Guest speakers: Glaciologist, others
- Infographics
- Earth Week



North: Eco Club

- *Community Partners:*
 - Grassroots Gardens (Community Garden-Saturdays)
 - Tree Planting with Friends of Trees
- *Year-round service to the school*
 - Cans and Bottle Recycling
 - Love Food Not Waste - Cafeteria and Kitchen Composting
 - Multiple Campus Clean-Ups



Goals

- Form a youth advisory council specifically advocating for climate justice and climate action
 - Meeting once a month
- Help 4J achieve its climate goals
 - [4j School Climate Action Resolution](#)
- Represent student interests in climate action
- Help 4J create a sustainable future for its students

120

We are willing to do the work, but we don't want to be alone in this endeavor.



**“Regenerate the planet
within one generation”
– Paul Hawkins**

THANK YOU

4J Climate Justice Team

Lottie Rohde (Senior, CHS)

Milla Vogelzang-Liu (Junior, SEHS)

Nora Whalen (Junior, SEHS)

Gabriel Burke (Sophomore, CHS)

Bella Brown (Junior, SHS)

Lilly Yao (Freshman, SEHS)

Questions? Please contact:

Sarah Ruggiero Kirby (ruggiero_s@4j.lane.edu)

Tana Shepard (shepard_t@4j.lane.edu)



ITEM FOR INFORMATION

Date of Meeting

June 7, 2023

Title

Discuss impacts of Community Benefits Agreement (CBA)

Presenter

Gordon Lafer, Vice Chair

Background

Prior to the bid process for the new Camas Ridge Community Elementary School, the Eugene School District 4J School Board directed the district to include universal health care requirements for contractors and subcontractors associated with the rebuild.

The school board has requested an opportunity to share questions on the impact of the agreement.

Recommendation

The school board poses questions to assess the impacts and determine if the requirement created the intended outcomes.



Eugene School District 4J
200 North Monroe Street
Eugene, OR 97402-4295
541-790-7700
www.4j.lane.edu

ITEM FOR INFORMATION,

Date of Meeting

June 7, 2023

Title

Legislative Committee Update (Standing Item)

Presenter

Judy Newman, Legislative Board Subcommittee Chair



ITEM FOR ACTION

Date of Meeting

June 7, 2023

Title

Board Calendar 2023-2024

Presenter

Maya Rabasa, Board Chair
Andy Dey, Superintendent

Background:

Each year the school board establishes and approves a meeting calendar for the next school year.

As discussed at the May 17, 2023 meeting the proposed board calendar includes a monthly business meeting and a dedicated monthly work session.

Recommendation

Recognizing that meetings can be added as needed, the board chair and superintendent recommend adoption of the proposed board meeting calendar

**2023–24 Calendar of Regular Meetings for the
Eugene School District 4J Board of Directors
July 1, 2023–June 30, 2024**

Eugene School District 4J, 200 North Monroe St., Eugene, OR 97402 • www.4j.lane.edu • 541-790-7700

Meeting Dates

Materials Delivered to Board

Wednesday, August 02, 2023	*Regular Board Meeting	July 28, 2023
Wednesday, August 16	Work or Executive Session	
Wednesday, September 06	*Regular Board Meeting	September 01
Wednesday, September 20	Work or Executive Session	
Wednesday, October 11	*Regular Board Meeting	October 06
<i>(changed to second Wednesday due to Yom Kippur)</i>		
Wednesday, October 18	Work or Executive Session	
Wednesday, November 01	*Regular Board Meeting	October 27
Wednesday, November 15	Work or Executive Session	
Wednesday, December 06	*Regular Board Meeting	December 01
Wednesday, December 13	Work or Executive Session	
<i>(changed to second Wednesday due to Winter Break)</i>		
Wednesday, January 17, 2024	*Regular Board Meeting	January 12, 2024
Wednesday, February 07	*Regular Board Meeting	February 02
Wednesday, February 21	Work or Executive Session	
Wednesday, March 06	Regular Board Meeting	March 01
Wednesday, March 20	Work or Executive Session	
Wednesday, April 17	*Regular Board Meeting	April 12
Wednesday, May 01	*Regular Board Meeting	April 26
Wednesday, May 15	Work or Executive Session	
Wednesday, June 05	*Regular Board Meeting	May 31
Wednesday, June 19	Work or Executive Session	

*If needed, add work session and / or executive session to regular board meetings.

Regular board meetings are normally held the first and third Wednesdays of each month at 7 p.m. at the Eugene School District Education Center, 200 North Monroe Street. Meeting materials are delivered to board members on the Friday preceding each meeting.

NOTE: Additional meetings may be scheduled and meetings on this list may be re-scheduled. Board members and staff are asked to hold all Wednesdays in case an additional meeting (e.g., special meeting, work session or executive session) is scheduled.



ITEM FOR ACTION (Second Read)

Date of Meeting

June 7, 2023

Title

Approve Proposed Board Policy IIAA – Request for Reconsideration About Curriculum/Instructional/Library Materials

Presenter

Rob Hess, Chief of Staff

Background:

The Board has interest in making Administrative Regulation IIA–AR into a Board Policy instead of an Administrative Regulation.

Currently the district has a Board Policy and two Administrative Regulation for Board Policy IIA – Instructional Resources/Instructional Materials.

Board Policy IIA–Instructional Resources/Instructional Materials was originally adopted by the Board in 1973. Since that time, the policy has undergone a number of revisions and readopted by the Board on 4/16/80; 10/17/90; 12/11/02; 4/20/16; 11/07/18.

Administrative Regulation – IIA–AR Instructional Materials Selection was adopted by the board on 4/20/16.

Administrative Regulation – IIA-AR(2) Request for Reconsideration Process and Form was adopted by the Board on 2/15/23

Earlier this year, the Board requested a more comprehensive process to address requests for reconsideration of instructional materials.

On February 15, 2023, the Board approved a new Administrative Regulation “IIA-AR(2)” that outlines both informal and formal steps in the reconsideration of instructional materials process.

There are now two separate AR’s for Board Policy IIA:

- 1. IIA–AR Instructional Materials Selection**
- 2. IIA–AR(2) Request for Reconsideration Process and Form**

Like a Board Policy, an Administrative Regulation that has been adopted by the Board, cannot be changed or modified without approval of the Board.

The Board has expressed interest in making Administrative Regulation IIA-AR(2) into a Board Policy.

The proposed Board Policy IIAA – Public Request for Reconsideration about Curriculum/Instructional/Library Materials takes the language from the Administrative Regulation IIA–AR(2) and establishes a Board Policy.

As noted in the proposed policy, should the Board adopt proposed Board Policy IIAA, the Board would be directing the superintendent to establish a robust Administrative Regulation the provides step-by-step process for requests for reconsideration of instructional materials.

This proposed policy would not replace existing policy.

- The Board would continue to have **Board Policy IIA–Instructional Resources/Instructional Materials.**

By adopting the proposed policy, the Board would be creating a policy specifically for “public requests for reconsideration about curriculum/instructional/library materials.”

- The Board would have a new policy in **Board Policy IIAA–Request for Reconsideration About Curriculum/Instructional/Library Materials.**

Options and Alternatives:

To be discussed.

Recommendation

The superintendent recommends the Board approve the proposed Board Policy IIAA – Public Request for Reconsideration about Curriculum/Instructional/Library Materials

Eugene School District 4J

Code: IIAA

Adopted:

Orig. Code:

Request for Reconsideration about Curriculum / Instructional / Library Materials

Request for Reconsideration of Instructional Materials - Informal

While care is always exercised in selecting instructional materials, there will be occasions when a member of the community, staff, or a district administrator may find certain classroom or library instructional materials inappropriate and wish to request a reconsideration of their use. In such an event, the concerned individual shall first contact the teacher or librarian in an attempt to informally resolve the issue.

Step 1. The concerned individual will contact the teacher or librarian directly to assert their concerns and schedule a meeting.

- Within five working days of the receipt of the concerns, the teacher or librarian shall arrange to meet with the individual and:
 - listen to the concerns;
 - explain the learning resource's selection procedures;
 - explain the particular place the questioned resource occupies in the educational program;
 - explain the resource's intended educational usefulness;
 - and, work with the individual to resolve their concerns;
 - including but not limited to, offering the student, if a student is involved, another agreed upon comparable and acceptable learning resource

Step 2. If the concerned individual is not able to resolve the concerns informally with the teacher or librarian, they shall share their concerns with the building principal. The principal shall try to resolve the matter informally using the Instructional Materials Conversation Guide for Principals. The principal shall acknowledge receipt of all written or verbal requests for reconsideration of the use of instructional materials throughout the process.

The informal process may not be used to remove resources from the District instructional curriculum or from campus libraries. Resources may only be removed if that is determined after completing both the informal and formal challenge process outlined.

Reconsideration of Instructional Materials - Formal

If the concern is not resolved after meeting with the principal and/or they want the material removed from the District instructional curriculum, this formal process shall be followed:

Step 1. The concerned individual will complete the Request for Reconsideration form and submit it to the school principal.

Step 2. The principal shall notify all staff members who are directly involved in the request.

Adapted from the American Library Association and Beaverton School District policies

Step 3. The principal shall forward the Request for Reconsideration form, Instructional Materials Conversation Guide for Principals form, and other relevant documentation to an Assistant Superintendent of Instruction. A copy of all requests should also be forwarded to the district librarian, so that the district librarian can share it with the national librarians' association, which tracks book challenges across the country.

Step 4. Upon receipt of a written Request for Reconsideration form, an Assistant Superintendent of Instruction will determine the appropriate course of action:

- If the subject matter in question is Board Approved Curriculum that has been vetted via the Adoption of Instructional Materials in a Core or Non-Core subject area as outlined in School Board Policy IIA-AR within the past 5 years, the Assistant Superintendent of Instruction will determine if any further evaluation needs to be done.
- If the instructional material in question has been evaluated by a review committee within the past 5 years then the finding from the previous evaluation will be presented to the individual requesting reconsideration with no further action.
- Transmit the Request for Reconsideration and any supporting documentation to Legal Counsel for review and guidance as needed.
- If it is determined that the Request for Reconsideration warrants additional attention, then the Assistant Superintendent of Instruction shall convene a review committee within 20 student contact days of receipt of Request for Reconsideration.

*Under no circumstances should the materials and/or library books in question be removed from circulation or classrooms until the challenge process has been completed.

Step 5. The Assistant Superintendent of Instruction and/or designee will contact the individual requesting reconsideration to confirm receipt of the form and either provide a written explanation as to why the Reconsideration will not move forward or explain the review committee process.

Step 6. If the Assistant Superintendent of Instruction decides to move forward with a review committee they, or a designee, will personally contact the teacher or teacher librarian and request they complete the appropriate Teacher or Library Response Form to inform the review committee.

Step 7. The review committee shall be appointed by the Assistant Superintendent of Instruction who will then chair and/or designate a district administrator to chair the committee. The review committee may be composed of the following stakeholders:

- School or district librarian (*required*)
- PTO or Site Council parent representative from referring school (if possible based on timeline)
- Building administrator from same level
- Classroom teacher(s) from same grade/content area (*required*)
- Elementary and/or Secondary TOSA (Teacher on Special Assignment) in the content area if applicable
- Level Director
- Curriculum Director or Designee
- Director of Equity, Inclusion & Instruction
 - Rights holder may be added at the Director of Equity Inclusion and Instruction (EII) request

*The Assistant Superintendent and/or Superintendent may decide to pull challenged material during the process if upon evaluation of the instructional materials they determine it is so egregious in nature that it is damaging to students. (i.e the incitement to hatred, intolerance, discrimination and violence)

Committee Review Procedure

- The committee will meet, learn about the process, and will receive a copy of the challenged material;
- Committee members will read/watch/listen and/or view the challenged material in its entirety;
- The committee will receive the Request for Reconsideration Form responses, the Teacher or Library Response Forms and Instructional Materials Conversation Guide for Principals form;
- The committee will meet again and discuss the claims. The committee should take into account the applicable instructional objectives and materials selection criteria, as well as the age and development of the students using the material;
- The committee will formulate their recommendations and prepare a written report using the Instructional Materials Reconsideration Review Committee Report. This report will present both majority and minority opinions and include a recommendation to retain the material in its original location, to relocate the material to an advisory location, or to remove the material.

Step 8. Following a review of the challenged material, the review committee shall submit its report and recommendation to the Assistant Superintendent of Instruction and/or Superintendent for a decision.

Action Taken

Disposition of the request shall be made known to all parties in the action including committee members, the person(s) submitting the request, the principal, the teacher(s) involved, and all site-based teachers in that grade level (for elementary) or subject area (for secondary).

END OF POLICY

Legal Reference(s):

ORS 336.035	ORS 337.511	OAR 581-022-2310
ORS 336.840	ORS 339.155	OAR 581-022-2340
ORS 337.120		OAR 581-022-2350
ORS 337.141	OAR 581-011-0050 to -0117	OAR 581-022-2355
ORS 337.150	OAR 581-021-0045	
ORS 337.260	OAR 581-021-0046	

Cross Reference(s):

IIA – Instructional Resources/Instructional Materials
IIA-AR – Instructional Materials Selection
IIA-AR(2) – Request for Reconsideration Process and Form

PROPOSED POLICY

***The Assistant Superintendent and/or Superintendent may decide to pull challenged material during the process if upon evaluation of the instructional materials they determine it is so egregious in nature that it is damaging to students. (i.e the incitement to hatred, intolerance, discrimination and violence)**

Eugene School District 4J

Code: IIAA (proposed version # 2)

Adopted: XX/XX/XX

Revised/Reviewed:

Orig. Code:

Public Request for Reconsideration about Curriculum/Instructional/Library Materials

While care is always exercised in selecting instructional materials, there will be occasions when a member of the community, staff, or a district administrator may find certain classroom or library instructional materials inappropriate and wish to request a reconsideration of their use. In such an event, the concerned individual shall first contact the teacher or librarian in an attempt to informally resolve the issue.

The Board recognizes the students' rights to free access to many different types of books. The Board also recognizes the right of teachers and administrators to select books and other materials in accord with the current trends in education and to make them available in schools.

Therefore, books and other reading matter will be chosen for its value to all students in the community. A book or instructional material will not be excluded because of the writer's race, nationality, gender, political or religious values or because of the book's style and language. Every effort will be made to provide materials that present all points of view concerning the international, national and local problems and issues. Books and instructional materials will not be prescribed or removed from library shelves or classrooms because of partisan, doctrinal approval or disapproval.

Censorship of books will be challenged to maintain the school's responsibility to provide information. Accordingly, the Board will deal with censorship of books or other materials as follows:

- ~~1. The final decision of controversial reading matter rests with the Board after careful examination and discussion of the material with school officials or others the Board may wish to involve;~~
2. No parent or group of parents has the right to determine the reading matter for students other than their own children;
3. The Board recognizes the right of an individual parent to request that their child not be required to read a given book or instructional materials, provided a written request is made to the appropriate building principal;
4. Any parent, group of parents, or community members who wishes to request reconsideration of any book's use in the school must make such a request in writing to the district.
5. Under no circumstances should the materials and/or library books in question be removed from circulation or classrooms until the challenge process has been completed.
6. Following a review of the challenged material, the district may submit a report to the Board. Copies of the recommendation shall be provided to the person(s) filing the challenge and to the staff member(s) involved.

The board directs the superintendent or designee to establish a robust administrative regulation that provides step by step process for requests for reconsideration of instructional materials.

The superintendent will ensure that the reconsideration process includes the direction that a copy of all requests should also be forwarded to the district librarian, so that the district librarian can share it with the national librarians' association, which tracks book challenges across the country.

The administrative regulation will include direction that disposition of the public request for reconsideration about curriculum / instructional / library materials be made known to all parties in the action including committee members, the person(s) submitting the request, the principal, the teacher(s) involved, and all site-based teachers in that grade level (for elementary) or subject area (for secondary).

END OF POLICY

Legal Reference(s):

ORS 336.035	ORS 337.511	OAR 581-022-2310
ORS 336.840	ORS 339.155	OAR 581-022-2340
ORS 337.120		OAR 581-022-2350
ORS 337.141	OAR 581-011-0050 to -0117	OAR 581-022-2355
ORS 337.150	OAR 581-021-0045	
ORS 337.260	OAR 581-021-0046	

Cross Reference(s):

IIA – Instructional Resources/Instructional Materials
IIA-AR – Instructional Materials Selection
IIA-AR(2) – Request for Reconsideration Process and Form

***The Assistant Superintendent and/or Superintendent may decide to pull challenged material during the process if upon evaluation of the instructional materials they determine it is so egregious in nature that it is damaging to students. (i.e. the incitement to hatred, intolerance, discrimination and violence)**

Eugene School District 4J

Code: IIAA (proposed version #1)

Adopted:

Orig. Code:

Request for Reconsideration about Curriculum / Instructional / Library Materials

Request for Reconsideration of Instructional Materials - Informal

While care is always exercised in selecting instructional materials, there will be occasions when a member of the community, staff, or a district administrator may find certain classroom or library instructional materials inappropriate and wish to request a reconsideration of their use. In such an event, the concerned individual shall first contact the teacher or librarian in an attempt to informally resolve the issue.

Step 1. The concerned individual will contact the teacher or librarian directly to assert their concerns and schedule a meeting.

- Within five working days of the receipt of the concerns, the teacher or librarian shall arrange to meet with the individual and:
 - listen to the concerns;
 - explain the learning resource's selection procedures;
 - explain the particular place the questioned resource occupies in the educational program;
 - explain the resource's intended educational usefulness;
 - and, work with the individual to resolve their concerns;
 - including but not limited to, offering the student, if a student is involved, another agreed upon comparable and acceptable learning resource

Step 2. If the concerned individual is not able to resolve the concerns informally with the teacher or librarian, they shall share their concerns with the building principal. The principal shall try to resolve the matter informally using the Instructional Materials Conversation Guide for Principals. The principal shall acknowledge receipt of all written or verbal requests for reconsideration of the use of instructional materials throughout the process.

The informal process may not be used to remove resources from the District instructional curriculum or from campus libraries. Resources may only be removed if that is determined after completing both the informal and formal challenge process outlined.

Reconsideration of Instructional Materials - Formal

If the concern is not resolved after meeting with the principal and/or they want the material removed from the District instructional curriculum, this formal process shall be followed:

Step 1. The concerned individual will complete the Request for Reconsideration form and submit it to the school principal.

Step 2. The principal shall notify all staff members who are directly involved in the request.

Step 3. The principal shall forward the Request for Reconsideration form, Instructional Materials Conversation Guide for Principals form, and other relevant documentation to an Assistant Superintendent of Instruction. A copy of all requests should also be forwarded to the district librarian, so that the district librarian can share it with the national librarians' association, which tracks book challenges across the country.

Step 4. Upon receipt of a written Request for Reconsideration form, an Assistant Superintendent of Instruction will determine the appropriate course of action:

- If the subject matter in question is Board Approved Curriculum that has been vetted via the Adoption of Instructional Materials in a Core or Non-Core subject area as outlined in School Board Policy IIA-AR within the past 5 years, the Assistant Superintendent of Instruction will determine if any further evaluation needs to be done.
- If the instructional material in question has been evaluated by a review committee within the past 5 years then the finding from the previous evaluation will be presented to the individual requesting reconsideration with no further action.
- Transmit the Request for Reconsideration and any supporting documentation to Legal Counsel for review and guidance as needed.
- If it is determined that the Request for Reconsideration warrants additional attention, then the Assistant Superintendent of Instruction shall convene a review committee within 20 student contact days of receipt of Request for Reconsideration.

*Under no circumstances should the materials and/or library books in question be removed from circulation or classrooms until the challenge process has been completed.

Step 5. The Assistant Superintendent of Instruction and/or designee will contact the individual requesting reconsideration to confirm receipt of the form and either provide a written explanation as to why the Reconsideration will not move forward or explain the review committee process.

Step 6. If the Assistant Superintendent of Instruction decides to move forward with a review committee they, or a designee, will personally contact the teacher or teacher librarian and request they complete the appropriate Teacher or Library Response Form to inform the review committee.

Step 7. The review committee shall be appointed by the Assistant Superintendent of Instruction who will then chair and/or designate a district administrator to chair the committee. The review committee may be composed of the following stakeholders:

- School or district librarian (*required*)
- PTO or Site Council parent representative from referring school (if possible based on timeline)
- Building administrator from same level
- Classroom teacher(s) from same grade/content area (*required*)
- Elementary and/or Secondary TOSA (Teacher on Special Assignment) in the content area if applicable
- Level Director
- Curriculum Director or Designee
- Director of Equity, Inclusion & Instruction

*The Assistant Superintendent and/or Superintendent may decide to pull challenged material during the process if upon evaluation of the instructional materials they determine it is so egregious in nature that it is damaging to students. (i.e the incitement to hatred, intolerance, discrimination and violence)

- Rights holder may be added at the Director of Equity Inclusion and Instruction (EII) request

Committee Review Procedure

- The committee will meet, learn about the process, and will receive a copy of the challenged material;
- Committee members will read/watch/listen and/or view the challenged material in its entirety;
- The committee will receive the Request for Reconsideration Form responses, the Teacher or Library Response Forms and Instructional Materials Conversation Guide for Principals form;
- The committee will meet again and discuss the claims. The committee should take into account the applicable instructional objectives and materials selection criteria, as well as the age and development of the students using the material;
- The committee will formulate their recommendations and prepare a written report using the Instructional Materials Reconsideration Review Committee Report. This report will present both majority and minority opinions and include a recommendation to retain the material in its original location, to relocate the material to an advisory location, or to remove the material.

Step 8. Following a review of the challenged material, the review committee shall submit its report and recommendation to the Assistant Superintendent of Instruction and/or Superintendent for a decision.

Action Taken

Disposition of the request shall be made known to all parties in the action including committee members, the person(s) submitting the request, the principal, the teacher(s) involved, and all site-based teachers in that grade level (for elementary) or subject area (for secondary).

END OF POLICY

Legal Reference(s):

ORS 336.035	ORS 337.511	OAR 581-022-2310
ORS 336.840	ORS 339.155	OAR 581-022-2340
ORS 337.120		OAR 581-022-2350
ORS 337.141	OAR 581-011-0050 to -0117	OAR 581-022-2355
ORS 337.150	OAR 581-021-0045	
ORS 337.260	OAR 581-021-0046	

Cross Reference(s):

- I/A – Instructional Resources/Instructional Materials
- I/A-AR – Instructional Materials Selection
- I/A-AR(2) – Request for Reconsideration Process and Form



Eugene School District 4J
200 North Monroe Street
Eugene, OR 97402-4295
541-790-7700
www.4j.lane.edu

ITEM FOR ACTION

Date of Meeting

June 7, 2023

Title

Make decision on complaint/s brought involving board member/s.

Presenter

Andy Dey, Superintendent; Maya Rabasa, Board Chair



ITEM FOR ACTION AT A FUTURE MEETING

Date of Meeting

June 7, 2023

Title

Eugene Police Department: Discuss a Reimagined Affiliation with EPD

Minutes 20

Presenter

Andy Dey, Superintendent

Background

In June 2020, the Eugene School District 4J School Board voted to not renew the current contract with the Eugene Police Department that placed School Resource Officers in each of the four high school regions with offices in each of the comprehensive high schools.

At the time the board indicated a desire to reimagine what a partnership with Eugene Police might entail.

With the challenges of the COVID-19 pandemic the topic was tabled. As students and staff have returned to full-time in-person instruction once again, members of the board, parents and community constituents have inquired about the status of the reimagined relationship the Eugene Police Department.

The district is seeking input from the school board regarding their desire to enter into discussions with the Eugene Police Department to develop options for consideration by the school board.

Budget/Resource Implications:

To be determined – dependent upon what type of partnership is decided.

Recommendation

The board authorize the superintendent to engage in a discussion with Eugene Police Chief Skinner to return at a future time with options for a re-envisioned partnership between 4J and EPD.



ITEM FOR ACTION AT A FUTURE MEETING

Date of Meeting

6/7/2023

Title

FY 2023/2024 Budget Adoption

Presenter

Matt Brown

Background

The Budget Committee has unanimously recommended adoption of the 2023/2024 Budget. The Committee met over 4 meetings with available public comment at each meeting. A final public hearing this evening will conclude the requirements of the Board to adopt the budget for FY 2023/2024.

Options and Alternatives

Approve the resolution – The budget is set for 2023/24 and staff will begin working on the updated budget book for the fiscal year.

Do not approve the Resolution – If the budget is not adopted, the board has until 6/30/2023 at Midnight to adopt a resolution. If no budget resolution is adopted, the district legally cannot spend any money as of 7/1/2023.

Recommendation

Approve the resolution.



RESOLUTION No. 2024-01

ADOPTING THE BUDGET

BE IT RESOLVED that the Board of Directors of the Eugene School District No. 4J hereby adopts the budget for fiscal year 2023-2024 in the total amount of \$648,961,693. This budget is now on file at the District Finance Office, 200 North Monroe Street, Eugene, OR.

MAKING APPROPRIATIONS

BE IT RESOLVED that the amounts for the fiscal year beginning July 1, 2023 and for the purposes shown below are hereby appropriated as follows:

<u>General Fund (100)</u>		<u>Special Revenue Funds (200s)</u>	
Instruction	141,163,663	Instruction	38,424,300
Support Services	96,280,119	Support Services	26,238,297
Enterprise & Community Svsc	624,218	Enterprise & Community Svsc	11,498,928
Other Uses	13,925,000	Facilities Acquisition	6,585,000
Contingency	14,844,000	Contingency	5,565,000
TOTAL	266,837,000	TOTAL	88,311,525

<u>Debt Service Funds (300s)</u>		<u>Capital Project Funds (400s)</u>	
Other Uses	46,963,000	Instruction	3,458,000
TOTAL	46,963,000	Support Services	30,409,000
		Enterprise & Community Svsc	1,000
		Facilities Acquisition	129,847,000
		Other Uses	1,000
		TOTAL	163,716,000

<u>Internal Service Funds (600s)</u>		<u>Private Trust Funds (780)</u>	
Instruction	42,548,000	Instruction	124,130
TOTAL	42,548,000	Support Services	112,038
		TOTAL	236,168

Total APPROPRIATIONS, All Funds	\$608,611,693
Total Unappropriated, All Funds	\$ 40,350,000
TOTAL ADOPTED BUDGET	\$648,961,693

RESOLUTION IMPOSING THE TAX

BE IT RESOLVED that the following ad valorem property taxes are hereby imposed upon the assessed value of all taxable property within the district for tax year 2023-2024:

- (1) At the rate of \$4.7485 per \$1,000 of assessed value for permanent rate tax;
- (2) At the rate of \$1.5000 per \$1,000 of assessed value for local option tax; and
- (3) In the amount of \$41,731,915 for debt service on general obligations bonds

RESOLUTION CATEGORIZING THE TAX

BE IT RESOLVED that the taxes imposed are hereby categories for purposes of Article XI section 11b as:

Education Limitation

Permanent Tax.....\$4.7485 / \$1,000

Local Option Tax.....\$1.5000 / \$1,000

Excluded from Limitation

General Obligation Bond Debt Service.....\$40,609,690

The above resolution statements were approved and declared adopted on June 7, 2023.

Clerk

Chair of the Board



ITEM FOR ACTION AT A FUTURE MEETING (First Read)

Date of Meeting

June 7, 2023

Title

Approve revisions to board policy JGAB – Use of Restraint and Seclusion.

Presenter

Rob Hess, Chief of Staff

Background:

Policy JGAB– Use of Restraint and Seclusion was adopted on March 3, 2010, and revised in June 2010, June 2013, November 2018, October 2019, and March 2021. The Oregon School Boards Association (OSBA) revised policy JGAB in the August 2022 policy update.

Revisions to Board Policy JGAB are Required. The changes to the policy are minimal and are recommended to identify prohibitions related to both restraint and seclusion.

Options and Alternatives:

To be discussed.

Recommendation

The Superintendent recommends the board approve revisions to board policy JGAB – Use of Restraint and Seclusion.

Eugene School District 4J

Code: **JGAB**
Adopted: 3/03/10
Revised/Readopted: 6/16/10; 6/05/13; 11/28/18;
10/16/19; 3/03/21
Orig. Code: JGAB

Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

Prohibited Restraint

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

¹ The use of a solid object, including furniture, a wall, or the floor, by district staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

Use of Restraint or Seclusion

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Definitions

1. "Restraint" means the restriction of a student's actions or movements by holding the student or using pressure or other means. "Restraint" does not include:
 - a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
 - b. Assisting a student to complete a task if the student does not resist the physical contact; or
 - c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
 - (1) Break up a physical fight;
 - (2) Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

"Seclusion" does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student

is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student's behavior.

3. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
4. "Substantial physical or bodily injury" means any impairment of the physical condition of a person that requires some form of medical treatment.
5. "Mechanical restraint" means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student. "Mechanical restraint" does not include:
 - a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
6. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice for the standard treatment of the student's medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice.
7. "Prone restraint" means a restraint in which a student is held face down on the floor.
8. "Supine restraint" means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the district, whether in an emergency or as a part of a plan, shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards of OAR 581-021-0568.

Miscellaneous

The district shall utilize the Mandt System training program of restraints or seclusion for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, without limitation: positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and/or seclusion.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with district policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;

4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be provided to the Board and made available to the public on the district’s website and at the district’s main office. At least once each school year parents and guardians of students of the district shall be notified about how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board Policy KL - Public Complaints and Administrative Regulation KL-AR – Uniform Complaint Procedure. The complaint procedure is available on the home page of the district’s website and at the district’s administrative office.

The complainant, whether an individual or an organization, may appeal the district’s final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff.

END OF POLICY

Legal Reference(s):

ORS 161.205	ORS 339.300	OAR 581-021-0563
ORS 339.250	ORS 339.303	OAR 581-021-0566
ORS 339.285		OAR 581-021-0568
ORS 339.288	OAR 581-021-0061	OAR 581-021-0569
ORS 339.291	OAR 581-021-0550	OAR 581-021-0570
ORS 339.294	OAR 581-021-0553	OAR 581-022-2267
ORS 339.297	OAR 581-021-0556	OAR 581-022-2370

Cross Reference(s):

JGA - Corporal Punishment
 JGDA - Discipline of Students with Disabilities

Eugene School District 4J

Code: **JGAB**
Adopted: 3/03/10
Revised/Readopted: 6/16/10; 6/05/13; 11/28/18;
10/16/19; 3/03/21; ~~XX/XX/XX~~
Orig. Code: JGAB

Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy **and its administrative** to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

Prohibited Restraint

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

¹ The use of a solid object, including furniture, a wall, or the floor, by district staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

The use of a seclusion cell is prohibited.

Use of Restraint or Seclusion

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be ~~imposed~~ ~~used~~ on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Definitions

1. "Restraint" means the restriction of a student's actions or movements by holding the student or using pressure or other means. "Restraint" does not include:
 - a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
 - b. Assisting a student to complete a task if the student does not resist the physical contact; or
 - c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
 - (1) Break up a physical fight;
 - (2) Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

“Seclusion” does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student’s behavior.

3. “Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.
4. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
6. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student. “Mechanical restraint” does not include:
 - a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
8. “Prone restraint” means a restraint in which a student is held face down on the floor.
9. “Supine restraint” means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) ~~6~~581-021-0568.

Miscellaneous

The district shall utilize the Mandt System training program of **restraint** or seclusion for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, **but not limited to**, ~~without limitation~~: positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and ~~or~~ seclusion.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with district policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics² of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be provided to the Board and made available to the public on the district's website and at the district's main office.

At least once each school year the parents and guardians of students of the district shall be notified about how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board Policy KL - Public Complaints and Administrative Regulation KL-AR – Uniform Complaint Procedure. The complaint procedure is available on the home page of the district's website and at the district's administrative office.

The complainant, whether an individual or an organization, may appeal the district's final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff.

END OF POLICY

² Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

Legal Reference(s):

[ORS 161.205](#)
[ORS 339.250](#)
[ORS 339.285](#)
[ORS 339.288](#)
[ORS 339.291](#)
[ORS 339.294](#)
[ORS 339.297](#)

[ORS 339.300](#)
[ORS 339.303](#)

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)

[OAR 581-021-0563](#)
[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)
[OAR 581-022-2267](#)
[OAR 581-022-2370](#)

Cross Reference(s):

JGA - Corporal Punishment
JGDA - Discipline of Students with Disabilities

Eugene School District 4J

Code: **JGAB**
Adopted: 3/03/10
Revised/Readopted: 6/16/10; 6/05/13; 11/28/18;
10/16/19; 3/03/21; ~~XX/XX/XX~~
Orig. Code: JGAB

Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

Prohibited Restraint

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

¹ The use of a solid object, including furniture, a wall, or the floor, by district staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

The use of a seclusion cell is prohibited.

Use of Restraint or Seclusion

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be imposed on a student in the district only under the following circumstances:

1. The student’s behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the district only under the following circumstances:

1. The student’s behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, it will be used only for as long as the student’s behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Definitions

1. “Restraint” means the restriction of a student’s actions or movements by holding the student or using pressure or other means. “Restraint” does not include:
 - a. Holding a student’s hand or arm to escort the student safely and without the use of force from one area to another;
 - b. Assisting a student to complete a task if the student does not resist the physical contact; or
 - c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
 - (1) Break up a physical fight;
 - (2) Interrupt a student’s impulsive behavior that threatens the student’s immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
2. “Seclusion” means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

“Seclusion” does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student’s behavior.

3. “Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.
4. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
6. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student. “Mechanical restraint” does not include:
 - a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
8. “Prone restraint” means a restraint in which a student is held face down on the floor.
9. “Supine restraint” means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) 581-021-0568.

Miscellaneous

The district shall utilize the Mandt System training program of restraint or seclusion for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and seclusion.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with district policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics² of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be provided to the Board and made available to the public on the district's website and at the district's main office.

At least once each school year the parents and guardians of students of the district shall be notified about how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board Policy KL - Public Complaints and Administrative Regulation KL-AR – Uniform Complaint Procedure. The complaint procedure is available on the home page of the district's website and at the district's administrative office.

The complainant, whether an individual or an organization, may appeal the district's final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff.

END OF POLICY

² Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

Legal Reference(s):

[ORS 161.205](#)
[ORS 339.250](#)
[ORS 339.285](#)
[ORS 339.288](#)
[ORS 339.291](#)
[ORS 339.294](#)
[ORS 339.297](#)

[ORS 339.300](#)
[ORS 339.303](#)

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)

[OAR 581-021-0563](#)
[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)
[OAR 581-022-2267](#)
[OAR 581-022-2370](#)

Cross Reference(s):

JGA - Corporal Punishment
JGDA - Discipline of Students with Disabilities

CLEAN VERSION



ITEM FOR ACTION AT A FUTURE MEETING (First Read)

Date of Meeting

June 7, 2023

Title

Consider proposed board policy EFA – Local Wellness

Presenter

Rob Hess, Chief of Staff

Background

School districts are required to establish a local school wellness policy for all schools participating in the National School Lunch Program and/or School Breakfast program. The law (Title 7 C.F.R. 210.31 (a)) describes the policy as a written plan that includes various components intended to improve student wellness. Board Policy EFA – Local Wellness, is designed to meet the requirements for a wellness policy and provide the framework for the district’s plan.

Policy EFA – Local Wellness is a *required* policy.

The board is committed to providing intellectually stimulating school environments that promote and protect children’s health, social and emotional well-being, and ability to learn by supporting healthy eating, physical activity and other behaviors that contribute to student wellness. Good health fosters student attendance and education. Children and adolescents need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive.

The Superintendent is responsible for implementation of this Wellness Policy. To assist in this effort, the superintendent will appoint a Wellness Advisory Committee that will review student and staff health and wellbeing – nutritional health, physical health and social emotional health. The committee will advise the Superintendent or designee and provide guidance on implementation of the policy.

Superintendent Dey’s “Three Big Rocks”

This policy aligns with two of the Three Big Rocks:

1. **Timely communication and meaningful engagement.**
2. Having a coordinated cohesive focus on equitable access and advancement for all with an amplified focus on the desires of those who have been historically underserved.
3. **Safety and well-being for all students and staff.**

A triennial assessment, required by one of the components of the federal National School Lunch Program and delayed by COVID, of the district’s local wellness plan (aka policy) has become due for the first time. In anticipation, the Oregon Department of Education (ODE), Oregon School Boards Association and other stakeholders (OEA Choice Trust) began discussing how to help members realize more effective local wellness planning and implementation in their districts. One of the supports was to

revamp the model local wellness policy and bring elements of the accompanying model administrative regulation into the policy.

There are resources available from ODE on their website to support local wellness policy planning and implementation: [Oregon Healthy Schools](#), the attached revised policy is just one of those resources. The resources also include tools for the triennial assessment which staff will make use of as the triennial assessment is accomplished.

Options and Alternatives:

To be discussed.

Recommendation

The superintendent recommends the board approve revisions to Board Policy EFA – Local Wellness

Eugene School District 4J

Code: EFA
Adopted: 8/15/18

Local Wellness Program

The district is committed to the optimal development of every student and believes that a positive, safe, and health-promoting learning environment is necessary for students to have the opportunity to achieve personal, academic, developmental, and social success.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive district nutrition program consistent with state and federal requirements for districts sponsoring Child Nutrition Programs, including the National School Lunch Program (NSLP) and the School Breakfast Program (SBP). The program shall reflect the Board's commitment to providing adequate time for instruction that fosters healthy eating through nutrition education and promotion, serving healthy and appealing foods at district schools, and developing food-use guidelines for staff.

Students, parents, the public, the Board, school administrators, staff (including, but not limited to, school food service, physical education, and school health professionals), and public health professionals will be encouraged to provide input in the development of wellness policy. The superintendent or designee will develop guidelines as necessary to implement the goals of the local wellness plan and ensure compliance of such policy.

WELLNESS POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

Implementation Plan

The district shall develop and maintain a plan to manage and coordinate the implementation of this wellness policy.

The plan will:

1. Delineate roles, responsibilities, actions, and timelines specific to each school;
2. Include information about who will be responsible to make what change, by how much, where and when;
3. Include specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, and in food and beverage marketing; and
4. Include specific goals and objectives for nutrition promotion and education, physical activity, physical education, and other school-based activities that promote student wellness.

In an effort to measure the implementation of this policy, the Board designates the superintendent as the person who will be responsible for ensuring each school meets the goals outlined in this policy.

Record Keeping

The district will retain the following records to document compliance with the requirements of the wellness policy at the district's administrative offices.

1. The written wellness policy;
2. Documentation demonstrating that the policy has been made available to the public;
3. Documentation of efforts to review and update the local wellness policy, including an indication of who is involved in the update and the methods the district uses to make stakeholders aware of their ability to participate;
4. Documentation to demonstrate compliance with the annual public notification requirements;
5. The most recent assessment on the implementation of the local wellness policy;
6. Documentation demonstrating the most recent assessment on the implementation of the local wellness policy has been made available to the public.

Annual Notification of Policy

The district will make available to the public annually, an assessment of the implementation, including the extent to which the schools are in compliance with policy, how the policy compares to model policy, and a description of the progress being made in attaining the goals of the policy. The district will make this information available through the district website and/or districtwide communications. The district will also publicize the name and contact information of the district official(s) leading and coordinating the policy, as well as information on how the public can get involved with the local wellness policy.

Triennial Progress Assessments

At least once every three years, the district will evaluate compliance with the local wellness policy, to assess the implementation of the policy and produce a triennial progress report that will include:

1. The extent to which schools under the jurisdiction of the district are in compliance with the policy;
2. The extent to which the district's policy compares to model wellness policy; and
3. A description of the progress made in attaining the goals of the district's policy.

The district will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The district will update or modify the local wellness policy based on and following the results of the triennial assessments. Additionally, the policy may be modified if the district priorities change, community needs change, wellness goals are met, new health science information and technology emerge, or new federal or state guidance or standards are issued.

Community Involvement, Outreach, and Communications

The district will actively communicate ways in which the community can participate in the development, implementation, and periodic review and update of the local wellness policy through a variety of means appropriate for the district. The district will also ensure that communications are culturally and linguistically appropriate to the community and accomplished through means similar to other ways that the district and individual schools are communicating important school information with parents.

NUTRITION PROMOTION AND NUTRITION EDUCATION

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, by creating food environments that encourage healthy nutrition choices, and by encouraging participation in school meal programs. Students and staff will receive consistent nutrition messages throughout the school environment. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by staff, teachers, parents, students, and the community.

School Meals

All schools within the district participate in U.S. Department of Agriculture (USDA) child nutrition programs, administered through the Oregon Department of Education (ODE), including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), Fresh Fruit & Vegetable Program (FFVP), Special Milk Program (SMP), or Summer Food Service Program (SFSP). The district operates additional nutrition-related programs and activities including CACFP At-Risk Afterschool programs (CACFP), Farm-to-School programs, Breakfast in the Classroom, and Mobile Breakfast carts or Grab 'n' Go Breakfast.

Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA Professional Standards for Child Nutrition Professionals.

Water

Free, safe, unflavored, drinking water will be available to all students throughout the school day and throughout every school campus. The district will make drinking water available where school meals are served during mealtimes.

Competitive Foods and Beverages

All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day and extended school day will meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards¹. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

Celebrations, Rewards, and Student Group Promotions

All foods offered on the school campus are encouraged to meet the nutrition standards set by the USDA and the Oregon Smart Snacks Standards. This includes, but is not limited to, celebrations, parties, classroom snacks brought by parents, rewards, incentives, and student group promotions.

Fund Raising

Foods and beverages that meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards may be sold through fund raisers on the school campus during the school day.

¹ Oregon Department of Education, Oregon Smart Snacks Standards

Food and Beverage Marketing in Schools

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards.

“Food and beverage marketing” is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

Physical activity should be included in the school’s daily education program for grades pre-K through 12 and include regular, instructional physical education, as well as co-curricular activities and recess.

The Board realizes that a quality physical education program is an essential component for all students to learn about and participate in physical activity. The district will develop and assess student performance standards in order to meet the ODE’s physical education content standards. At least 50 percent of the weekly physical education class time shall be devoted to actual physical activity. Instruction, provided by adequately prepared teachers, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly

END OF POLICY

Legal Reference(s):

[ORS 329.496](#)
[ORS 332.107](#)
[ORS 336.423](#)

[OAR 581-051-0100](#)
[OAR 581-051-0305](#)
[OAR 581-051-0306](#)

[OAR 581-051-0310](#)
[OAR 581-051-0400](#)

SB 4 (2017)

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b.
National School Lunch Program, 7 C.F.R. Part 210.
School Breakfast Program, 7 C.F.R. Part 220.

Cross Reference(s):

EFAA - District Nutrition and Food Services

Eugene School District 4J

Code: EFA
Adopted: 8/16/18; XX/XX/XX

Local Wellness

The district is committed to the optimal development of every student and believes that a positive, safe, and health-promoting learning environment is necessary for students to have the opportunity to achieve personal, academic, developmental, and social success.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive district nutrition program consistent with state and federal requirements for districts sponsoring ~~Child Nutrition Programs~~, including the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP). The program shall reflect the Board's commitment to providing adequate time for instruction that fosters healthy eating through nutrition education and promotion, serving healthy and appealing foods at district schools, ~~and developing food-use guidelines for staff and establishing liaisons with nutrition service providers, as appropriate.~~ The district superintendent or designee shall establish a Wellness Advisory Committee to advise the district in the development, review and update of the local wellness policy.

~~Students, parents, the public, the Board, school administrators, staff (including, but not limited to, school food service, physical education, and school health professionals), and public health professionals will be encouraged to provide input in the development of wellness policy. The superintendent or designee will develop guidelines as necessary to implement the goals of the local wellness plan and ensure compliance of such policy.~~

WELLNESS POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

Implementation Plan

The district shall ~~develop and maintain a plan to~~ manage coordinate the implementation of this local wellness policy.

Implementation will consist of, but not be limited to, the following:

Delineating The plan will:

1. ~~Delineate~~ roles, responsibilities, actions, and timelines specific to each school;
2. ~~Generating and disseminating~~ ~~include~~ information about who will be responsible to make what change, by how much, where and when.
3. ~~Establishing~~ ~~include specific goals and objectives for nutrition~~ standards for all foods and beverages ~~provided (but not sold) to students during the school day~~ available on participating school campuses;

Establishing standards and nutrition guidelines for all foods and beverages sold to students during the school day on participating school campuses that meet state and federal nutrition standards for NSLP ~~campus~~, and SBP, competitive foods, permit ~~in food and beverage~~ marketing of same that meets the competitive food nutrition standards, and promotes student health, and reduces child obesity;

4. ~~Include specific goals and~~ Establishing specific goals ~~objectives~~ for nutrition promotion and education, physical activity, physical education, and other school-based activities that promote student wellness.

The ~~In an effort to measure the implementation of this policy, the~~ Board designates the superintendent ~~to as the person who will~~ be responsible for ensuring each school meets the goals outlined ~~and complies with~~ in this policy.

Record Keeping

The district will retain the following records to document compliance with ~~the local wellness policy~~ requirements ~~of the wellness policy~~ at the district's administrative offices:

1. The written local wellness policy;
2. Documentation ~~to demonstrate~~ ~~demonstrating that~~ the policy has been made available to the public;
3. Documentation of efforts to review and update the local wellness policy, including an indication of who ~~participates~~ ~~is involved~~ in the update and the methods the district uses to make stakeholders aware of their ability to participate;
4. Documentation to demonstrate compliance with the annual public notification requirements;
5. ~~Documentation of the district's~~ ~~The~~ most recent assessment on the implementation of the local wellness policy;
6. Documentation ~~to demonstrate~~ ~~demonstrating~~ the most recent assessment on the implementation of the local wellness policy has been made available to the public.

Annual Notification of Policy

The district will ~~inform the public about the content and implementation of the local wellness policy, and post the policy and any updates to the policy on the district website annually.~~ ~~Included will be, if make available, to the most recent public annually, an~~ assessment of the implementation, ~~including the extent to which the schools are in compliance with policy, how the policy compares to model policy,~~ and a description of the progress being made in attaining the goals of the policy. The district will ~~make this information available through the district website and/or districtwide communications.~~ The district will also publicize the name and contact information of the district ~~or school~~ official(s) leading and, coordinating the policy ~~and, as well as~~ information on how the public can get involved with the local wellness policy. ~~This information will be published on the district's website and in district communications.~~

Triennial Progress Assessments

At least once every three years, the district will evaluate ~~compliance with the local wellness policy, to assess~~ the implementation of ~~this the~~ policy and ~~its progress with produce~~ a triennial ~~assessment and produce a~~ progress report that will include:

1. The extent to which schools under the jurisdiction of the district are in compliance with policy;
2. The extent to which the district's policy compares to model ~~local school~~ wellness policy ⁽¹⁾ and
3. A description of the progress made in attaining the goals of the district's policy.

The district will publish ~~actively notify households/families of the availability of~~ the triennial progress report ~~on the district website when available~~.

Revisions and Updating the Policy

The district will update and modify the ~~local wellness~~ policy based on ~~and following the~~ results of the triennial ~~assessment~~ assessments. ~~Additionally, the policy may be modified if the district priorities change, community needs change, wellness goals are met, new health science information and technology emerge, or new federal or state guidance or standards are issued.~~

Community Involvement, Outreach, and Communications ~~(Review of, and Updating Policy)~~ ⁽²⁾

The district will actively communicate ways in which the community can participate in the development, implementation, and periodic review and update of the local wellness policy. ~~through a variety of means appropriate for the district.~~ The district will ~~communicate information about opportunities (in community news, on the district's website, on school websites, and/or in district or school communications).~~ The district will ~~also~~ ensure that communications are culturally and linguistically appropriate to the community ~~and accomplished through means similar to other way that the district and individual schools are communicating important school information with parents.~~

Parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board, school administrators, and the general public will be solicited to participate in the periodic review and update of the local school wellness policy.

¹ {Model Wellness Policy resource published by the Alliance for a Healthier Generation. OSBA makes no representation of its compliance by providing this resource.}

² {USDA Local school wellness policy resource; CDC resource; CDC Healthy Schools resource; USDA Local school wellness policy outreach toolkit and communication resource from Alliance for a Healthier Generation.}

Wellness Advisory Committee ^{3}

The district supports a wellness advisory committee to assist the development, implementation, and periodic review and update of the local wellness policy. The superintendent or designee will be a member of this committee.

The district will publicize information about the wellness advisory committee (in community news, in communications to parents, and/or on websites operated by the district) to communicate to parents, students and the community at large to explain the committee's purpose, process and an invitation to volunteer.

4. The wellness advisory committee membership will include, to the extent possible, but not limited to:
 - a) Parent, caregivers and students;
 - b) Representatives of the school nutrition program (e.g., school nutrition director);
 - c) Physical education and/or health education teachers;
 - d) School health professionals (e.g., school nurses, physicians, dentists, health educators and other allied health personnel who provide school health services);
 - e) Mental health and social services staff (e.g., school counselors, psychologists, social workers, or psychiatrists
 - f) School administrators (e.g., superintendent, assistant superintendent, principal, vice principal);
 - g) Board members;
 - h) Supplemental Nutrition Assistance Program (SNAP) education coordinators;
 - i) Healthcare professionals and/or other health related professionals (e.g., dietitians, doctors, nurses, dentists); and
 - j) Members of the general public.
5. The committee, appointed by the superintendent or designee, will meet to organize and vote on a committee chair and a secretary prior to or at the beginning of the school year. The chair and secretary will serve for one year minimum and may be reappointed.
6. The wellness advisory committee will meet four times per year to review the local wellness policy.
7. The committee will facilitate the development, review and update of the wellness policy, and evaluate each participating school's compliance with the policy.

The district will create building-level committees to establish school-specific goals and activities that implement this policy. A school coordinator will be designated to support compliance with this policy.

³ {A Wellness Advisory Committee is not required. If the district chooses to have a committee, the district should amend the language here to establish the membership and responsibilities of the committee. *School Wellness Committee Toolkit* published by the Alliance for a Healthier Generation}

NUTRITION PROMOTION AND NUTRITION EDUCATION

~~NUTRITION PROMOTION AND NUTRITION EDUCATION~~

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using evidence-based **strategies and** techniques and nutrition messages **and**, by creating food environments that **support encourage** healthy nutrition choices, ~~and by encouraging participation in school meal programs. Students and staff will receive consistent nutrition messages throughout the school environment. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by staff, teachers, parents, students and community.~~

Nutrition promotion and nutrition education shall be a sequential and integrated focus on improving students' eating behaviors, reflect evidence-based strategies and be consistent with state and local district health education standards.

To promote nutrition education in the schools, the principal is responsible for ensuring the following goals are implemented;

8. ⁽⁴⁾ Students and staff will receive consistent nutrition messages throughout the school environment;
9. Nutrition education is provided throughout the student's school years as part of the district's age-appropriate, comprehensive nutrition program (which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, and handling and storage related to food and eating), and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;
10. Nutrition education will include culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs;
11. Teachers will receive curriculum-specific training;
12. Parents and families are encouraged through school communications to send healthy snacks/meals and (reusable) water bottles with their student to school;
13. Families and community organizations are involved, to the extent practicable, in nutrition education;
14. Nutrition education homework that students can do with their families is assigned (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes);
15. Materials on how to assess one's personal eating habits, set goals for improvement and achieve those goals.

⁴ {The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals.

Districts are required to “review and consider evidence-based strategies and techniques” (7 CFR 210.31(c) (1)). Model Wellness Policy resource published by the Alliance for a Healthier Generation. OSBA makes no representation of its compliance by providing this resource.}

Nutrition promotion, including marketing and advertising nutritious foods and beverages to students, will be implemented consistently through a comprehensive and multi-channel approach, (e.g., in the classroom, cafeteria and at home) by staff, teachers, parents students and the community.

To ensure adequate nutrition promotion, the following goals will be implemented:

1. ^{5} Information about available meal programs is distributed prior to or at the beginning of the school year and at other times throughout the school year;
2. Information about availability and location of a Summer Food Service Program (SFSP) is distributed;
3. Nutrition promotion materials are sent home with students, published on the district website, and distributed at parent-teacher conferences;
4. Families are invited to attend exhibitions of student nutrition projects or health fairs;
5. Physical activity is a planned part of all school-community events.

School Meals

Schools All schools within the district participate in U.S. Department of Agriculture (USDA) child nutrition program(s), programs, administered through the Oregon Department of Education (ODE) which may include, including the National School Lunch Program NSLP and the School Breakfast Program SBP, Fresh Fruit & Vegetable Program (FFVP), After School Snack Program (ASSP), Special Milk Program (SMP), or Summer Food Service Program (SFSP), Supper programs or others. The district also operates additional nutrition-related programs and activities including CACFP At Risk Afterschool programs (CACFP), Farm-to-School programs, school gardens, Breakfast in the Classroom, and Mobile Breakfast carts or Grab ‘n’ Go Breakfast.

The district's available meal

Staff Qualifications and Professional Development

All school nutrition program(s) directors, managers and staff will operate to meet meal pattern or exceed hiring and annual continuing education/training requirements and dietary specifications in accordance with the Healthy, Hunger-Free Kids Act and applicable federal laws and regulations.

The principal(s) will support nutrition and food services operation as addressed in Board policy EFAA – District USDA Professional Standards for Child Nutrition and Food Services and its accompanying administrative regulation EFAA-AR – Reimbursable Meals and Milk Programs Professionals.

⁵{ The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to “review and consider evidence-based strategies and techniques” (7

CFR 210.31(c) (1)). Model Wellness Policy resource published by the Alliance for a Healthier Generation. OSBA makes no representation of its compliance by providing this resource.}

Water

Free, safe, unflavored, drinking water will be available to all students throughout the school day and throughout every school campus. The district will make drinking water available where school meals are served during mealtimes.

Competitive Foods and Beverages

The district controls the sale of all competitive foods. All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day and ~~extended school day~~ will meet or exceed ~~the nutrition standards set by the USDA and the Oregon~~ Smart Snacks Standards⁶. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, a la carte options in cafeterias, vending machines, school stores, ~~and~~ snack or food carts **and fund raising.**

Celebrations and, Rewards/~~Incentives and Student Group Promotions~~

All foods **and beverages** offered on the school campus **will meet or exceed** the nutrition standards set by the USDA and the Oregon Smart Snacks Standards. This includes, but is not limited to, celebrations, parties, **and** classroom snacks brought by parents. **Food will not be used as a reward or incentive. This information will be conveyed to staff and parents. ~~rewards, incentives, and student group promotions.~~**

⁶ Oregon Department of Education, ~~Oregon Smart Snacks Standards~~

Food and Beverage Marketing in Schools

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards for competitive foods set by the USDA and the Oregon Smart Snacks Standards. The district (i.e., school nutrition services, athletics department, PTA, PTO) will review existing contracts, new contracts and equipment and product purchase or replacement to reflect the applicable food and beverage marketing guidelines.

~~“Food and beverage marketing” is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.~~

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

~~Physical activity should be included in the school’s daily education program for grades pre-K through 12 and include regular, instructional physical education, as well as co-curricular activities and recess.~~

~~The Board realizes that a~~ A quality physical education program is an essential component for all students to learn about and participate in physical activity. The district will develop and assess student performance standards and program minute requirements in order to meet the ODE’s physical education content standards and state law.

Physical activity should be included in the school’s daily education program for grades (pre)K through 12 and include regular, instructional At least 50 percent of the weekly physical education, as well as co-curricular activities and recess.

In order ~~class time shall be devoted~~ to ensure students are afforded the opportunity to engage in actual physical education and physical activity in the school setting, the following goals are established:

6. ⁽⁷⁾ Physical education will be a course of study that focuses on students’ physical literacy and development of motor skills;
7. Staff encourages and provides support for parental involvement in their children’s physical education;
8. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;

~~activity.~~ Instruction, provided by adequately prepared teachers, i.e., licensed or endorsed to teach physical education, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities annually;

⁷ {The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals.

Districts are required to “review and consider evidence-based strategies and techniques” (7 CFR 210.31(c) (1)). Model Wellness Policy resource published by the Alliance for a Healthier Generation. OSBA makes no representation of its compliance by providing this resource.}

9. ^{8} Every public school student in (pre-)kindergarten through grade 8 shall participate in physical education for the entire school year. Students in kindergarten through grade [5] [6] shall participate for at least 150 minutes during each school week, and students in grades [6] [7] through 8 for at least 225 minutes per school week;
10. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of all classes or courses as part of a well-rounded education;
11. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment or a reward;
12. ^{9} At least 50 percent of the weekly physical education class time in grades K through 8 shall be devoted to actual physical activity;
13. Physical activity is a planned part of all school-community events;
14. Materials promoting physical activity are sent home with students and published on the district website.

^{10} A student with a disability shall have suitably adapted physical education incorporated as part of their individualized education program (IEP) developed under ORS 343.151. A student who does not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of their individualized health plan, developed by the district.

⁸ {Districts are required to provide the specified number of physical education minutes, but are not required to include them as goals or in this policy. If the district operates K-5 elementary schools, select “5” in the first bracket and “6” in the second bracket. If the district operates K-6 elementary schools, select “6” in the first bracket and “7” in the second bracket.}

⁹ {This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.}

¹⁰ {This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.}

Other Activities that Promote Student Wellness

The district will integrate wellness activities throughout the entire school environment (districtwide). The district will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicated and work toward the same set of goals promoting student well-being, optimal development and strong educational outcomes.

The district will provide the following activities and encourage the following practices which promote local wellness:

15. Scoliosis screenings;
16. Safe Routes to Schools Program;
17. Physically active family and community engagement activities for families to learn about healthy eating or to practice being active together (e.g., skate night, fun run, dance night);
18. Nonfood-related fund raisers;
19. Physical activity energizers during transitions from one subject to another;
20. Intramural sports;
21. Monthly/Weekly school walks;
22. Assemblies which focus on wellness issues such as the importance of breakfast, healthy beverages, and how students and staff can incorporate 60 minutes of physical activity into their day;
23. Use of alternates to food as rewards in the classroom;
24. Creation of connections between out-of-school time (OST) programs that involve staff members from OST programs, both school and community based, in school initiatives that address healthy eating, such as school wellness teams or wellness committees;
25. Integration of social, emotional and mental health supports into school programs (e.g., promote a positive school climate where respect is encouraged and students can seek help from trusted adults);
26. Communication between classroom teachers and nutrition staff, so that menus and nutrition promotion can be tied into classroom learning and coursework;
27. Include wellness as a standing agenda item for school-based meetings (e.g., staff meetings, site council meetings, PTO)

{11} **Employee Wellness** {12}

The district encourages staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school's overall wellness program. Many actions and conditions that affect the health of staff may also influence the health and learning of students. The physical and mental health of staff is integral to promoting and protecting the health of students and helps foster their academic success. The district's Employee Wellness Program will promote health, reduce risky behaviors of employees and identify and correct conditions in the workplace that can compromise the health of staff, reduce their levels of productivity, impede student success and contribute to escalating health-related costs such as absenteeism.

The district will collaborate with community partners to identify programs, services and/or resources to compliment and enrich employee wellness endeavors.

The district's Employee Wellness Program may include the following:

28. Health education and health promoting activities that focus on skill development and lifestyle behavior that change along with awareness building, information dissemination, access to facilities, and are preferably tailored to employees' needs and interests;
29. Safe, supportive social and physical environments including organizational expectations about healthy behavior, and implementation of policy that promotes health and safety and reduces the risk of disease;
30. Linkage to related programs such as employee assistance programs, emergency care and programs that help employees balance work life and family life;
31. Education and resources to help employees make decisions about health care; and
32. Nutrition and fitness educational opportunities that may include but are not limited to, the distribution of educational and informational materials, and the arrangement of presentations and workshops that focus on healthy lifestyles, health assessments, fitness activities and other appropriate nutrition and physical activity related topics.

The district encourages participation from all employees "Employees" are not limited to instructional staff (i.e., teachers and instructional assistants), but includes all administrators and support staff.

The following groups are seen as essential for establishing, implementing and sustaining an effective employee wellness program:

33. School personnel who implement existing wellness programs in the district (i.e., employee wellness committee);
34. District personnel who implement health programs for students (e.g., school health coordinator, school nurses, psychologist, health and physical educators, nutrition professionals, counselors and other staff); and

¹¹{This language is optional and is not required by state or federal law.}

¹²{CDC resources for school employee wellness and workplace health promotion}

35. Decision makers who have the authority to approve policy and provide administrative support essential for a school wellness program (e.g., Board members, superintendents, human resource administrators, fiscal services administrators and principals)

DEFINITIONS

1. “Competitive food” means all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act available for sale to students on the school campus during the school day.
2. “Food and beverage marketing” ^{13} is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of promoting the sale of food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.
3. “Oregon Smart Snacks Standards” means the state’s minimum nutrition standards for competitive foods and beverages (ORS 336.423).
4. “School day” means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the school day (i.e., at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities).
5. “School campus” means, for the purpose of competitive food standards implementation, all areas of property under the jurisdiction of the school that are accessible to students during the school day.

END OF POLICY

Legal Reference(s):

ORS 327.531	ORS 336.423	OAR 581-051-0306
ORS 327.537		OAR 581-051-0310
ORS 329.496	OAR 581-051-0100	OAR 581-051-0400
ORS 332.107	OAR 581-051-0305	

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b (2018).
 National School Lunch Program, 7 C.F.R. Part 210 (2022).
 School Breakfast Program, 7 C.F.R. Part 220 (2022)

Cross Reference(s):

EFAA—District Nutrition and Food Services

¹³{This term includes, but is not limited to, the following: brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container; displays, such as on vending machine exteriors; corporate brand, logo, name or trademark on school equipment, such as marquees, message board, scoreboards or backboards (Note:

Immediate replacement of these items is not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance.); corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, student assignment books or school supplies displayed, distributed, offered or sold by the district; advertisements in school publications or school mailings; free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

WITH REVISIONS

Eugene School District 4J

Code: EFA
Adopted: 8/15/18; XX/XX/XX

Local Wellness

The district is committed to the optimal development of every student and believes that a positive, safe and health-promoting learning environment is necessary for students to have the opportunity to achieve personal, academic, developmental and social success.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive district nutrition program consistent with state and federal requirements for districts sponsoring the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP). The program shall reflect the Board's commitment to providing adequate time for instruction that fosters healthy eating through nutrition education and promotion, serving healthy and appealing foods at district schools, developing food-use guidelines for staff and establishing liaisons with nutrition service providers, as appropriate. The district superintendent or designee shall establish a Wellness Advisory Committee to advise the district in the development, review and update of the local wellness policy.

POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

Implementation

The district shall manage and coordinate the implementation of this local wellness policy. Implementation will consist of, but not be limited to, the following:

1. Delineating roles, responsibilities, actions and timelines specific to each school;
2. Generating and disseminating information about who will be responsible to make what change, by how much, where and when;
3. Establishing standards for all foods and beverages provided (but not sold) to students during the school day on participating school campuses;
4. Establishing standards and nutrition guidelines for all foods and beverages sold to students during the school day on participating school campuses that meet state and federal nutrition standards for NSLP and SBP, competitive foods, permit marketing of same that meets the competitive food nutrition standards, and promotes student health and reduces child obesity; and
5. Establishing specific goals for nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness.

The Board designates the superintendent to be responsible for ensuring each school meets the goals outlined and complies with this policy.

Record Keeping

The district will retain the following records to document compliance with the local wellness policy requirements at the district's administrative offices:

1. The written local wellness policy;
2. Documentation to demonstrate the policy has been made available to the public;
3. Documentation of efforts to review and update the local wellness policy, including an indication of who participates in the update and the methods the district uses to make stakeholders aware of their ability to participate;
4. Documentation to demonstrate compliance with the annual public notification requirements;
5. Documentation of the district’s most recent assessment on the implementation of the local wellness policy;
6. Documentation to demonstrate the most recent assessment on the implementation of the local wellness policy has been made available to the public.

Notification of Policy

The district will inform the public about the content and implementation of the local wellness policy, and post the policy and any updates to the policy on the district website annually. Included will be, if available, the most recent assessment of the implementation, and a description of the progress being made in attaining the goals of the policy. The district will publicize the name and contact information of the district or school official(s) leading and coordinating the policy and information on how the public can get involved with the local wellness policy. This information will be published on the district’s website and in district communications.

Triennial Progress Assessments

At least once every three years, the district will evaluate the implementation of this policy and its progress with a triennial assessment and produce a progress report that will include:

1. The extent to which schools under the jurisdiction of the district are in compliance with the policy;
2. The extent to which the district’s policy compares to model local school wellness policy^{1}; and
3. A description of the progress made in attaining the goals of the district’s policy.

The district will publish the triennial progress report on the district website when available. The district will update or modify the policy based on results of the triennial assessment.

Community Involvement, Outreach and Communications (Review of, and Updating Policy)^{2}

The district will actively communicate ways in which the community can participate in the development, implementation and periodic review and update of the local wellness policy. The district will communicate information about opportunities [in community news, on the district’s website, on school websites, and/or in district or school communications]. The district will ensure that communications are culturally and linguistically appropriate to the community.

Parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board, school administrators, and the general public will be solicited to participate in the periodic review and update of the local school wellness policy.

¹ {Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

² {USDA Local school wellness policy [resource](#); CDC [resource](#); CDC Healthy Schools [resource](#); USDA Local school wellness policy [outreach toolkit](#) and communication resource from [Alliance for a Healthier Generation](#).}

Wellness Advisory Committee^{3}

The district supports a wellness advisory committee to assist the development, implementation, and periodic review and update of the local wellness policy. The superintendent or designee will be a member of this committee.

The district will publicize information about the wellness advisory committee in community news, in communications to parents, and/or on websites operated by the district to communicate to parents, students and the community at large to explain the committee's purpose, process and an invitation to volunteer.

4. The wellness advisory committee membership will include, to the extent possible, but not be limited to:
 - a. Parents, caregivers and students;
 - b. Representatives of the school nutrition program (e.g., school nutrition director);
 - c. Physical education and/or health education teachers;
 - d. School health professionals (e.g., school nurses, physicians, dentists, health educators and other allied health personnel who provide school health services);
 - e. Mental health and social services staff (e.g., school counselors, psychologists, social workers, or psychiatrists);
 - f. School administrators (e.g., superintendent, assistant superintendent, principal, vice principal);
 - g. Board members;
 - h. Supplemental Nutrition Assistance Program (SNAP) education coordinators;
 - i. Healthcare professionals and/or other health related professionals (e.g., dietitians, doctors, nurses, dentists); and
 - j. Members of the general public.
5. The committee, appointed by the superintendent or designee, will meet to organize and vote on a committee chair and a secretary prior to or at the beginning of the school year. The chair and secretary will serve for one year minimum and may be reappointed.
6. The wellness advisory committee will meet four times per year to review of the local wellness policy.
7. The committee will facilitate the development, review and update of the wellness policy, and evaluate each participating school's compliance with the policy.

The district will create building-level committees to establish school-specific goals and activities that implement this policy. A school coordinator will be designated to support compliance with this policy.

NUTRITION PROMOTION AND NUTRITION EDUCATION

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using evidence-based strategies and techniques and nutrition messages and by creating food environments that support healthy nutrition choices.

Nutrition promotion and nutrition education shall be a sequential and integrated focus on improving students' eating behaviors, reflect evidence-based strategies and be consistent with state and local district health education standards.

To promote nutrition education in the schools, the principal is responsible for ensuring the following goals are implemented:

³ {A Wellness Advisory Committee is not required. If the district chooses to have a committee, the district should amend the language here to establish the membership and responsibilities of the committee. [School Wellness Committee Toolkit](#) published by the Alliance for a Healthier Generation}

8. ^{4}[Students and staff will receive consistent nutrition messages throughout the school environment;
9. Nutrition education is provided throughout the student’s school years as part of the district’s age-appropriate, comprehensive nutrition program[(which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, and handling and storage related to food and eating)], and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;
10. Nutrition education will include culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs;
11. Teachers will receive curriculum-specific training;
12. Parents and families are encouraged through school communications to send healthy snacks/meals and [reusable] water bottles with their student to school;
13. Families and community organizations are involved, to the extent practicable, in nutrition education;
14. Nutrition education homework that students can do with their families is assigned (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes);
15. Materials on how to assess one’s personal eating habits, set goals for improvement and achieve those goals.

Nutrition promotion, including marketing and advertising nutritious foods and beverages to students, will be implemented consistently through a comprehensive and multi-channel approach, (e.g., in the classroom, cafeteria and at home) by staff, teachers, parents, students and the community.

To ensure adequate nutrition promotion, the following goals will be implemented:

1. ^{5}[Information about available meal programs is distributed prior to or at the beginning of the school year and at other times throughout the school year;
2. Information about availability and location of a Summer Food Service Program (SFSP) is distributed;
3. Nutrition promotion materials are sent home with students, published on the district website, and distributed at parent-teacher conferences;
4. Families are invited to attend exhibitions of student nutrition projects or health fairs;
5. Physical activity is a planned part of all school-community events.

School Meals

⁴ {The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to “review and consider evidence-based strategies and techniques” (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

⁵ {The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to “review and consider evidence-based strategies and techniques” (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

[Schools within the district participate in U.S. Department of Agriculture (USDA) child nutrition program(s), administered through the Oregon Department of Education (ODE)[.] [which may include the NSLP[.] [and] [the SBP,] [Fresh Fruit & Vegetable Program (FFVP),] [After School Snack Program (ASSP),] [Special Milk Program (SMP),] [Summer Food Service Program (SFSP),] [Supper programs] [or others].] [The district also operates additional nutrition-related programs and activities including Farm-to-School programs, school gardens, Breakfast in the Classroom, Mobile Breakfast carts or Grab ‘n’ Go Breakfast.]

The district’s available meal program(s) will operate to meet meal pattern requirements and dietary specifications in accordance with the Healthy, Hunger-Free Kids Act and applicable federal laws and regulations.

The [principal(s)] will support nutrition and food services operation as addressed in Board policy EFAA – District Nutrition and Food Services and its accompanying administrative regulation EFAA-AR – Reimbursable Meals and Milk Programs.

Water

Free, safe, unflavored, drinking water will be available to all students throughout the school day and throughout every school campus. The district will make drinking water available where school meals are served during mealtimes.

Competitive Foods and Beverages

The district controls the sale of all competitive foods. All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed Smart Snacks Standards⁶. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores, snack or food carts and fund raising.

Celebrations and Rewards/Incentives

All foods and beverages offered on the school campus will meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards. This includes, but is not limited to, celebrations, parties, and classroom snacks brought by parents. [Food will not be used as a reward or incentive. This information will be conveyed to staff and parents.]

Fund Raising

Foods and beverages that meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards may be sold through fund raisers on the school campus during the school day. Such requests to conduct a fund raiser will be submitted to the [principal] for approval before starting.

⁶ Oregon Department of Education,

Food and Beverage Marketing in Schools

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards for competitive foods set by the USDA.

The district (i.e., school nutrition services, athletics department, PTA, PTO) will review existing contracts, new contracts and equipment, and product purchase or replacement to reflect the applicable food and beverage marketing guidelines.

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

A quality physical education program is an essential component for all students to learn about and participate in physical activity. The district will develop and assess student performance standards and program minute requirements in order to meet ODE's physical education content standards and state law.

Physical activity should be included in the school's daily education program for grades [pre-]K through 12 and include regular, instructional physical education, as well as co-curricular activities and recess.

In order to ensure students are afforded the opportunity to engage in physical education and physical activity in the school setting, the following goals are established:

6. {⁷} [Physical education will be a course of study that focuses on students' physical literacy and development of motor skills;
7. Staff encourages and provides support for parental involvement in their children's physical education;
8. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;

Instruction, provided by adequately prepared teachers, i.e., licensed or endorsed to teach physical education, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities annually;

9. {⁸} Every public school student in pre-kindergarten through grade 8 shall participate in physical education for the entire school year. Students in kindergarten through grade 5 shall participate for a least 150 minutes during each school week, and students in grades 6 through 8 for at least 225 minutes per school week;
10. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of all classes or courses as part of a well-rounded education;
11. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment or a reward;

⁷ {The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to "review and consider evidence-based strategies and techniques" (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

⁸ {Districts are required to provide the specified number of physical education minutes, but are not required to include them as goals or in this policy. If the district operates K-5 elementary schools, select "5" in the first bracket and "6" in the second bracket. If the district operates K-6 elementary schools, select "6" in the first bracket and "7" in the second bracket.}

12. ^{9}At least 50 percent of the weekly physical education class time in grades K through 8 shall be devoted to actual physical activity;
13. Physical activity is a planned part of all school-community events;
14. Materials promoting physical activity are sent home with students and published on the district website.

^{10}A student with a disability shall have suitably adapted physical education incorporated as part of their individualized education program (IEP) developed under ORS 343.151. A student who does not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of their individualized health plan, developed by the district.

Other Activities that Promote Student Wellness

The district will integrate wellness activities throughout the entire school environment (districtwide). The district will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicated and work toward the same set of goals promoting student well-being, optimal development and strong educational outcomes.

The district will provide the following activities and encourage the following practices which promote local wellness:

15. Scoliosis screenings;
16. Safe Routes to Schools Program;
17. Physically active family and community engagement activities for families to learn about healthy eating or to practice being active together (e.g., skate night, fun run, dance night);
18. Nonfood-related fund raisers;
19. Physical activity energizers during transitions from one subject to another;
20. Intramural sports;
21. Monthly/Weekly school walks;
22. Assemblies which focus on wellness issues such as the importance of breakfast, healthy beverages, and how students and staff can incorporate 60 minutes of physical activity into their day;
23. Use of alternates to food as rewards in the classroom;
24. Creation of connections between out-of-school time (OST) programs that involve staff members from OST programs, both school- and community-based, in school initiatives that address healthy eating, such as school wellness teams or wellness committees;
25. Integration of social, emotional and mental health supports into school programs (e.g., promote a positive school climate where respect is encouraged and students can seek help from trusted adults);

⁹ {This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.}

¹⁰ {This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.}

26. Communication between classroom teachers and nutrition staff, so that menus and nutrition promotion can be tied into classroom learning and coursework;
27. Include wellness as a standing agenda item for school-based meetings (e.g., staff meetings, site council meetings, PTO).]

^{11} **Employee Wellness** ^{12}

The district encourages staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school’s overall wellness program. Many actions and conditions that affect the health of staff may also influence the health and learning of students. The physical and mental health of staff is integral to promoting and protecting the health of students and helps foster their academic success. The district’s Employee Wellness Program will promote health, reduce risky behaviors of employees and identify and correct conditions in the workplace that can compromise the health of staff, reduce their levels of productivity, impede student success and contribute to escalating health-related costs such as absenteeism.

The district will collaborate with community partners to identify programs, services and/or resources to compliment and enrich employee wellness endeavors.

The district’s Employee Wellness Program may include the following:

28. Health education and health promoting activities that focus on skill development and lifestyle behavior that change along with awareness building, information dissemination, access to facilities, and are preferably tailored to employees’ needs and interests;
29. Safe, supportive social and physical environments including organizational expectations about healthy behavior, and implementation of policy that promotes health and safety and reduces the risk of disease;
30. Linkage to related programs such as employee assistance programs, emergency care and programs that help employees balance work life and family life;
31. Education and resources to help employees make decisions about health care; and
32. Nutrition and fitness educational opportunities that may include but are not limited to, the distribution of educational and informational materials, and the arrangement of presentations and workshops that focus on healthy lifestyles, health assessments, fitness activities and other appropriate nutrition and physical activity related topics.

The district encourages participation from all employees. “Employees” are not limited to instructional staff (i.e., teachers and instructional assistants), but includes all administrators and support staff.

The following groups are seen as essential for establishing, implementing and sustaining an effective employee wellness program:

33. School personnel who implement existing wellness programs in the district (i.e., employee wellness committee);
34. District personnel who implement health programs for students (e.g., school health coordinator, school nurses, psychologist, health and physical educators, nutrition professionals, counselors and other staff); and

¹¹ {This language is optional and is not required by state or federal law.}

¹² {CDC resources for [school employee wellness](#) and [workplace health promotion](#)}

35. Decision makers who have the authority to approve policy and provide administrative support essential for a school wellness program (e.g., Board members, superintendents, human resource administrators, fiscal services administrators and principals).]

DEFINITIONS

1. “Competitive food” means all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act available for sale to students on the school campus during the school day.
2. “Food and beverage marketing”^[13] is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.
3. “Oregon Smart Snacks Standards”¹⁴ means the State’s minimum nutrition standards for competitive foods and beverages (ORS 336.423).
4. “School day” means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day, (i.e., at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities).
5. “School campus” means, for the purpose of competitive food standards implementation, all areas of property under the jurisdiction of the school that are accessible to students during the school day.

END OF POLICY

Legal Reference(s):

[ORS 327.531](#)

[ORS 327.537](#)

[ORS 329.496](#)

[ORS 332.107](#)

[ORS 336.423](#)

[OAR 581-051-0100](#)

[OAR 581-051-0305](#)

[OAR 581-051-0306](#)

[OAR 581-051-0310](#)

[OAR 581-051-0400](#)

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b (2018).

National School Lunch Program, 7 C.F.R. Part 210 (2022).

School Breakfast Program, 7 C.F.R. Part 220 (2022).

¹³ [This term includes, but is not limited to, the following: brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container; displays, such as on vending machine exteriors; corporate brand, logo, name or trademark on school equipment, such as marquee, message boards, scoreboards or backboards (Note: Immediate replacement of these items is not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance.); corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, student assignment books or school supplies displayed, distributed, offered or sold by the district; advertisements in school publications or school mailings; free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.]

¹⁴ Oregon Department of Education, [Oregon Smart Snacks Standards](#)