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| <b>LANE EDUCATION SERVICE DISTRICT</b> | <b>BOARD MEETING</b>     |
| 1200 Hwy 99 N                          | Tuesday, March 4, 2025   |
| Eugene, Oregon 97402                   | Regular Meeting: 6:00 PM |

**LANE ESD BOARD MEETING  
AGENDA**

Tuesday, March 4, 2025

1. 5:00 PM Executive Session

Chair Sherry Duerst-Higgins will call an Executive Session of the Board of Directors of Lane ESD to order. The Board of Directors of Lane ESD will meet in Executive Session to:

- Review and evaluate the performance of the superintendent or any other public officer, employee or staff member, unless that person requests an open hearing. (ORS 192.660(2)(i))

Board Chair

2. Call Regular Meeting To Order

Board Chair

3. Welcome

Guests attending the meeting will be introduced.

Board Chair

4. Lane Education Service District Statement of Accountability: Land Acknowledgement

Lane ESD acknowledges that the lands we call Lane County - the lands that sustain our children, our future, and our collective well-being - are the traditional ancestral home of the Kalapuya, Siuslaw, Molalla, and other indigenous people who have lived in Lane County since time immemorial. Native children, families, and communities bear witness to a legacy of displacement and forced relocation. As an educational institutions we are accountable for addressing the current and former silencing, erasure and genocide of native people in Oregon and Turtle Island. We aim to join with indigenous people, honoring their resilience, courage, and self-determination in a purposeful pursuit of justice.

Today indigenous people -- alive, diverse, and vibrant -- live in and contribute to the culture of Lane County. We are all blessed by their presence.

- We commit to support our own, Lane ESD staff, and student learning about indigenous peoples of Oregon, the history, culture, current concerns, and the role

of educational institutions in the genocide of Native/Indigenous people and tribes and in the possibilities for repair and justice. As an ESD we will support and encourage the implementation of Tribal History/Shared History curriculum with all our educational partners.

2. The board also commits to building relationships that would help us understand the lived experiences of our native students' families and communities and how LESD impacts our students, in collaboration with the superintendent.
3. The board will review and update the spoken Statement of Accountability Land Acknowledgement annually during our annual organizational meeting or when needed.

Board Chair

#### 5. Public Participation

This is an opportunity for the audience to address the Board on topics either on, or not on, the agenda. There will also be opportunities for the audience to comment on specific agenda items as the Board addresses them.

Comments Regarding Staff Members - Speakers may offer objective criticism of ESD operations and programs. The Board will not hear comments regarding any individual ESD staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a complaints involving a staff member. The association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the staff member, his/her supervisor and the Board.

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point. To make a comment or present a topic during public comment, if the opportunity is available on the Board agenda, please complete the Intent to Speak card and submit it to the Board secretary prior to the start of the meeting. An individual that has submitted an Intent to Speak card and has been invited to speak by the Board chair, will be allowed three minutes.

Any person, who is invited by the Board chair to speak to the Board during a meeting, should state his/her name and address and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

#### 6. Agenda Review

Board Chair

7. Action Items

Board Chair

A. Consent Agenda

The Lane ESD Board of Directors has agreed to implement a consent agenda. All items in the consent agenda are adopted by a single motion unless a member of the Board or the Superintendent requests that such item be removed from the consent agenda and acted upon separately.

Generally, consent agenda items are matters which members of the Board agree are routine in nature and should be acted upon in one motion to conserve time and to enable the Board to focus on the other matters on the agenda.

Back-up materials for consent agenda items are included in the agenda packet as needed. Minutes of this meeting will reflect action on each item.

If any board member wishes to withdraw any consent group item, it will be moved to the appropriate section of the agenda.

**BE IT RESOLVED** that the Board of Directors of Lane ESD adopts the consent group as submitted and listed below.

- 1. Lane ESD Board Meeting Minutes of January 7, 2025
- 2. Lane ESD Board Meeting Minutes of February 4, 2025
- 3. Human Resource Report, dated February 28, 2025
- 4. Authorize Contracts for Licensed Staff for 2024-25
- 5. Authorize Contracts for Licensed, Administrative Staff for 2024-25

Board Chair

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| LESD Board Minutes - February 4 2025                  | 17 |
| LESD Board Minutes - January 7 2025                   | 28 |
| 2025-26 Licensed Administrative Staff Recommendations | 38 |
| 2025-26 Licensed Staff Recommendations                | 39 |
| HR Board Report - March 2025                          | 41 |

B. Accept Financial Report

EXAMPLE QUESTIONS ASKED BY BOARD MEMBERS OF A BUSINESS MANAGER DURING A FINANCIAL REVIEW SESSION1) Are the books

balanced and reconciled?

- 2) Are all cash and investment accounts reconciled to the general ledger?
- 3) Does the adopted budget reflect expected expenditures?
- 4) Have payroll reports been filed and have all payroll liabilities been paid timely?
- 5) Have all federal and state reimbursement requests as well as required financial reporting forms been filed timely?
- 6) Are there any suspected cases of fraud that we need to be aware of?
- 7) Are there any suspected changes to the internal control system?
- 8) Have there been any significant changes to the internal control system?
- 9) Is the business office adequately staffed to allow for proper segregation of duties?
- 10) Have there been any changes to the accounting system or accounting policies that are significant?
- 11) Has the accounting software and related IT systems been subject to review by an IT professional to ensure seamless backup in the event of a malware, ransomware, or other compromise of computer security?
- 12) Are there any other financial-related matters we should be aware of?
- 13) Are there any new pronouncements on the horizon that may require additional staff time or disbursement of funds to properly implement?
- 14) Are all financial statements that have been provided to the Board accurate and complete to the best of your knowledge?
- 15) Have you been asked by the Superintendent to do anything that makes you uncomfortable or to present any information you feel is inaccurate?

**BE IT RESOLVED** that the Board of Directors of Lane ESD accepts the Financial Report for January 2025.

Board Chair

Financial Report January 2025

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### C. Declare Budget Committee Vacancies

By law, the budget committee is charged with making recommendations concerning financial priorities. The budget committee will have the responsibility for reviewing the financial program of Lane ESD, reviewing the proposed ESD budget as presented by the superintendent and recommending an annual ESD budget in keeping with the provisions of applicable state laws.

Educational policy decisions, however, are the responsibility of the Board, not the budget committee. The committee does not have the authority to add programs or to approve additional personnel or increase salaries. While the

committee may, in effect, delete programs because of a fund decrease in arriving at a levy figure, the committee is charged primarily with a fiscal evaluation of programs. The committee may, alternatively, recommend an amount that changes the proposed budget and may request the administration make such changes in accordance with priorities set by the Board.

The budget committee consists of the elected Board members and eight members appointed by the Board from component school district boards or designees of component district Boards. The members appointed by the Board shall consist of five members selected by ESD zone and three members selected at large. To be eligible for appointment, the appointive member must:

1. Live and be registered to vote within the ESD and, if a zone representative, must live within the appropriate zone;
2. Not be an officer, agent or employee of the ESD. No budget committee member may receive any type of compensation from the ESD.

Reimbursement of budget committee expenses shall be in accordance with Board policy and administrative rule BHD/BHD-AR.

The Board will announce the vacancies and receive recommendations of interested members of component school district Boards or designees of component district boards. Candidates for vacant positions must reside in the vacated zone. At-large vacant positions will be filled from among members of component school district Boards or designees of component district boards.

The appointive budget committee members will be appointed for three-year terms in the September meeting. The terms will be staggered so that approximately one-third of the appointive members' terms end each year. The Board may appoint budget committee members to as many consecutive terms as deemed appropriate. If any appointive member is unable to complete the term for which he/she was appointed, the Board will announce the vacancy at the first regular Board meeting following the committee member's resignation or removal. An appointment to fill the position for its unexpired term will be made at the next regular Board meeting.

The budget committee will elect a presiding officer from among the members at the first meeting. It may also establish such other ground rules as necessary for successful operation of the committee.

A majority of the constituted committee is required for passing an action item. Majority for a 15-member budget committee is 8. Therefore, if only

eight members are present, a unanimous vote is needed for passing an action.

As provided by law, the committee will hear the budget message presented by the superintendent, receive the budget document, listen to comments and suggestions by patrons and announce the time and place for its future meetings. All meetings of the budget committee are open to the public.

The budget committee may request any information for the preparation or revision of the budget document from any ESD officer or employee. It may request the attendance of any employee at its meetings. Such requests by the budget committee should be made through the superintendent and/or budget officer. The budget committee will approve the budget document as submitted by the superintendent or as subsequently revised by the committee.

After approval of the original or revised budget document, the budget committee's duties cease. The hearing on the approved budget is held by the Board.

Lane ESD's Budget Committee has the following positions vacated by end of term (June 2024):

- Position 2: Eugene 4j School District's Alicia Hays
- Position 3: Springfield Public School's Emilio Hernandez
- Position 4: Blachly School District's Dwight Coon
- Position 5: Lowell School District's Jim Chapman

**BE IT RESOLVED** that the Board of Directors of Lane ESD declares Budget Committee vacancies for positions 2, 3, 4 and 5.

Board Chair

lesd\_board\_zone-map

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D. Appoint Budget Committee Member(s)

The Board will announce the vacancies and receive recommendations of interested members of component school district Boards or designees of component district boards. Candidates for vacant positions must reside in the vacated zone. At-large vacant positions will be filled from among members of component school district Boards or designees of component district boards. The appointive budget committee members will be appointed for three-year terms in the September meeting. The terms will be staggered

so that approximately one-third of the appointive members' terms end each year.

The Board may appoint budget committee members to as many consecutive terms as deemed appropriate. If any appointive member is unable to complete the term for which he/she was appointed, the Board will announce the vacancy at the first regular Board meeting following the committee member's resignation or removal. An appointment to fill the position for its unexpired term will be made at the next regular Board meeting.

Blachly School District Board member Dwight Coon has volunteered to participate for another term on the Lane ESD Budget Committee, Position 4, expiring June 30, 2028.

The Eugene School District 4j Board has identified Jenny Jonak and Tom Di Liberto to serve on Lane Education Service District Budget Committee.

**BE IT RESOLVED** that the Board of Directors of Lane ESD appoints Dwight Coon, Jenny Jonak and Tom Di Liberto to the Lane Education Service District Budget Committee, term expiring June 30, 2028.

Board Chair

E. Declare Classified Employee Appreciation Week

Classified Employee Appreciation Week is celebrated every year during the first full week of March. The Board of Directors of Lane Education Service District recognize the contributions of its Classified Employees:

**WHEREAS**, the education of youth is essential to the future of our community, state, country and world; and

**WHEREAS**, classified employees are the backbone of our public education system; and

**WHEREAS**, classified employees work directly with students, educators, parents, volunteers, business partners and community members; and

**WHEREAS**, classified employees support the smooth operation of offices, the safety and maintenance of buildings and property, and the safe transportation, healthy nutrition and direct instruction of students; and

**WHEREAS**, our community depends upon and trusts classified employees to serve students; and

**WHEREAS**, classified employees, with their diverse talents and true dedication, nurture students throughout their school years.

**NOW, THEREFORE, BE IT RESOLVED** that the (insert name) Board of Directors proclaims March 3-7, 2025, to be **CLASSIFIED EMPLOYEE APPRECIATION WEEK**; and

**BE IT FURTHER RESOLVED** that the Lane Education Service District Board of Directors strongly encourages all members of our community to join in this observance, recognizing the dedication and hard work of these individuals.

Superintendent Scurto, Board Chair

F. Declare Women in History Month

The National Women's History Month's theme for 2024 celebrates "Women Who Advocate for Equity, Diversity and Inclusion." The theme recognizes women throughout the country who understand that, for a positive future, we need to eliminate bias and discrimination entirely from our lives and institutions.

Women from every background have long realized that an uneven playing field will never bring equality or justice. Many feel the critical need to speak up and work harder for fairness in our institutions and social interactions.

During 2024, we recognize the example of women who are committed to embracing everyone and excluding no one in our common quest for freedom and opportunity. They know that people change with the help of families, teachers and friends, and that young people in particular need to learn the value of hearing from different voices with different points of view as they grow up.

Today, equity, diversity and inclusion are powerful driving forces that are having a wide-ranging impact on our country. As members of families, civic and community groups, businesses and legislative bodies, women are in the forefront of reevaluating the status quo. They are looking anew at what harmful social policies and behaviors exist and, often subtly, determine our future. In response, women in communities across the nation are helping to develop innovative programs and projects within corporations, the military, federal agencies and educational organizations to address these injustices.

It takes courage for women to advocate for practical goals like equity, diversity and inclusion when established forces aim to misinterpret, exploit or discredit them. Throughout 2024, we honor local women from the past and present who have taken the lead to show the importance of change and to establish firmer safeguards, practices and legislation reflecting these values. Following decades of discrimination, we are proud to celebrate women who work for basic inclusion, equality and fairness.

**Whereas**, March is National Women's History Month, and the National Women's History Alliance has designated the theme for Women's History Month 2024 as "Women Who Advocate for Equity, Diversity, and Inclusion"; and

**Whereas**, this theme recognizes the invaluable contributions of women who have dedicated themselves to advocating for equity, diversity, and inclusion in all aspects of society; and

**Whereas**, women from diverse backgrounds have long been at the forefront of efforts to address systemic inequities and promote a more inclusive and just society; and

**Whereas**, the courageous advocacy of women for practical goals such as equity, diversity, and inclusion serves as a beacon of inspiration for all individuals and communities; and

**Whereas**, in 2024, we honor the women who have tirelessly worked to dismantle barriers, challenge prejudices, and create opportunities for all individuals, regardless of their background and attacks against Diversity, Equity, and Inclusions programs and training in our institutions;

**Now, therefore be it resolved**, that **Lane Education Service District**, do hereby proclaim March 2024 as Women's History Month in Lane County; and

**Be it further resolved** that, We encourage our communities and organizations to celebrate the achievements of women who have championed equity, diversity, and inclusion, and reaffirm our commitment to advancing these principles in our society. Let us honor the women who have dedicated themselves to advocating for equity, diversity, and inclusion, and let us continue to work together to build a more just, equitable, and inclusive world.

Superintendent Scurto, Board Chair

#### G. Appoint Component District Board Liaisons

According to Administrative Rule BB: Board Advisor and Liaisons, the Board intends to have three Board Member Liaisons from component school district Boards. The Board will recruit Board member representatives from a small, medium and large district. The Superintendents will be asked to extend an invitation to their board members in August of each year. The Board will appoint three representative Liaisons to the Board. The typical term for a Board Member Liaison is for one year, renewable with mutual consent of the Liaison and the Board. The Board Member Liaison is not a member of the Board. The Board Member Liaison will bring component district perspectives to the Board, report component district activities, and share Lane ESD Board information with their district board. The Board Member Liaisons are invited to all Board meetings, and are expected to attend regularly. The Board Member Liaisons will receive a Board Meeting Agenda and packet.

McKenzie School District Board member Danna Brownell and Bethel School District Board member Robin Zygaitis have agreed to serve as a small district and large district Board Liaison to the Lane ESD Board of Directors.

**BE IT RESOLVED** that the Board of Directors of Lane ESD appoints McKenzie School District Board member Danna Brownell and

Bethel School District Board member Robin Zygaitis as Component District Board Liaisons to the Lane ESD Board of Directors.

Board Chair

H. Approve Policy Recommendations

Lane ESD has engaged with OSBA to complete a desk rewrite of the Board Policy Manual. Leslie Fisher (OSBA) has provided the following policies/administrative rules for review:

- ACA: Americans with Disabilities Act
- ACB: Every Student Belongs All Students Belong

These updates were first read at the February 2025 meeting of the Board of Directors.

**BE IT RESOLVED** that the Board of Directors of Lane ESD adopt policy updates as presented.

Board Chair, Superintendent

ACA 48

ACB 49

8. Discussion/Reports

A. Legislative Update

Superintendent Scurto will provide an update in legislative activities if there are any updates.

Superintendent Tony Scurto

B. Superintendent Report

Superintendent Tony Scurto

C. Policy First Reading (Policy Desk Rewrite)

At last month's meeting of the Board, the Board first read policies reviewed in the OSBA desk rewrite from Chapter A. This month, the following policies are being presented to the Board as a first read:

BB: Board Legal Status

BBA: Board Powers and Duties

BBA: Board Powers and Duties

BBA-AR: Services for Public and Private Entities

BBAA: Individual Board Member's Authority and Responsibilities

BBB: Board Elections  
BBBA: Board Member Qualifications  
BBBB: Board Member Oath of  
BBC: Board Member Resignation  
BBD: Board Member Removal from Office  
BBE: Vacancies on the Board  
BBE-AR: Procedures for Vacancies on the Board  
BBF: Board Member Standards of Conduct (Version 1) - Recommended to delete  
BBF: Board Member Standards of Conduct (Version 2) - Recommend to adopt  
BBF-AR: Board Member Ethics  
BBFA: Board Member Ethics and Conflicts of Interest  
BBFB: Board Member Ethics and Nepotism  
BC/BCA: Board Organization/Board Organizational Meeting  
BCB: Board Officers  
BCD: Board-Superintendent Relationship  
BCE: Board Committees  
BCF: Advisory Committees to the Board  
BCG: Legal Counsel - Recommend to delete  
BD/BDA: Board Meetings  
BD/BDA-AR: Regular Board Meeting Procedure  
BDB: Special Meetings  
BDC: Executive Sessions  
BDD: Board Meeting Procedures  
BDDA: Notification of Board Meetings - Recommend to delete  
BDDG/BDDC: Board Meeting Agenda  
BDDG/BDDK: Minutes of Board Meetings  
BDDH: Public Comment at Board Meetings (Version 1) - Recommend to delete  
BDDH: Public Comment at Board Meetings (Version 2) - Recommend to adopt  
BDDH-AR: Intent to Speak - Public Comment  
BDE: Hearings - Recommend to delete  
BE: Board Work Sessions - Recommend to delete  
BF: Policy Development  
BFC: Adoption and Revision of Policies (Version 1) - Recommend to delete  
BFC: Adoption and Revision of Policies (Version 2) - Recommend to adopt  
BFCA: Administrative Regulations  
BFD: Board Policy Implementation  
BFE: Administration in the Absence of Policy  
BFF: Suspension of Policies  
BFG/BFGA: Policy Review

BG: Staff Communications  
BH/BHA: Orientation of New Board Members  
BHB: Board Member Development  
BHD: Board Member Compensation and Expense Reimbursement  
BHD-AR: Board Member Expense Reimbursement Procedures  
BHDA: Compensation for Legal Fees for Board Members and Employees  
BHE: Board Member Liability Insurance  
BI: Board Legislative Program (Version 1) - Recommend to delete  
BI: Board Legislative Program (Version 2) - Reccommend to adopt  
BJ/BJA: School Board Memberships  
BK: Evaluation of Board Operational Procedures  
BKA: Review of Contracted Service Providers - Recommend to delete  
BKA -AR: Process for Review of Service Providers - Recommend to delete

Board Chair, Superintendent

LaneESD section AB 1-10-25.rev

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D. Statement of Support for Eugene School District 4j

The Board will discuss making the following declaration in support of Eugene School District 4J:

Statement of Support of Lawsuit Filing by American Federation of Teachers, American Sociological Association, and Eugene School District 4J opposing February 14, 2025 "Dear Colleague" Letter sent to School Districts across the United States.

We, the Lane Educational Service District Board of Directors, support the decision of our component school district and educational partner, Eugene School District 4J, to join the lawsuit opposing the instructions conveyed on February 14, 2025, to public school districts in the recent "Dear Colleague" letter sent by the US Department of Education. As the governing body of Lane ESD, we are dedicated to ensuring that each and every student in our service area has access to a high quality education, well prepared educators, and curricula that reflect the diversity of our students and their families. The federal guidance not only contradicts our local strategic plan, which centers on creating a "Beloved Community of Learners," but also undermines our state educational standards and mandates set by the Oregon State Board of Education and Oregon Revised Statutes.

Rose Wilde

E. Superintendent Evaluation

The Board of Directors will discuss next steps in the Evaluation of the Superintendent.

Board of Directors

9. Information from Administrative Staff

The directors of Human Resources and Title Programs, Special Education, Business Services, Technology and School Improvement have submitted written reports to the Board on matters of interest concerning his/her area of responsibility.

Administrative Staff

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| March 2025, IT Board Report                 | 140 |
| School Improvement Board Update_03_04_25    | 141 |
| Special Education Board Report March 4 2025 | 142 |

10. Board Member Reports and Comments/Agenda Planning

Lane ESD Board, Liaisons, Advisors

A. Agenda Planning

Board members are invited to send agenda items to be considered for the next board meeting. Please call or email to the Board Chair or Superintendent.

Board Chair

B. Board Member Reports

Board members are asked to submit their reports in writing to be attached to Boardbook. Reports can be sent to the Executive Assistant in advance of the meeting.

As Board Members prepare their reports, please consider the following questions:

- What programs did I visit over the last month? What committees did I participate in?
- What is the connection to the LESD services and programs to the component districts or community?

- What significance or meaning does the activity have to the broader community?
- What are the next steps or follow-up activities planned?

**Sherry Duerst-Higgins**

**Linda Hamilton**

**Leslie Harris**

**Nora Kent**

**Sydney Kissinger**

**Vanessa Truett**

**Rose Wilde**

, Superintendents' Council Advisor

**Mike Anderson**, Liaison, Creswell School District

**Danna Brownell**, Liaison, McKenzie School District

**Robin Zygaitis**, Bethel School District

Board, Advisors, Liaisons

Nora Kent Report March 2025

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## 11. Announcements/Correspondence

Board Chair

### A. Acknowledgements and Recognition

Superintendent Tony Scurto

### B. Kudos

Thank you to those who took the time to acknowledge co-workers/staff with kudos. Employees and Board members can submit a "kudo" any time during the month. To submit a kudo visit:  
[www.lesd.k12.or.us/forms/kudos.html](http://www.lesd.k12.or.us/forms/kudos.html)

Administrators

### C. Announcements

Board Chair

12. **Lane ESD Board Member Activities and Opportunities**

March 2, 2025: Oregon School Board Members of Color Caucus Membership Meeting

March 3, 2025: OSBA Board of Directors Meeting

March 4, 2025: Oregon Rural School Board Member Caucus Executive Committee Meeting

March 5, 2025: Oregon LGBTQIA2S+ School Board Members Advisory Committee Meeting

March 5, 2025: OSBA Board of Directors Special Meeting

March 6, 2025: OSBA Board of Directors Special Meeting

March 15, 2025: Oregon School Board Members of Color Caucus Leadership Council Meeting

March 18, 2025: Oregon Rural School Board Members Caucus Leadership Assembly Meeting

March 20, 2025: Oregon School Board Members of Color Caucus Officers Meeting

May 7-9, 2025: OAESD Spring Conference

Board Chair

13. **Component District Board Meeting Dates**

**Bethel:** During the regular school year the school board meets on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of the month at 6pm for regular sessions. The Board will conduct only one meeting in November, December, March and May, when the board meets on the 2<sup>nd</sup> Wednesday only.

**Blachly:** The District Board typically meets on the second Wednesday of each month at 6:00 pm, location TBD.

**Creswell:** Regular Board of Director meetings are typically held the second Wednesday of each month at 6:00 PM.

**Crow-Applegate-Lorane:** The Board of Directors for Crow-Applegate-Lorane School District #66 holds a regular meeting at 7:00 pm on the third Thursday of each month. The meetings are held at Applegate Elementary School and at the Lorane Grange.

**Eugene:** The Eugene School Board usually meets in regular public sessions on the first and third Wednesdays of each month at 7 p.m. This schedule sometimes varies, and additional meetings and work sessions are scheduled as necessary.

**Fern Ridge:** Third Monday of the month, unless otherwise noted. Time: 6:30 p.m.

**Junction City:**

**Lowell:** Regular Board Meetings are scheduled for the 4th Monday of the month, with the Meeting beginning at 4:00 pm

**Mapleton:** The Mapleton School Board meets on the third Wednesday of each month. There is no meeting during the month of July. The School Board meeting is held in the high school at 6:00pm, unless otherwise noted.

**Marcola:** Regular board meetings are scheduled for the 2nd Monday of each month at 6 PM.

**McKenzie:** McKenzie School Board meetings are held on the third Wednesday of each month unless noted otherwise.

### **Oakridge**

### **Pleasant Hill**

**Siuslaw:** The board of directors meet the second Wednesday of each month with the exception of a regular meeting scheduled for August 21, 2024, and November 20, 2024 . The board normally meets in the district board room located at 2111 Oak Street in Florence, Oregon. The meetings are scheduled to begin at 6:00 p.m. with a work session and the regular meeting will begin at approximately 6:30p.m.

**South Lane:** The South Lane School Board usually meets in regular public sessions on the first Monday and third Monday of each month at 5:30 p.m. for a work session. Meetings normally are held at the South Lane School District Office, 455 Adams Ave in Cottage Grove.

**Springfield:** The Board of Directors generally meet on the second and fourth Mondays of each month. Regular business meetings begin at 7 p.m. on the second Monday and work sessions are generally held at 5:30 p.m. on the fourth Monday of the month. All meetings, unless otherwise noted, are held in the Board Room of the Springfield Public Schools Administration Building

## 14. Adjournment

- The next regular meeting is scheduled to be held Tuesday, April 1, 2025, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.



## LANE EDUCATION SERVICE DISTRICT

1200 Highway 99 North  
Eugene, OR 97402

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541.461.8298 [Fax]

[www.lesd.k12.or.us](http://www.lesd.k12.or.us)

EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

### LANE EDUCATION SERVICE DISTRICT

1200 Hwy 99 N  
Eugene, Oregon 97402

### Board of Directors

February 4, 2025  
Work Session 5:00 PM  
Regular Meeting 6:00 PM

#### 1. Work Session

Chair Sherry Duerst-Higgins called the Work Session to order at 5:07 PM.

Board Members present: Sherry Duerst-Higgins, Linda Hamilton, Leslie Harris, Nora Kent, Vanessa Truett, and Rose Wilde.

Administrators present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, recording secretary Julie Simmonds

The Board of Directors of Lane ESD will conduct a work session to discuss conducting a Board Self-Evaluation and the evaluation of the Superintendent.

##### 1.A. Board Self-Evaluation

The Board discussed conducting a self-evaluation. The Board reviewed the OSBA Board Self Evaluation model and the Linn Benton Lincoln ESD Board Self Evaluation model. Director Wilde provided an updated version of the LBL ESD model. Superintendent Scurto shared the Oregon Revised Statute on Board evaluation. The Board consensus is to conduct the self-evaluation in February and meet to discuss collected data in March. The Board Secretary will create an online survey for the Board members to respond to.

##### 1.B. Evaluation of the Superintendent

The Board of Directors will discuss the process for the evaluation of the Superintendent. In previous years, the Board has implemented a version of a 360 evaluation to gather information on the performance of the superintendent by groups: Superintendents' Council, Community Partners, Agency Leadership, and Staff.

Superintendent Scurto has a hire date of 7/1/2017. A 360-evaluation has been conducted annually with the following groups surveyed each year:

2018: Board, Superintendents' Council, Superintendent Self-Evaluation  
2019: Board, Superintendents' Council, Superintendent Self-Evaluation, Staff  
2020: Board, Superintendents' Council, Superintendent Self-Evaluation, Staff, Community Partners  
2021: Board, Superintendent Self-Evaluation, Community Partners  
2022: Board, Superintendent Self-Evaluation, Staff  
2023: Board, Superintendents' Council, Leadership, Superintendent Self-Evaluation  
2024: Board, Superintendents' Council, Leadership, Superintendent Self-Evaluation

The Board discussed collecting feedback for use in its evaluation of the Superintendent. Following the collection of data, the Board will conduct an Executive Session to review the data and develop an Evaluation Summary.

The Board and superintendent discussed what groups of people should be surveyed for the gathering of input on the Superintendent's evaluation. The Board's consensus is to survey Board members, Cabinet members and Management. The Superintendent will complete a self-evaluation.

#### 2. Call Regular Meeting To Order

Chair Sherry Duerst-Higgins called the Regular Meeting of the Board to order at 6:00 p.m.

### 3. Reminder: Change in Public Meeting Requirements

[Senate Bill 1502](#) requires public education governing boards of common or union high school districts, education service districts, community college districts, and public universities... to post video or audio recordings of each meeting to the district, college, or university website or social media site within seven days of the meeting. If a board's facilities lack broadband internet, then the board may post audio instead of video on its website or social media site. The bill exempts school districts of less than 50 students in resident average daily membership (ADMr). The bill also exempts from these requirements any meeting or portion of a meeting that is conducted in executive session.

Similarly, OSBA has posted a public meetings [FAQ that includes information on SB 1502](#) and they will be putting out updates to their public meetings policies in February.

**Additionally**, HB 2805 (2023) **requires all school board members to complete public meeting training once per term of office**. [OSBA](#) will be hosting a webinar scheduled for February 6 from 5 to 6:30 pm that will be open to administrators, board members and board secretaries with information on both topics.

More information from the OSBA webpage:

House Bill 2805 (2023): This bill, effective January 1, 2024, introduced several changes that expanded the definition of a "meeting," clarifying procedures, and gave additional oversight to OGEC:

- **Expanded what counts as a meeting:** The definition of "convening" in ORS 192.610 was broadened to include more communications between public body members.
- **Formal Grievance Process:** HB 2805 established a mandatory grievance process for anyone who believes a governing body violated the PML. The process requires a person to file a written grievance with the public body within 30 days of the alleged violation. The public body must **respond in writing within 21 days** and must send a copy of both the grievance and written response to OGEC.
- **Expanded OGEC Oversight:** OGEC's authority to review and investigate complaints was expanded to cover **any provision** of ORS 192.610 to 192.690, not just executive sessions.
- **Mandatory Training:** Members of governing bodies with total expenditures of \$1 million or more are now required to attend training on the Public Meeting Law (PML) at least once per term of office.

Senate Bill 1502 (2024): This bill specifically requires governing bodies of certain educational institutions to publish video recordings of their public meetings:

- **Applies To:** School districts with ADM of more than 50 students, education service districts, and community colleges
- **Recording Requirements:** Public bodies at these institutions must make a video recording of all their meetings and post the recordings online within seven days. An audio recording is allowed if broadband internet access is unavailable.
- **Exceptions:** The law does not apply to executive session meetings.

**How has the definition of a "meeting" changed?** HB 2805 significantly changed the definition of "meeting" by broadening what constitutes "convening." Previously, the law focused on physical gatherings of public body members or the use of technology for contemporaneous communication. Now, the following are also considered forms of "convening" and could trigger the requirements of the PML:

- **Serial Electronic Written Communication:** A series of communications among members of a governing body, such as emails, texts, or social media messages, even if they are not communicating at the same time, can constitute a public meeting if it occurs among a quorum of the public body members.
- **Use of an intermediary:** Using a third party to relay information or facilitate communication among members of a governing body can also be considered a meeting if it occurs among a quorum of public body members.

***When are communications among a quorum of public body members NOT considered a public meeting?*** Some types of communications among public body members are excluded from the definition of a "meeting." These are generally considered "non-substantive" and include:

- Purely factual or educational communications which don't involve deliberation or decision-making.
- Communications that are not related to any matter that could reasonably be foreseen to come before the governing body for deliberation or decision.
- Communications related to scheduling, leaves of absence, or other similar administrative matters.
- Attendance at professional conferences or on-site inspections, if the members do not engage in deliberations or decisions on matters that could reasonably be foreseen to come before the governing body.

***Which groups/committees must follow the PML requirements?*** Oregon's Public Meetings Law applies to all governing bodies of a public body. A governing body is two or more members with the authority to make decisions for, or recommendations to, a public body on matters of policy or administration. There are two main categories of governing bodies: (1) decision-making bodies, which have the power to make binding decisions for a public body and act on its behalf; (2) advisory bodies, which provide recommendations to another governing body on policy or administration. The following are examples of bodies which are NOT subject to PML:

- **Fact-Gathering Bodies:** If a body's sole purpose is to gather factual information for a governing body and it lacks decision-making or recommendation authority, it is not subject to the PML. However, if it determines facts or looks at competing factual information to make a recommendation, it is a body subject to the PML.
- **Bodies Advising Individual Public Officials:** These are bodies appointed by a single public official to provide recommendations solely to that official. The PML does not apply if the official has authority to act on the recommendations without passing them on to another governing body.

***What are the training requirements for public officials under the revised law?*** HB 2805 mandates training on Oregon's Public Meetings Law for all members of governing bodies that have total expenditures of \$1 million or more in a fiscal year. This training must be completed at least once during each term of office. Each public body member is responsible for maintaining a record of attendance at the required training. The training can be provided by OGEC or an organization approved by OGEC (OSBA has requested approval of its public meetings law training).

***What are the penalties for violating the Public Meetings Law?*** OGEC has the authority to impose civil penalties on public officials for violations of the Public Meetings Law. According to ORS 244.350, the penalties can be up to:

- **\$1,000 per violation** for most violations of the public meetings law, depending on various factors such as the number of violations, whether there was intentional disregard for the law, and actions taken to prevent future violations.
- **No penalty:** If the governing body acted on the advice of its legal counsel, a penalty may not be imposed.

Board Members present: Sherry Duerst-Higgins, Linda Hamilton, Leslie Harris, Nora Kent, Vanessa Truett and Rose Wilde.

Administrators Present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, Executive Director Business Services Olivia Meyers Buch, Chief Information Officer Brandon Webb, Executive Director Special Education Molly Gillett, Co-Director School Improvement Ana Quintero Arias, recording secretary Julie Simmonds (remote)

Board Advisors and Liaisons Present: Sue Wilson (Superintendents' Council), Mike Anderson (Creswell School District Board of Directors)

Guests present: Jessica Garnick Tapia, Asia Tong (LCEA, remote)

#### 5. Public Participation

There was no public participation.

#### 6. Agenda Review

The agenda was reviewed.

#### 7. Lane Education Service District Statement of Accountability: Land Acknowledgement

Director Hamilton read the land acknowledgement aloud:

Lane ESD acknowledges that the lands we call Lane County - the lands that sustain our children, our future, and our collective well-being - are the traditional ancestral home of the Kalapuya, Siuslaw, Molalla, and other indigenous people who have lived in Lane County since time immemorial. Native children, families, and communities bear witness to a legacy of displacement and forced relocation. As an educational institution we are accountable for addressing the current and former silencing, erasure and genocide of native people in Oregon and Turtle Island. We aim to join with indigenous people, honoring their resilience, courage, and self-determination in a purposeful pursuit of justice.

Today indigenous people -- alive, diverse, and vibrant -- live in and contribute to the culture of Lane County. We are all blessed by their presence.

1. We commit to support our own, Lane ESD staff, and student learning about indigenous peoples of Oregon, the history, culture, current concerns, and the role of educational institutions in the genocide of Native/Indigenous people and tribes and in the possibilities for repair and justice. As an ESD we will support and encourage the implementation of Tribal History/Shared History curriculum with all our educational partners.
2. The board also commits to building relationships that would help us understand the lived experiences of our native students' families and communities and how LESD impacts our students, in collaboration with the superintendent.
3. The board will review and update the spoken Statement of Accountability Land Acknowledgement annually during our annual organizational meeting or when needed.

#### 8. Action Items

##### 8.A. Consent Agenda

The Lane ESD Board of Directors has agreed to implement a consent agenda. All items in the consent agenda are adopted by a single motion unless a member of the Board or the Superintendent requests that such item be removed from the consent agenda and acted upon separately.

Generally, consent agenda items are matters which members of the Board agree are routine in nature and should be acted upon in one motion to conserve time and to enable the Board to focus on the other matters on the agenda.

Back-up materials for consent agenda items are included in the agenda packet as needed. The minutes of this meeting will reflect action on each item.

If any board member wishes to withdraw any consent group item, it will be moved to the appropriate section of the agenda.

**DIRECTOR HARRIS MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD adopts the consent group as submitted and listed below.

1. Human Resource Report dated February 1, 2025

Director Truett seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-047)**

8.B. Accept Financial Report

**DIRECTOR HARRIS MOVED: BE RESOLVED** that the Board of Directors of Lane ESD accepts the Financial Report for December 2024. Director Hamilton seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-048)**

8.C. Policy Adoption(s)

The Board shall exercise its rule-making power by adopting policies consistent with the Oregon Revised Statutes, Oregon Administrative Rules or opinions of a court of competent authority, for its own governance and for the organization and operation of Lane ESD. The Board accepts the definition of policy set forth by the National School Boards Association:

School Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and his/her staff can discharge their assigned duties with positive direction. They tell what is wanted.

Such policies may be adopted, amended or repealed at any Board meeting provided that the proposed adoption, amendment or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding meeting until approved or rejected and except that the Board may adopt, amend or repeal policies at any meeting of the Board in the event of an actual emergency, as determined at the sole discretion of the Board.

Additionally, when in the best interests of the district immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

8.C.1. Rescind Policy Updates:

In January, the Board learned that House Bill 4160 (2024) changed the definition of student; changing a student who left school or graduated from high school "within 90 days" to "within one calendar year", and is in effect as of July 1, 2024 and is included in the recommended revisions.

In January, it was understood that local ESD Responsibility was to Adopt updated language in the required policy GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements.

Policy(ies) Impacted by these Revisions were first read at the January 7, 2025 meeting of the Board of Directors:

GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements, Required  
JHFF/GBNAA - Suspected Sexual Conduct with Students and Reporting Requirements, Required

Lane ESD has recently learned that on January 9th, 2025, a federal district court judge in Kentucky issued a [decision](#) invalidating the 2024 updates to the Title IX regulations. This ruling invalidates the

rules that went into effect on August 1, 2024. Presumably, this means that the previous rules (effective in 2020) remain in effect.

OSBA released updated policies on these topics in the November 2024 update. Due to this court decision, OSBA recommends districts, ESDs, charter schools and community colleges do not update the following policies:

- AC: Nondiscrimination and Civil Rights
- GBN/JBA and JBA/GBN: Sexual Harassment

This means that previous versions of these policies remain in effect (unless action has already been taken to remove or update them). The OSBA Policy Department will be issuing additional information regarding updates to these policies and administrative regulations.

One of the key provisions of the 2024 rules was the interpretation of "sex-based discrimination" to include gender identity and sexual orientation. This decision struck down this interpretation. However, Oregon law has prohibited discrimination based on sexual orientation and gender identity for several years ([ORS 659.850](#)).

**DIRECTOR HARRIS MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD does not adopt policy updates for GBNA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements and JHFF/GBNA - Suspected Sexual Conduct with Students and Reporting Requirements, as first read on January 7, 2025.

**BE IT FURTHER RESOLVED** that the Board of Directors rescinds policy updates for the following:

- AC: Nondiscrimination and Civil Rights, adopted January 7, 2025
- GBN/JBA *and* JBA/GBN: Sexual Harassment, adopted January 7, 2025

Director Hamilton seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-049)**

8.D. Declare February 2025 as Career Technical Education Appreciation Month

**DIRECTOR WILDE MOVED:**

**WHEREAS:** February 1-28, 2025, has been designated Career and Technical Education Month® by the Association for Career and Technical Education; and

**WHEREAS:** career and technical education offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness

**WHEREAS:** students in career and technical education programs participate in authentic, meaningful experiences that improve the quality of their education and increase their engagement and achievement; and

**WHEREAS:** career and technical education provides students with career exploration opportunities earlier in their educational experience, which enables them to make informed and beneficial decisions about their academic coursework and pursue established programs of study and career pathways; and

**WHEREAS:** leaders from business and industry nationwide report increasing challenges related to addressing the skills gap and connecting qualified professionals with available careers in critical and growing CTE-related fields, including healthcare, energy, advanced manufacturing, cybersecurity and information technology; and

**WHEREAS:** career and technical education prepares students for these and other fulfilling careers by offering integrated programs of study that link secondary and postsecondary education and lead to the attainment of industry-recognized credentials; and

**WHEREAS:** career and technical education programs ensure that employers have access to a qualified and thriving workforce, ensuring America is a strong and competitive economy;

**NOW THEREFORE, BE IT RESOLVED** that the Board of Directors of Lane ESD do hereby proclaim February 1-28, 2025, as

**Career and Technical Education Month**

and urge all citizens to become familiar with the services and benefits offered by the career and

technical education programs in this community and to support and participate in these programs to enhance their individual skills and productivity.

Director Harris seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-050)**

8.E. Declare February 2025 as Black History Month

**DIRECTOR WILDE MOVED: WHEREAS**, in 1915, Dr. Carter Godwin Woodson, noted Black scholar and son of former slaves, founded the Association for the Study of African American Life and History and initiated Black History Week on February 12, 1926; and

**WHEREAS**, in 1976 President Gerald Ford made Black History Month a national observance; and the second week of February coincides with the birthdays of Abraham Lincoln and Frederick Douglass; and the event inspired schools and communities nationwide to organize local celebrations, establish history clubs, and host performances and lectures; and

**WHEREAS**, during Black History Month we celebrate the many achievements and contributions made by Black Americans to Oregon and the United States' economic, cultural, spiritual, and political development and honor the memory of the millions of enslaved Africans who died during the Transatlantic Slave Trade; and

**WHEREAS**, while the observance of Black History Month calls for our community's attention to the continued need to battle racism and to build a society that lives up to its democratic ideals; and

**WHEREAS**, all students need an opportunity to understand the common humanity underlying all people, to develop pride in their own cultural identity and heritage, and to respect the identity and heritage of others; and

**NOW, THEREFORE**, we, the members of the Board of Directors for the Lane Education Service District, hereby declare February 2025 to be: **Black History Month**

and we strongly encourage our staff and community to observe, recognize, and celebrate the culture, heritage and contributions of Black Americans to our country, our state, our cities, and our schools, By resolution of the Board of Directors this 4th day of February 2025.

Director Harris seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-051)**

8.F. Cast Vote for OAESD Officer's Council Chair Elect

The Board of Directors of Lane ESD will cast its vote for OAESD Chair Elect.

General Description: The Officer Council consists of the officers of OAESD. These are the Chair, Chair-Elect, and Past Chair of the OAESD Board and President, President-Elect, and Past President of the OAESD Superintendents' Council. The term of office for the officers shall be one year in each role (three years total). Any officer may be elected to no more than two successive terms. The Chair-Elect and President-Elect succeed the Chair and President, respectively. Past practice has been for each ESD Board to have the opportunity to nominate a candidate for the position of Chair-Elect and for each member ESD superintendent to have the opportunity to nominate a candidate for President-Elect.

There is one candidate for Chair-Elect:

**Information:** Jeff Crapper has been officially nominated for the OAESD Chair-Elect position. Please see his bio below for more information:

**Name:** Dr. Jeffrey Crapper

**Email:** jeffrey.crapper@wesd.org

**Board Roles:** Currently serves on the Board of Directors for Willamette Education Service District, Oregon School Board Association, Oregon HOSA, Oregon Career Technical Student Leadership Foundation, and Salem-Keizer NAACP.

**OAESD Roles:** Currently serving on the OAESD Legislative Committee

**Current & Previous Occupation(s):** CTE Program Associate/Teacher on Special Assignment (TOSA) for Salem-Keizer Public Schools. Prior to this position, Jeff was a TOSA for the Beaverton School

District and previously taught Biology, Physics, Math, Engineering, Firefighting, English as a Second Language, Physical Education, Health and Health Sciences CTE courses for 21 years. He most recently taught at Beaverton Academy of Science and Engineering (BASE) in Beaverton, where he started their medical assisting and pharmacy technology programs.

**Educational Background:** Bachelor of Science in Athletic Training, Exercise Science, and Health Education with a Minor in Psychology from Linfield College, a Master of Arts in Teaching from Oregon State University, a Master of Arts in Christian Ministry from George Fox University, and a Doctorate in Education from Liberty University.

**Other Relevant Experience, Memberships, etc.:** Dr. Crapper was recognized as the 2022 Distinguished Alumnus of the Year for Linfield University, 2021 Oregon ACTE Teacher of the Year, 2019 ACTE National Health Science Teacher of the Year and as the 2017 OSTA Oregon High School Science Teacher of the Year.

**About Me:** Additionally, he serves as a Firefighter and Advanced EMT for Dayton Fire District and serves as an educational consultant for Project Lead The Way (PLTW), which is a non-profit STEM organization.

**DIRECTOR HAMILTON MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD casts its vote for OAESD Officer's Council Chair Elect. Director Wilde seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-052)**

## 9. Discussion/Reports

### 9.A. Legislative Update

Superintendent Scurto provided a report on current legislative activities. Superintendent Scurto previously shared links to testimony shared at the Senate Education Committee by Amber Eaton on behalf of ESDs and by individuals discussing the importance of Regional Inclusive Services. OAESD is advocating for adequate funding for Regional Inclusive Services and Early Childhood/Early Childhood Special Education. The cap in the State School Fund is 11% for Special Education students; districts and lobbyists are advocating to increase this to 15%. The cost of providing services is rising, and ESDs are asking for an increase to maintain the current level of services for students with special needs. An OAESD Legislative Committee meeting is scheduled for Thursday, February 6, at noon.

### 9.B. Superintendent Report

#### Federal Mandates

Superintendent Scurto discussed the many Executive Orders (EO) being issued by the new presidential administration. Some of the EOs call for action and some do not. One EO addresses immigration and Lane ESD staff has been working with the community to understand what this EO means while providing services to students. Without knowing yet how some EOs may be implemented, the agency will not respond with changes to programming or services until more information is available. Superintendent Scurto intends to include updates in the monthly FLASH! If any changes are implemented on an immediate direction, communication will happen at that time rather than waiting for the newsletter. Any support and services that were implemented at the start of the school year remain unchanged at this point.

#### CTE Month

Last month several legislators and a legislative analyst visited the HOPE Factory.

#### Education Summit at Lane Community College

Nine of sixteen Lane districts attended a summit at Lane Community College last week to discuss ways to work better together. A list of action items came out of the summit and Superintendent Scurto plans to meet with LCC's President Bulger, Vice-President Tinkham, and several component district superintendents to determine steps to complete the identified actions to better connect students to higher education.

## OAESD

Dues are due for membership to OAESD. This next year's dues are increasing by 5%, to \$42,000.

## Board Liaisons and Community Advisor

Erin Zygaitis has officially resigned her position as Community Advisor. Superintendent Scurto has begun recruiting for Board Liaisons. Superintendent Scurto would like to have further discussion with the Board to identify what the ESD needs for a Community Advisor before recruiting for this position.

### 9.C. Work Session Report Out

The Board of Directors of Lane ESD conducted a work session prior to the start of the regular meeting. The Board discussed conducting a Board self-evaluation and the evaluation of the Superintendent.

**DIRECTOR HARRIS MOVED:** The Board of Directors will use the self-evaluation tool presented by Director Wilde to conduct a self-evaluation during the month of February. Director Wilde seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-053).**

**DIRECTOR HARRIS MOVED:** The Board of Directors of Lane ESD will evaluate the Superintendent, using criteria used in previous evaluations, surveying the component district superintendents, Lane ESD Management and Leadership/Cabinet groups, during the month of February, for discussion at the March 2025 meeting. Director Kissinger seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-054)**

### 9.D. Policy Desk ReWrite

Lane ESD has engaged with OSBA to complete a desk rewrite of the Board Policy Manual. Superintendent Scurto explained that each month the Policy Committee will review updates provided by OSBA and recommend first reads or actions to the full Board. Administrative Rules will be provided as courtesy reads. Leslie Fisher (OSBA) provided the following policies/administrative rules for first read/review:

- AC: Nondiscrimination and Civil Rights
- ACA: Americans with Disabilities Act
- ACA-AR(1): Americans with Disabilities Act
- ACA-AR(2): ADA Grievance Procedure
- ACB: Every Student Belongs All Students Belong
- ACB-AR: Bias Incident Complaint Procedure

The following policies/administrative rules are recommended for deletion:

- [AD: Educational Philosophy](#)
- [ADA: Mission, Guiding Values, Priorities and Standards](#)

The Board will act to approve policy changes the month following a first read.

### 10. Information from Administrative Staff

The directors of Human Resources and Title Programs, Special Education, Business Services, Technology and School Improvement provided oral reports to the Board on matters of interest concerning his/her area of responsibility.

Olivia Meyers Buch: The audit report is nearing completion, and Ms. Meyers Buch intends to have it ready for the Board to review in March. The current priority is updating the Core and Flex Model so that districts can place orders for services with the most accurate and up-to-date figures. There is a vacancy for senior

accounting specialist due to retirement.

Ana Quintero Arias: School Improvement has been working to document the services they are providing to districts. This is to both document the work and show the impact of staff efforts. School Improvement has hired a School Safety and Prevention Specialist who is bringing districts together to create a new version of Incident Response. The efforts to provide Equity, Diversity, and Race instruction and training have expanded to include Special Education.

Morgan Christensen: Mr. Christensen discussed recruiting efforts occurring locally, including career fairs that are coming up. Lane ESD has begun using recruiting search engines to identify candidates for vacant positions. The contract renews in 2027, but a language reopened is upcoming.

Molly Gillett: Special Education Executive Director Molly Gillett submitted a written report, which she read aloud.

Brandon Webb: The Technology department has been responding to the increasing need for internet bandwidth, not just for Lane ESD but also the sixteen component districts and Lane Community College. Technology Staff have been addressing the data breach that Carruth experienced and ensuring Lane ESD staff data is safe.

Eric Anderson: Mr. Anderson discussed how Cabinet is prioritizing projects and identifying intersections between departments, utilizing time efficiently and avoiding redundancy in efforts.

## 11. Board Member Reports and Comments/Agenda Planning

### 11.A. Agenda Planning

#### 11.B. Board Member Reports

Board members are asked to submit their reports in writing to be attached to Boardbook. Reports can be sent to the Executive Assistant in advance of the meeting.

As Board Members prepare their reports, please consider the following questions:

1. What programs did I visit over the last month? What committees did I participate in?
2. What is the connection to the LESD services and programs to the component districts or community?
3. What significance or meaning does the activity have to the broader community?
4. What are the next steps or follow-up activities planned?

**Rose Wilde** - Director Wilde announced the passing of Marshall Peter. The celebration of life will be held at the Shedd, February 23, 3:30 p.m.

**Sue Wilson**, Superintendents' Council Advisor: It is basketball season and the district is hosting games, basketball is part of the district culture. Ms. Wilson announced upcoming events in the district. Mapleton School District received 422 hours of service from School Improvement in the months July through December. Mapleton School District will host round 2 of the CTE Tours next week. Also participating in the Center for Educational Leadership professional learning for administrators, spurred by Lane ESD and in collaboration with superintendents and principals from McKenzie, Crow-Applegate-Lorane, Blachly and possibly Marcola districts. Mapleton's biggest need is additional funding for High-Cost Disability students and Regional Inclusive Services for low-incidence disabilities.

**Mike Anderson**, Liaison, Creswell School District Board: Creswell had the highest graduation rate in Lane County in 2024. A student was hit by a car just before the winter holiday. Mitigation to prevent additional accidents is happening now, including the installation of speed bumps in the school lot. Mr.

Anderson toured the district facilities recently and is impressed by the savings the district has experienced by using a contractor that is licensed to bid on all aspects of the improvement projects.

12. Announcements/Correspondence

There were no announcements.

13. Adjournment

Chair Sherry Duerst-Higgins adjourned the meeting at 7:39 PM.

- The next regular meeting is scheduled to be held Tuesday, March 4, 2025, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.

Minutes Approved:

\_\_\_\_\_  
Sherry Duerst-Higgins, Chairperson

\_\_\_\_\_  
Tony Scurto, Superintendent



## LANE EDUCATION SERVICE DISTRICT

1200 Highway 99 North  
Eugene, OR 97402

541.461.8200  
541.461.8298 [Fax]

[www.lesd.k12.or.us](http://www.lesd.k12.or.us)

EQUITY    COMMITMENT    LEADERSHIP    COLLABORATION    INTEGRITY

### LANE EDUCATION SERVICE DISTRICT

1200 Hwy 99 N  
Eugene, Oregon 97402

### Board of Directors

January 7, 2025  
Executive Session 5:00 PM  
Regular Meeting 6:00 PM

#### 1. Executive Session

Chair Sherry Duerst-Higgins called the Executive Session to order at 5:00 p.m.

Board Members Present: Sherry Duerst-Higgins, Nora Kent, Sidney Kissinger, Linda Hamilton, Leslie Harris, Vanessa Truett, and Rose Wilde

Administrators Present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, recording secretary Julie Simmonds (remote)

An executive session was convened. The presiding officer announced the executive session by identifying the authorization under ORS 192.660 for holding such a session and by noting the subject of the executive session.

The Board of Directors of Lane ESD conducted an Executive Session to consider information or records that are exempt by law from public inspection (ORS 192.660(2)(f)) and to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))

Chair Duerst-Higgins adjourned the Executive Session at 5:50 p.m.

#### 2. Call Regular Meeting To Order

Chair Sherry Duerst-Higgins called the Regular Meeting of the Board of Directors to order at 6:00 p.m.

#### 3. Change in Public Meeting Requirements

[Senate Bill 1502](#) requires public education governing boards of common or union high school districts, education service districts, community college districts, and public universities... to post video or audio recordings of each meeting to the district, college, or university website or social media site within seven days of the meeting. If a board's facilities lack broadband internet, then the board may post audio instead of video on its website or social media site. The bill exempts school districts of less than 50 students in resident average daily membership (ADM). The bill also exempts from these requirements any meeting or portion of a meeting that is conducted in executive session.

Similarly, OSBA has posted a public meetings [FAQ that includes information on SB 1502](#) and they will be putting out updates to their public meetings policies in February.

**Additionally**, HB 2805 (2023) **requires all school board members to complete public meeting training once per term of office**. [OSBA](#) will be hosting a webinar scheduled for February 6 from 5 to 6:30 pm that will be open to administrators, board members and board secretaries with information on both topics.

More information from the OSBA webpage:

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- Communications that are not related to any matter that could reasonably be foreseen to come before the governing body for deliberation or decision.
- Communications related to scheduling, leaves of absence, or other similar administrative matters.
- Attendance at professional conferences or on-site inspections, if the members do not engage in deliberations or decisions on matters that could reasonably be foreseen to come before the governing body.

**Which groups/committees must follow the PML requirements?** Oregon's Public Meetings Law applies to all governing bodies of a public body. A governing body is two or more members with the authority to make decisions for, or recommendations to, a public body on matters of policy or administration. There are two main categories of governing bodies: (1) decision-making bodies, which have the power to make binding decisions for a public body and act on its behalf; (2) advisory bodies,

which provide recommendations to another governing body on policy or administration. The following are examples of bodies which are NOT subject to PML:

- **Fact-Gathering Bodies:** If a body's sole purpose is to gather factual information for a governing body and it lacks decision-making or recommendation authority, it is not subject to the PML. However, if it determines facts or looks at competing factual information to make a recommendation, it is a body subject to the PML.
- **Bodies Advising Individual Public Officials:** These are bodies appointed by a single public official to provide recommendations solely to that official. The PML does not apply if the official has authority to act on the recommendations without passing them on to another governing body.

**What are the training requirements for public officials under the revised law?** HB 2805 mandates training on Oregon's Public Meetings Law for all members of governing bodies that have total expenditures of \$1 million or more in a fiscal year. This training must be completed at least once during each term of office. Each public body member is responsible for maintaining a record of attendance at the required training. The training can be provided by OGEC or an organization approved by OGEC (OSBA has requested approval of its public meetings law training).

**What are the penalties for violating the Public Meetings Law?** OGEC has the authority to impose civil penalties on public officials for violations of the Public Meetings Law. According to ORS 244.350, the penalties can be up to:

- **\$1,000 per violation** for most violations of the public meetings law, depending on various factors such as the number of violations, whether there was intentional disregard for the law, and actions taken to prevent future violations.
- **No penalty:** If the governing body acted on the advice of its legal counsel, a penalty may not be imposed.

#### 4. Welcome

Board Members Present: Sherry Duerst-Higgins, Nora Kent, Sidney Kissinger, Linda Hamilton, Leslie Harris, Vanessa Truett, and Rose Wilde

Administrators Present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, recording secretary Julie Simmonds (remote)

Board Advisors or Liaisons Present: Andy Grzeskowiak (Superintendents' Council)

Guests present: Jess Garnick-Tapia, (LCEA), Tanya Ray (LCEA, remote)

#### 5. Public Participation

There was no public comment.

#### 6. Lane Education Service District Statement of Accountability: Land Acknowledgement Director Wilde read the Land Acknowledgement aloud:

Lane ESD acknowledges that the lands we call Lane County - the lands that sustain our children, our future, and our collective well-being - are the traditional ancestral home of the Kalapuya, Siuslaw, Molalla, and other indigenous people who have lived in Lane County since time immemorial. Native children, families, and communities bear witness to a legacy of displacement and forced relocation. As an educational institutions we are accountable for addressing the current and former silencing, erasure and genocide of native people in Oregon and Turtle Island. We aim to join with indigenous people, honoring their resilience, courage, and self-determination in a purposeful pursuit of justice.

Today indigenous people -- alive, diverse, and vibrant -- live in and contribute to the culture of Lane County. We are all blessed by their presence.

1. We commit to support our own, Lane ESD staff, and student learning about indigenous peoples of Oregon, the history, culture, current concerns, and the role of educational institutions in the genocide of Native/Indigenous people and tribes and in the possibilities for repair and justice. As an ESD we will support and encourage the implementation of Tribal History/Shared History curriculum with all our educational partners.
2. The board also commits to building relationships that would help us understand the lived experiences of our native students' families and communities and how LESD impacts our students, in collaboration with the superintendent.
3. The board will review and update the spoken Statement of Accountability Land Acknowledgement annually during our annual organizational meeting or when needed.

#### 7. Agenda Review

The agenda was reviewed. The Board agreed to add an action item to accept investigation results discussed in the Executive Session.

#### 8. Action Items

##### 8.A. Consent Agenda

The Lane ESD Board of Directors has agreed to implement a consent agenda. All items in the consent agenda are adopted by a single motion unless a member of the Board or the Superintendent requests that such item be removed from the consent agenda and acted upon separately.

Generally, consent agenda items are matters which members of the Board agree are routine in nature and should be acted upon in one motion to conserve time and to enable the Board to focus on the other matters on the agenda.

Back-up materials for consent agenda items are included in the agenda packet as needed. Minutes of this meeting will reflect action on each item.

If any board member wishes to withdraw any consent group item, it will be moved to the appropriate section of the agenda.

**DIRECTOR HARRIS MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD adopts the consent group as submitted and listed below.

1. Lane ESD Board Meeting Minutes of October 2024
2. Lane ESD Board Meeting Minutes of December 2024
3. Human Resource Report, dated December 20, 2024

Director Truett seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-040)**

##### 8.B. Accept Investigative Findings Presented In Executive Session

The Board of Directors of Lane ESD preceded this meeting with an Executive Session to consider information or records that are exempt by law from public inspection (ORS 192.660(2)(f)) and to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h)). Lane ESD had received a personnel complaint, and following a third-party investigation, the conclusion is there are no grounds to any allegations made against the agency.

**DIRECTOR WILDE MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD accepts findings presented by legal counsel that was shared during the Executive Session. Director

Harris seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-041)**

8.C. Accept Financial Report

Olivia Meyers Buch is out of the office during this month's meeting. She has submitted a written report for the Board. The auditors are nearing the end of the audit and Ms. Meyers Buch expects a report soon. The current ending fund balance projection is at 6.1%.

**DIRECTOR WILDE MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD accepts the Financial Report for November 2024. Director Harris seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-042)**

8.D. Declare Board Appreciation Month

Superintendent Scurto read the declaration aloud:

**WHEREAS**, Education Service District Boards exist to meet the diverse education needs of the school districts and students in their regions; **WHEREAS**, ESD boards focus resources on providing vital, innovative and cost-effective strategies to meet those diverse needs; **WHEREAS**, ESD boards help establish the vision for educational excellence in what students should know and be able to do; **WHEREAS**, ESD boards are accountable to the community for assisting the districts they serve to increase student achievement; **WHEREAS**, ESD boards create a climate that supports the philosophy that all children can learn, targeting resources, strategies and services to students who need special help to reach this goal; **WHEREAS**, ESD boards build collaborative relationships based on trust, teamwork and shared accountability; and

**WHEREAS**, ESD boards are committed to continuous education and training on issues related to best practices in education services for their districts;

**NOW, THEREFORE**, We hereby declare *our* appreciation to the members of the Lane ESD Board of Directors and proclaim January 2025 to be **Education Board Recognition Month**.

We urge all citizens to join *us* in recognizing the dedication and hard work of ESD board members in preparing today's students for tomorrow's world.

**(ESD Resolution #25-043)**

8.E. Approve 2025-27 Local Service Plan - Year One

The Lane Superintendents' Council approved the [2025-27 Local Service Plan - Year One](#) at its December 17 meeting. Superintendent Scurto provided comments about the development of the 2025-27 Local Service Plan - Year One and discussed the changes to the document format.

According to [ORS 334.175](#), services provided by an education service district shall be provided according to a local service plan developed by the education service district and component school districts. Further, after being adopted by the board of the education service district, it will be approved on or before March 1 by resolution of two-thirds of the component school districts that are a part of the education service district and that have at least a majority of the pupils included in the average daily membership of the education service district.

Superintendent Scurto is currently scheduled to visit the following component school district boards:

Blachly School District, January 8, 6:00 p.m.

Springfield Public Schools, January 13, 7:00 p.m.

McKenzie School District, January 15, 5:30 p.m.

**DIRECTOR WILDE MOVED:BE IT RESOLVED** that the Board of Directors of Lane ESD approve the

2025-27 Local Service Plan - Year One. Director Hamilton seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-044)**

#### 8.F. Approve Grant

Lane ESD shall pursue federal, state or private grants or other such funds that will assist the ESD in meeting adopted Board and ESD goals. Proposals for external funds will be submitted to the Board for evaluation and approval. In the event an opportunity arises to submit a grant proposal and there is insufficient time to place it before the Board, the superintendent is authorized to use his/her judgment in approving it for submission. The superintendent will review the proposal with the Board at its next regular meeting. The Board reserves the right to reject funds associated with any grant which has been approved. The Board shall, before acceptance of such funds, consider the district's obligations, expectations or encumbrances when the grant ceases.

The [Americorps Planning Grant](#) can support staffing costs, travel, materials, and other costs necessary to conduct research and engage community members and partners in planning activities related to Team Oregon Build projects and partners. The year-long planning grant will allow existing partners to look at community projects, participating schools, and interested community partners to identify problems in the community(ies) where Lane ESD focuses its efforts. We will use reputable/current/local data from the past several years of Constructing a Brighter Future and Team Oregon Build. AmeriCorps members can be an effective tool to engage community, and we want to explore this possibility with the planning grant. Lane ESD believes that AmeriCorps members could potentially be an effective tool for addressing the community need that TOB is trying to address; contribute to improved educational outcomes for students across Lane County and prepare students for success post high school.

**DIRECTOR WILDE MOVED: BE IT RESOLVED** that the Board of Directors of Lane ESD approve the [Americorps Planning Grant](#) as submitted to the Board. Director Hamilton seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-045)**

#### 8.G. Adopt Policy Updates

The Board shall exercise its rule-making power by adopting policies consistent with the Oregon Revised Statutes, Oregon Administrative Rules or opinions of a court of competent authority, for its own governance and for the organization and operation of Lane ESD.

Such policies may be adopted, amended or repealed at any Board meeting provided that the proposed adoption, amendment or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding meeting until approved or rejected and except that the Board may adopt, amend or repeal policies at any meeting of the Board in the event of an actual emergency, as determined at the sole discretion of the Board. Additionally, when in the best interests of the district immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

Policies shall be adopted, amended or repealed by the affirmative vote of four or more Board members.

The U.S. Department of Education recently released amendments to the Title IX regulations. These regulations went into effect on August 1, 2024, and made significant changes to complaint procedures for discrimination on the basis of sex. The previous version of these regulations primarily addressed sex-based harassment. With this change, AC-AR(2) Discrimination Complaint Procedure has been created to provide additional guidance when handling sex-based discrimination under the Title IX regulations. Board policy GBN/JBA Sexual Harassment still addresses sexual harassment under Oregon law, but GBN/JBA-AR(1) Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) Federal Law (Title IX) Sexual Harassment Procedure are both recommended for deletion in lieu of revised AC-AR(1) Discrimination or Civil Rights Complaint Procedures and new AC-AR(2) Sex-Based Discrimination under Title IX.

**DIRECTOR HARRIS MOVED:BE IT RESOLVED** that the Board of Directors of Lane ESD adopts policy updates as submitted. Director Hamilton seconded and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, KISSINGER, TRUETT AND WILDE VOTING YES. (ESD Resolution #25-046)**

- 8.G.1. AC: Nondiscrimination and Civil Rights
- 8.G.2. GBN/JBA and JBA/GBN: Sexual Harassment

9. Discussion/Reports

9.A. Legislative Update

2025 Legislative Session and Priorities

The session begins on January 21. Two new representatives, Darren Harbick and Lisa Fragala, will be sworn in. The OAESD Legislative platform aligns with OSBA, COSA and OEA platforms, asking for \$11.3B in the State School Fund, matching Governor Kotek's Budget. This figure considers the most accurate current service level. The OAESD Legislative priorities also advocate for Special Education legislation that increases high cost disability reimbursement, fully funding EI/ECSE and RIS, and increasing the Special Education cap above 11%.

Additionally, OAESD will be advocating for the following:

- Variation in spending requirements to support the differing responsibilities of varying sized ESDs.
- Funding for grants and contracts be received before services commence, as many ESDs carry the costs of providing services for multiple months (even needing to borrow funds to provide services) prior to receiving funding.
- Growth in funding for Early Literacy, as well as bolstering Career and Technical Education.
- Reduction in barriers to licensure for staff.

A Town Hall meeting with all local legislators is scheduled for Saturday, January 11, 2025.

9.B. Superintendent Report

Recovery School

Directors Truett, Kent and Wilde attended a local meeting with Superintendent Scurto to learn more about an ODE grant directed to fund the establishment of a recovery school in our region. ODE intends to establish nine recovery schools across the State. Mike and Marianne Dyer, community members, have led a local initiative, Friends of Lane County Recovery Schools, and have laid the groundwork for establishing a school in Lane County where students can earn high school credit, receive mental health support, and remain drug and alcohol-free. A location has not yet been identified, but the local team working towards establishing a recovery high school is moving towards submitting an application for the grant. Lane ESD would provide support in terms of staff and funding.

9.C. Component District Board Visits - Local Service Plan

Visits to component district board meetings are scheduled. Component districts have until March 1, 2025 to approve the 2025-27 Local Service Plan - Year One.

The following component board visits are currently calendared (assigned Board Member):

- Blachly School District, January 8, 6:00 p.m.
- Springfield Public Schools, January 13, 7:00 p.m.
- McKenzie School District, January 15, 5:30 p.m.

|          |                  |           |                |
|----------|------------------|-----------|----------------|
| Bethel:  | Sydney Kissinger | Mapleton: | Nora Kent      |
| Blachly: | Nora Kent        | Marcola:  | Vanessa Truett |

|                        |                       |                |                       |
|------------------------|-----------------------|----------------|-----------------------|
| Creswell:              | Sherry Duerst-Higgins | McKenzie:      | Leslie Harris         |
| Crow-Applegate-Lorane: | Leslie Harris         | Oakridge:      | Linda Hamilton        |
| Eugene 4J:             | Linda Hamilton        | Pleasant Hill: | Rose Wilde            |
| Fern Ridge:            | Sydney Kissinger      | Siuslaw:       | Nora Kent             |
| Junction City:         | Linda Hamilton        | South Lane:    | Sherry Duerst-Higgins |
| Lowell:                | Rose Wilde            | Springfield:   | Vanessa Truett        |

#### 9.D. OAESD Spring Conference

The Board discussed attendance at the OAESD Spring Conference, May 7-9, 2025 at the Sunriver Resort.

OAESD will be using the Sched platform for event information and registration this year. In order to register for the event, **each attendee will need their own Sched Account**. Attendees that do not already have an account, will need to create an account at [Sched.com](https://www.sched.com). Each person will need to use their own email when creating their account. This is free to do. Once registration is opened, OAESD will send out the Spring Conference event page link, along with the password needed for the event registration.

The Sunriver Room Block is open and ready for reservations.

#### 9.E. Policy First Reads

The Board shall exercise its rule-making power by adopting policies consistent with the Oregon Revised Statutes, Oregon Administrative Rules or opinions of a court of competent authority, for its own governance and for the organization and operation of Lane ESD. The Board accepts the definition of policy set forth by the National School Boards Association: School Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and his/her staff can discharge their assigned duties with positive direction. They tell what is wanted. Such policies may be adopted, amended or repealed at any Board meeting provided that the proposed adoption, amendment or repeal shall have been proposed at a previous Board meeting and, once proposed, shall remain on the agenda of each succeeding meeting until approved or rejected and except that the Board may adopt, amend or repeal policies at any meeting of the Board in the event of an actual emergency, as determined at the sole discretion of the Board. Additionally, when in the best interests of the district, immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

House Bill 4160 (2024) changed the definition of student, changing a student who left school or graduated from high school from "within 90 days" to "within one calendar year", and is in effect as of July 1, 2024, and is included in the recommended revisions.

Local ESD Responsibility: Adopt updated language in the required policy GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements.

Policy(ies) Impacted by these Revisions:

GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements, Required  
 JHFF/GBNAA - Suspected Sexual Conduct with Students and Reporting Requirements, Required

#### 9.F. Administrative Rule Update(s)

Administrative rules are detailed directions governing the operation of Lane ESD.

The superintendent is authorized to formulate such administrative rules appropriate for the implementation of policies adopted by the Board and necessary for the consistent operation of the ESD. Such administrative rules shall be binding on the employees of Lane ESD and the students in the classrooms of the ESD until modified or repealed. All new or amended administrative rules will

become effective on the day after being approved by the superintendent unless an alternative effective date is specified. When approved by the superintendent, administrative rules shall be distributed to staff and other individuals, as appropriate. The superintendent will make administrative rules available to the Board. The Board may review any administrative rule and may direct its revision if, in the Board's judgment, such rule is not consistent with adopted policies.

Superintendent Scurto has revised Administrative Rules AC-AR(1) Civil Rights Complaint Procedure and AC-AR(2) Sex-Based Discrimination Under Title IX. These changes are based upon the U.S. Department of Education's recently released amendments to the Title IX regulations.

These regulations went into effect on August 1, 2024, and made significant changes to complaint procedures for discrimination on the basis of sex. The previous version of these regulations primarily addressed sex-based harassment. With this change, AC-AR(2) - Discrimination Complaint Procedure has been created to provide additional guidance when handling sex-based discrimination under the Title IX regulations. Board policy GBN/JBA - Sexual Harassment still addresses sexual harassment under Oregon law, but GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Procedure are both recommended for deletion in lieu of revised AC-AR(1) - Discrimination or Civil Rights Complaint Procedures and new AC-AR(2) - Sex-Based Discrimination under Title IX.

#### 10. Information from Administrative Staff

The directors of Human Resources and Title Programs, Special Education, Business Services, Technology and School Improvement have submitted written reports to the Board on matters of interest concerning his/her area of responsibility.

#### 11. Board Member Reports and Comments/Agenda Planning

##### 11.A. Agenda Planning

Board members are invited to send agenda items to be considered for the next board meeting. Please call or email the Board Chair or Superintendent.

##### 11.B. Board Member Reports

Superintendents' Council Liaison Andy Grzeskowiak: Superintendent Grzeskowiak arrived late due to traffic issue on Highway 126. Superintendent Grzeskowiak reported on the activities happening in his home district, Siuslaw. The district is working on the first year of its Early Literacy initiative, its Integrated Guidance package (direct student support and personnel and positions programs). A local public review of the Integrated Guidance work will be hosted on January 16. Superintendent Grzeskowiak supports increasing the Special Education funding cap to 15% in the new legislative session and encourages advocacy for this change.

#### 12. Announcements/Correspondence

##### 12.A. Acknowledgements and Recognition

##### 12.B. Kudos

Kudos to: Jose Pleitez-Sanchez

Reported by: Christina Okesson

Reason: The technology department staff members have voted to recognize Jose as our IT employee of the month (December). Statements made: "Over the last couple weeks Jose worked outside normal business hours to remediate critical vulnerabilities on core networking infrastructure." "Jose is always dependable, driven, and hard working, and is the first to volunteer." "Jose has been a rockstar working on our network equipment replacement project, which included extensive PD to learn a new system."

Thank you to those who took the time to acknowledge co-workers/staff with kudos. Employees and Board members can submit a "kudo" any time during the month. To submit a kudo visit: [www.lesd.k12.or.us/forms/kudos.html](http://www.lesd.k12.or.us/forms/kudos.html)

##### 12.C. Announcements

12.C.1. Lane ESD Board Member Activities and Opportunities

12.C.2. Component District Board Meeting Dates

13. Adjournment

- The next regular meeting is scheduled to be held Tuesday, February 4, 2025, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.

Minutes Approved:

\_\_\_\_\_  
Sherry Duerst-Higgins, Chairperson

\_\_\_\_\_  
Tony Scurto, Superintendent

**Lane ESD  
Licensed Administrative Staff  
Recommendations for 2025-26 Contract Extension**

| <b>Employee ID</b>                                | <b>Position</b>                        | <b>Position Hire Date</b> | <b>Original Hire Date</b> |
|---|--|---------------------------|---------------------------|
| <b>Probationary Year 1</b>                        |  |                           |                           |
|   |  |                           |                           |
| <b>Probationary Year 1 to Probationary Year 2</b> |  |                           |                           |
| 14029   | Executive Director, Human Resources    | 7/15/2024                 |                           |
| 12110   | Assistant Director, Special Education  | 5/15/2024                 | 7/7/2014                  |
| 14068   | Executive Director, Special Education  | 7/1/2024                  |                           |
| 12850   | Program Supervisor, Special Education  | 7/5/2024                  |                           |
| <b>Probationary Year 2 to Probationary Year 3</b> |  |                           |                           |
| 12519   | Administrator, Integrated Guidance SSA | 1/25/2023                 | 7/11/2017                 |
| 13895   | Supervisor, Teacher Pathways/WREN      | 8/14/2023                 |                           |
| 13870   | Program Supervisor, Special Education  | 7/24/2023                 |                           |
| 13848   | Program Supervisor, Special Education  | 7/24/2023                 |                           |
| <b>Probationary Year 3 to Non- Probationary</b>   |  |                           |                           |
| 13619   | Program Supervisor, Special Education  | 7/25/2022                 |                           |
| 11344   | Executive Director, School Improvement | 7/1/2022                  | 8/6/2018                  |
| <b>Non-Probationary</b>                           |  |                           |                           |
| 12321   | Program Supervisor, Special Education  | 8/6/2018                  | 8/15/2016                 |
| 12715   | Executive Director, School Improvement | 9/18/2018                 |                           |

**Lane ESD  
Licensed Staff  
Recommendations for 2025-26 Contract Extension**

| <b>Employee ID</b>                                | <b>Position</b>                             | <b>Hire Date</b> |
|---|---|------------------|
| <b>Probationary Year 1</b>                        |   |                  |
| 14109   | Speech Lang Pathologist                     | 9/16/2024        |
| 14146   | School Nurse                                | 12/17/2024       |
| 13906   | Teacher, Hope Factory                       | 3/14/2024        |
| 14116   | Teacher, Life Skills                        | 12/3/2024        |
| <b>Probationary Year 1 to Probationary Year 2</b> |   |                  |
| 13987   | Librarian of Record                         | 11/27/2023       |
| 14112   | Teacher, Life Skills-Sec                    | 9/16/2024        |
| 12595   | Teacher, Lane Sch-Sec                       | 8/26/2024        |
| 14069   | Teacher, Life Skills-Elem                   | 8/26/2024        |
| 14093   | Teacher, Deaf/Hard Hearing                  | 8/26/2024        |
| 14094   | Teacher, Life Skills-Sec                    | 8/26/2024        |
| 14098   | Teacher, Life Skills-Sec                    | 8/26/2024        |
| 14092   | Specialist, School Safety                   | 8/1/2024         |
| 13888   | Teacher Consultant                          | 7/29/2024        |
| 14065   | Teacher, Pathways Program                   | 7/1/2024         |
| 14046   | School Nurse                                | 4/8/2024         |
| <b>Probationary Year 2 to Probationary Year 3</b> |   |                  |
| 13951   | Teacher, Lane School                        | 10/5/2023        |
| 12921   | Specialist, English Language Development    | 8/21/2023        |
| 12805   | Specialist, Math Education                  | 3/13/2023        |
| 12038   | Teacher Consultant                          | 8/28/2023        |
| 12844   | Teacher, Deaf/Hard of Hearing               | 8/28/2023        |
| 13843   | Speech/Language Pathologist                 | 8/28/2023        |
| 13982   | Teacher, Life Skills                        | 11/9/2023        |
| 12667   | Specialist, CTE Regional Coordinator        | 9/21/2023        |
| 13896   | Teacher Consultant                          | 8/28/2023        |
| 13950   | Teacher, Life Skills                        | 10/5/2023        |
| 13885   | Teacher, Life Skills                        | 8/28/2023        |
| 13892   | Speech/Language Pathologist                 | 8/28/2023        |
| <b>Probationary Year 3 to Non-Probationary</b>    |   |                  |
| 13476   | Teacher, Life Skills                        | 10/18/2022       |
| 13633   | Teacher, Life Skills                        | 8/29/2022        |
| 13713   | Specialist, Continuous Improvement & Design | 11/30/2022       |
| 12890   | Teacher, Life Skills                        | 8/29/2022        |
| 13631   | Specialist, STEM Education                  | 8/10/2022        |
| 13639   | Teacher, Life Skills                        | 8/29/2022        |
| 13657   | Teacher Consultant                          | 8/29/2022        |
| 13641   | Teacher Consultant                          | 8/29/2022        |
| 11318   | Specialist, CTE                             | 8/1/2022         |
| 12377   | Teacher, At-Large                           | 10/31/2022       |
| 13359   | Teacher, Deaf/Hard of Hearing               | 7/5/2022         |
| 13652   | Teacher, Life Skills                        | 8/30/2022        |
| 13560   | Specialist, Youth Voice and Engagement      | 5/9/2022         |
| 13606   | Specialist, Social Emotional Learning       | 6/27/2022        |

**Non-Probationary**

|       |  |            |
|-------|--|------------|
| 12192 | Teacher, Lane School                                     | 8/28/2015  |
| 11033 | Teacher, Lane School                                     | 3/9/2006   |
| 12126 | Teacher, Deaf/Hard of Hearing                            | 8/22/2014  |
| 11461 | Teacher Consultant                                       | 8/27/2019  |
| 13361 | Teacher, Life Skills                                     | 8/30/2021  |
| 12125 | Teacher, Life Skills                                     | 1/6/2020   |
| 12116 | Teacher, Deaf/Hard of Hearing                            | 8/22/2014  |
| 12810 | Specialist, STEM Education                               | 8/12/2019  |
| 12226 | Speech/Language Pathologist                              | 8/28/2015  |
| 12744 | Specialist, Language Arts/Social Studies                 | 3/29/2021  |
| 12562 | Teacher, Life Skills                                     | 8/25/2017  |
| 12698 | Teacher, Lane School                                     | 8/27/2018  |
| 13161 | Specialist, Social and Emotional Learning                | 7/1/2012   |
| 12094 | Teacher, Visually Impaired                               | 7/25/2014  |
| 12220 | Teacher Consultant                                       | 8/28/2015  |
| 12227 | Teacher Consultant                                       | 8/28/2015  |
| 12114 | Teacher, Deaf/Hard of Hearing                            | 8/22/2014  |
| 13354 | Teacher Consultant                                       | 8/30/2021  |
| 13089 | Specialist, Continuous Improvement Design/Implementation | 2/8/2021   |
| 12280 | Teacher, Life Skills                                     | 8/26/2016  |
| 12115 | Teacher, Visually Impaired                               | 7/21/2014  |
| 10815 | Teacher, Life Skills                                     | 8/27/2019  |
| 11662 | Specialist, Continuous Improvement Design/Implementation | 11/15/2021 |
| 11068 | Teacher Consultant                                       | 8/29/2016  |
| 12193 | Teacher, State Hospital                                  | 5/4/2015   |
| 11072 | Speech/Language Pathologist                              | 8/23/2006  |
| 11073 | Speech/Language Pathologist                              | 8/23/2006  |
| 10155 | School Psychologist                                      | 8/27/1997  |
| 12119 | Teacher, Visually Impaired                               | 8/22/2014  |
| 10908 | Teacher Consultant                                       | 8/22/2005  |
| 13051 | Speech/Language Pathologist                              | 9/1/2020   |
| 11426 | Teacher Consultant                                       | 10/24/2017 |
| 12133 | Teacher, SERBU   | 8/24/2018  |
| 11981 | Teacher, Lane School                                     | 8/26/2016  |
| 11756 | Teacher Consultant                                       | 8/28/2015  |
| 11877 | Teacher Consultant                                       | 8/24/2012  |
| 12314 | Teacher, At Large  | 1/6/2020   |
| 12201 | Teacher, At Large  | 7/6/2015   |
| 12662 | Specialist, Career and Technical Education               | 7/16/2018  |
| 12840 | Speech Language Pathologist                              | 8/26/2019  |
| 11752 | Speech/Language Pathologist                              | 8/27/2010  |
| 10388 | Teacher, SERBU   | 4/11/2002  |
| 11889 | Teacher, Life Skills                                     | 8/28/2015  |

## HUMAN RESOURCES REPORT TO LANE ESD BOARD

March 1, 2025

### CLASSIFIED STAFF (Information)

|                                      | Employee ID # | Position                             | Effective Date | Notes       |
|--------------------------------------|---------------|--------------------------------------|----------------|-------------|
| <i>Appointments</i>                  | 14136         | Instructional Assistant, Life Skills | 2/11/2025      |             |
|                                      | 14160         | Instructional Assistant, Life Skills | 2/25/2025      |             |
|                                      | 14156         | Instructional Assistant, Lane School | 2/25/2025      |             |
| <i>Leaves of Absence</i>             |               |                                      |                |             |
| <i>Discontinuation of Employment</i> | 13980         | Instructional Assistant, Life Skills | 2/24/2025      | Resignation |
| <i>Change of Status</i>              |               |                                      |                |             |

### LICENSED STAFF (Action)

|                                      | Employee ID # | Position                                | Effective Date | Notes                      |
|--------------------------------------|---------------|---|----------------|----------------------------|
| <i>Appointments</i>                  |               |   |                |                            |
| <i>Leaves of Absence</i>             |               |   |                |                            |
| <i>Discontinuation of Employment</i> | 13655         | Teacher, Special Education, Life Skills | 6/16/2025      | Non Renewal Recommendation |
| <i>Change of Status</i>              |               |   |                |                            |

### PROFESSIONAL STAFF (Information)

|                                      | Employee ID # | Position | Effective Date | Notes |
|--------------------------------------|---------------|----------|----------------|-------|
| <i>Appointments</i>                  |               |          |                |       |
| <i>Leaves of Absence</i>             |               |          |                |       |
| <i>Discontinuation of Employment</i> |               |          |                |       |
| <i>Change of Status</i>              |               |          |                |       |

### MANAGEMENT STAFF (Action)

|                                      | Employee ID # | Position | Effective Date | Notes |
|--------------------------------------|---------------|----------|----------------|-------|
| <i>Appointments</i>                  |               |          |                |       |
| <i>Leaves of Absence</i>             |               |          |                |       |
| <i>Discontinuation of Employment</i> |               |          |                |       |
| <i>Change of Status</i>              |               |          |                |       |

### VACANCY NOTICES (Information)

| Posting # | Position                             | Closing Date | Notes      |
|-----------|--------------------------------------|--------------|------------|
| 966       | Speech Language Pathologist          | 2/3/2025     | In process |
| 992       | Sign Language Interpreter            | 2/3/2025     | In process |
| 1006      | Instructional Assistant, At-Large    | Open pool    | In process |
| 1053      | Teacher, Life Skills (Middle School) | 2/3/2025     | In process |

|      |  |           |            |
|------|--|-----------|------------|
| 1059 | Instructional Assistant, Life Skills                       | Open pool | In process |
| 1061 | Teacher, Life Skills (Transitions)                         | Open pool | In process |
| 1066 | Instructional Assistant, Life Skills                       | Open pool | In process |
| 1071 | Instructional Assistant, Life Skills                       | Open pool | In Process |
| 1072 | Instructional Assistant, Life Skills                       | Open pool | In Process |
| 1085 | Behavioral Health Pathway Specialist (Temporary 6/30/2026) | Open pool | Filled     |
| 1087 | Senior Accounting Specialist                               | 1/31/2025 | Filled     |
| 1096 | Instructional Assistant, Life Skills                       | 1/13/2025 | In Process |
| 1098 | Instructional Assistant, Life Skills                       | Open pool | Filled     |
| 1102 | Instructional Assistant, Life Skills                       | Open pool | Filled     |
| 1103 | Instructional Assistant, Life Skills                       | Open pool | Filled     |



LANE EDUCATION SERVICE DISTRICT

1200 Highway 99 North  
Eugene, OR 97402

541.461.8200  
541.461.8298 [Fax]

www.lesd.k12.or.us

EQUITY    COMMITMENT    LEADERSHIP    COLLABORATION    INTEGRITY

Prepared for: Lane ESD Board of Directors  
Prepared by: Olivia Meyers Buch, Executive Director of Business Services  
Meeting Date: March 4, 2025

### January 2025 Financial Report (Unaudited)

#### General Fund Financial Report

The Financial Report for the General Fund for the period ending January 31, 2025 follows this report. Year-to-date operating revenues through January 31, 2025 total \$20,221,994 or 70.3% of total budgeted operating revenues as compared to \$19,690,931 or 70.1% through January 31, 2024. As usual, state school fund formula revenue (state school fund - general support and property taxes) constitute the majority of funds received. Total projected resources of \$31,755,490 is \$382,011 more than budgeted.

Year-to-date operating expenditures through January 31, 2025 total \$11,743,296 or 45.9% of total budgeted operating expenditures as compared to \$10,904,173 or 44.5% through January 31, 2024. Total projected operating expenditures of \$24,909,100 is \$651,550 less than budgeted. Total projected transfers and transits of \$3,480,739 is \$266,248 less than budgeted.

Projected resources and requirements through June 30, 2025 result in an ending fund balance of \$3,365,651, with \$1,370,738 assigned (reserved) for districts. The remaining ending fund balance of \$1,994,913 is unassigned and represents 6.9% of projected operating revenues. The projected ending fund balance reflects an increase, or operating surplus, of \$655,672.

#### Appropriations

A summary of appropriations for all funds for the period ending January 31, 2025 follows this report. Two appropriations are currently overspent. The appropriation for Support Services in the Capital Projects Fund is overspent by \$247, pending a budget transfer from the Debt Service appropriation. The appropriation for Instruction in the Internal Service Fund is overspent by \$53,800 (related to replacement of Smart Boards at Lane School), pending a budget transfer from the Support Services appropriation.

### **Cash and Investment Account Balances by Type**

|                             | <b>Yield</b> | <b>Beginning Balance</b> | <b>Deposits</b>    | <b>Withdrawals</b> | <b>Ending Balance</b> |
|-----------------------------|--------------|--------------------------|--------------------|--------------------|-----------------------|
| Municipal Investor Checking | 0.35%        | \$538,551                | \$5,489,646        | \$5,566,854        | \$461,344             |
| Oregon LGIP (4513)          | 4.73%        | \$10,080,733             | \$2,413,530        | \$3,300,000        | \$9,194,263           |
| Oregon LGIP (3676)          | 4.73%        | \$511,171                | \$85,664           | \$-                | \$596,834             |
| <b>Total</b>                |              | <b>\$11,130,455</b>      | <b>\$7,988,840</b> | <b>\$8,866,854</b> | <b>\$10,252,441</b>   |

### **Debt Obligations**

| <b>Annual Debt</b> | <b>Paid YTD</b> | <b>Due by 6/30/2025</b> |
|--------------------|-----------------|-------------------------|
| Bonds Payable      | \$83,412        | \$833,412               |
| Direct Borrowing   | \$63,067        | \$72,771                |

### **Assurances**

All cash, investment and credit card accounts have been balanced, reconciled and reviewed and all cash and investment accounts have been reconciled to the general ledger as of January 31, 2025.

The adopted budget reflects expected expenditures. All payroll reports have been filed and payroll liabilities have been paid timely. All federal and state reimbursement requests as well as required financial reporting forms have been filed timely. All credit card expenditures, travel and other reimbursements have been reviewed and approved at the proper level.

There have been no significant changes to the internal control system, to the accounting system or accounting policies that are significant. The business services department is adequately staffed to allow for proper segregation of duties and I am not aware of any new pronouncements or other financial changes that may require additional staff time to properly implement.

All financial statements that have been provided to the board are accurate and complete to the best of my knowledge and I am aware of no other financial matters that the board should be aware of at this time. I know of no cases of fraud or other misconduct and I have not been asked by the superintendent to do anything that makes me feel uncomfortable or to present any information I feel is inaccurate.

Please contact me with questions or if you would like any additional information.

**LANE EDUCATION SERVICE DISTRICT**  
**General Fund Financial Report (Unaudited)**  
**For the Period Ending January 31, 2025**

|  | Fiscal Year 2023-24  |                        |              |                        |                      | Fiscal Year 2024-25  |                        |              |                          |               |                          |
|--|----------------------|------------------------|--------------|------------------------|----------------------|----------------------|------------------------|--------------|--------------------------|---------------|--------------------------|
|  | Amended Budget       | Actuals thru 1/31/2024 | % of Budget  | Actuals thru 6/30/2024 | % of Budget          | Adopted Budget       | Actuals thru 1/31/2025 | % of Budget  | Projected thru 6/30/2025 | % of Budget   | Budget Variance          |
| <b>RESOURCES</b>                           |                      |                        |              |                        |                      |                      |                        |              |                          |               |                          |
| State School Fund Formula Revenue          |                      |                        |              |                        |                      |                      |                        |              |                          |               |                          |
| State School Fund - General Support        | \$ 15,532,800        | \$ 10,777,573          | 69.4%        | \$ 15,996,395          | 103.0%               | \$ 16,240,313        | \$ 10,962,829          | 67.5%        | \$ 16,453,999            | 101.3%        | \$ 213,686               |
| Property Taxes Levied by District          | 8,688,000            | 8,181,599              | 94.2%        | 8,611,369              | 99.1%                | 9,038,376            | 8,469,424              | 93.7%        | 9,039,869                | 100.0%        | 1,493                    |
| Other Local Revenues                       | 66,200               | 28,926                 | 43.7%        | 87,771                 | 132.6%               | 86,659               | 15,421                 | 17.8%        | 72,000                   | 83.1%         | (14,659)                 |
| Services Provided to Districts             | 2,550,400            | 13,330                 | 0.5%         | 1,256,511              | 49.3% <sup>(1)</sup> | 2,209,514            | 58,091                 | 2.6%         | 2,102,942                | 95.2%         | (106,572)                |
| Fees Charged to Grants                     | 670,000              | 248,784                | 37.1%        | 812,985                | 121.3%               | 600,000              | 313,582                | 52.3%        | 750,000                  | 125.0%        | 150,000                  |
| Other Revenues                             | 577,700              | 440,718                | 76.3%        | 765,427                | 132.5%               | 580,000              | 402,647                | 69.4%        | 626,701                  | 108.1%        | 46,701                   |
| <b>Total Operating Revenues</b>            | <b>\$ 28,085,100</b> | <b>\$ 19,690,931</b>   | <b>70.1%</b> | <b>\$ 27,530,458</b>   | <b>98.0%</b>         | <b>\$ 28,754,862</b> | <b>\$ 20,221,994</b>   | <b>70.3%</b> | <b>\$ 29,045,511</b>     | <b>101.0%</b> | <b>\$ 290,649</b>        |
| Beginning Fund Balance (District Reserves) | 921,200              | 1,165,894              | 126.6%       | 1,165,894              | 126.6%               | 1,103,757            | 1,286,636              | 116.6%       | 1,286,636                | 116.6%        | 182,879                  |
| Beginning Fund Balance                     | 2,050,000            | 2,080,746              | 101.5%       | 2,080,746              | 101.5%               | 1,514,860            | 1,423,343              | 94.0%        | 1,423,343                | 94.0%         | (91,517)                 |
| <b>TOTAL RESOURCES</b>                     | <b>\$ 31,056,300</b> | <b>\$ 22,937,571</b>   | <b>73.9%</b> | <b>\$ 30,777,098</b>   | <b>99.1%</b>         | <b>\$ 31,373,479</b> | <b>\$ 22,931,974</b>   | <b>73.1%</b> | <b>\$ 31,755,490</b>     | <b>101.2%</b> | <b>\$ 382,011</b>        |
| <b>REQUIREMENTS</b>                        |                      |                        |              |                        |                      |                      |                        |              |                          |               |                          |
| Salaries                                   | \$ 10,981,145        | \$ 5,380,407           | 49.0%        | \$ 10,973,743          | 99.9%                | \$ 11,436,471        | \$ 5,335,536           | 46.7%        | \$ 11,396,209            | 99.6%         | \$ (40,262)              |
| Associated Payroll Costs                   | 7,372,689            | 3,177,393              | 43.1%        | 6,470,402              | 87.8% <sup>(2)</sup> | 7,495,703            | 3,128,943              | 41.7%        | 6,885,574                | 91.9%         | (610,129) <sup>(2)</sup> |
| Purchased Services                         | 5,490,697            | 1,750,038              | 31.9%        | 5,713,478              | 104.1%               | 5,695,892            | 2,636,356              | 46.3%        | 5,688,116                | 99.9%         | (7,776)                  |
| Supplies and Materials                     | 446,550              | 390,994                | 87.6%        | 599,614                | 134.3%               | 662,884              | 378,793                | 57.1%        | 662,783                  | 100.0%        | (101)                    |
| Other Objects                              | 230,100              | 205,342                | 89.2%        | 263,685                | 114.6%               | 269,700              | 263,668                | 97.8%        | 276,417                  | 102.5%        | 6,717                    |
| <b>Total Operating Expenditures</b>        | <b>\$ 24,521,181</b> | <b>\$ 10,904,173</b>   | <b>44.5%</b> | <b>\$ 24,020,922</b>   | <b>98.0%</b>         | <b>\$ 25,560,650</b> | <b>\$ 11,743,296</b>   | <b>45.9%</b> | <b>\$ 24,909,100</b>     | <b>97.5%</b>  | <b>\$ (651,550)</b>      |
| Transfers                                  |                      |                        |              |                        |                      |                      |                        |              |                          |               |                          |
| Interfund Transfers                        | 459,000              | 429,000                | 93.5%        | 448,198                | 97.6%                | 449,000              | 429,000                | 95.5%        | 449,000                  | 100.0%        | -                        |
| Transits to Districts                      | 4,110,163            | 882,847                | 21.5%        | 3,597,999              | 87.5%                | 3,297,987            | 1,551,175              | 47.0%        | 3,031,739                | 91.9%         | (266,248)                |
| Other Uses of Funds                        |                      |                        |              |                        |                      |                      |                        |              |                          |               |                          |
| Planned Reserve (District Reserves)        | 965,956              | -                      | 0.0%         | -                      | 0.0%                 | 464,161              | -                      | 0.0%         | -                        | 0.0%          | (464,161)                |
| Planned Reserve                            | 400,000              | -                      | 0.0%         | -                      | 0.0%                 | 801,681              | -                      | 0.0%         | -                        | 0.0%          | (801,681)                |
| Reserved for Next Year                     | 600,000              | -                      | 0.0%         | -                      | 0.0%                 | 800,000              | -                      | 0.0%         | -                        | 0.0%          | (800,000)                |
| <b>TOTAL REQUIREMENTS</b>                  | <b>\$ 31,056,300</b> | <b>\$ 12,216,020</b>   | <b>39.3%</b> | <b>\$ 28,067,119</b>   | <b>90.4%</b>         | <b>\$ 31,373,479</b> | <b>\$ 13,723,471</b>   | <b>43.7%</b> | <b>\$ 28,389,839</b>     | <b>90.5%</b>  | <b>\$ (2,983,640)</b>    |
| <b>ENDING FUND BALANCE</b>                 | <b>-</b>             | <b>\$ 10,721,551</b>   |              | <b>\$ 2,709,979</b>    |                      | <b>-</b>             | <b>\$ 9,208,503</b>    |              | <b>\$ 3,365,651</b>      |               |                          |
| Assigned for Districts                     |                      |                        |              | \$ 1,286,636           |                      |                      |                        |              | \$ 1,370,738             |               |                          |
| Unassigned Fund Balance                    |                      |                        |              | \$ 1,423,343           | 5.2% *               |                      |                        |              | \$ 1,994,913             | 6.9% *        |                          |
| <i>* Percent of Operating Revenues</i>     |                      |                        |              | \$ 2,709,979           |                      |                      |                        |              | \$ 3,365,651             |               |                          |

(1) Variance is due to actual services ordered by districts being less than anticipated.

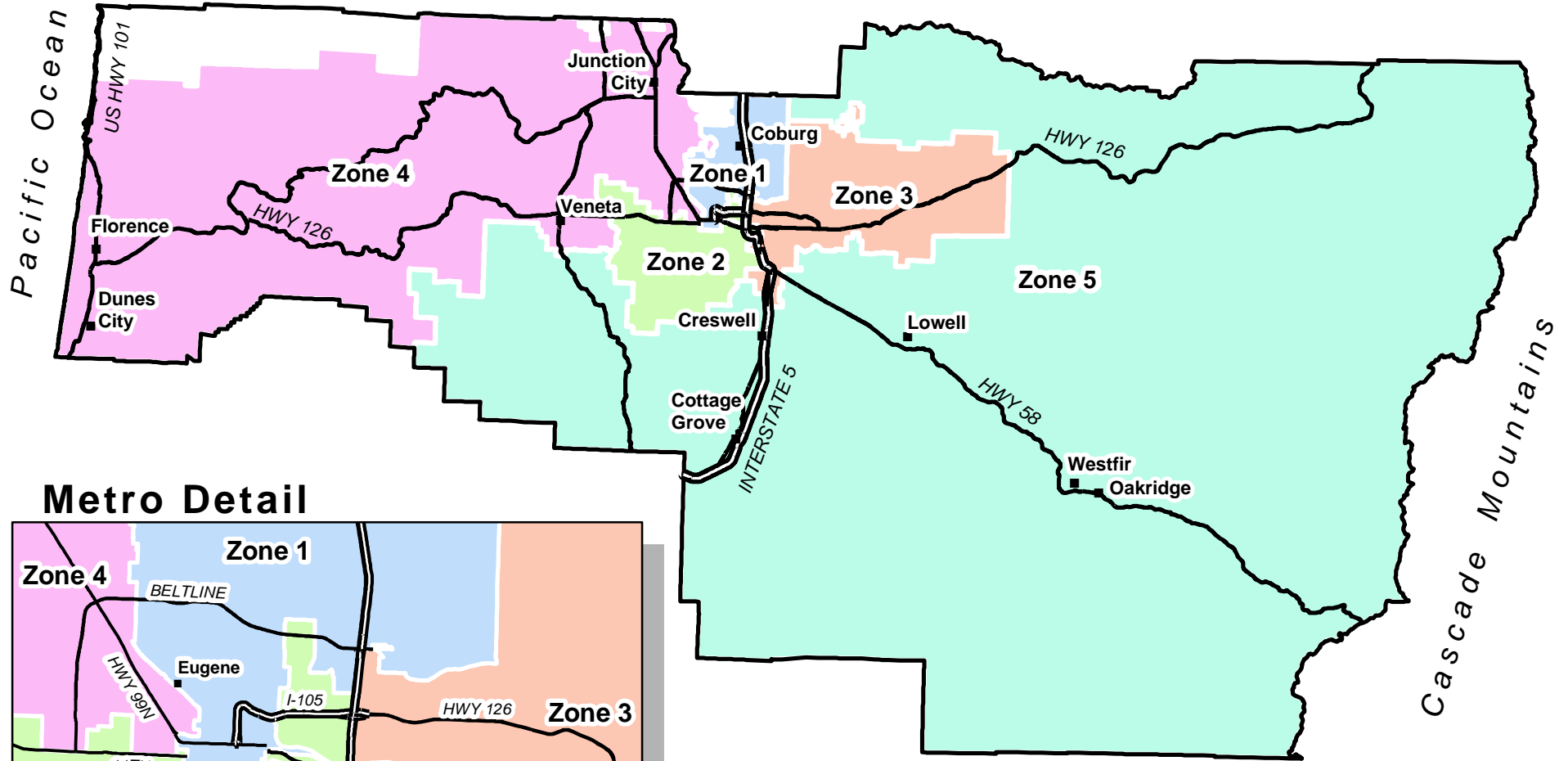
(2) Variance is due to savings as a result of implementing new opt out incentive that has resulted in lower health insurance premium costs.

**LANE EDUCATION SERVICE DISTRICT**  
**Appropriation Monitoring**  
**For the Period Ending January 31, 2024**

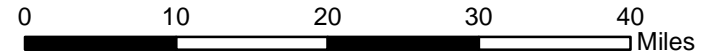
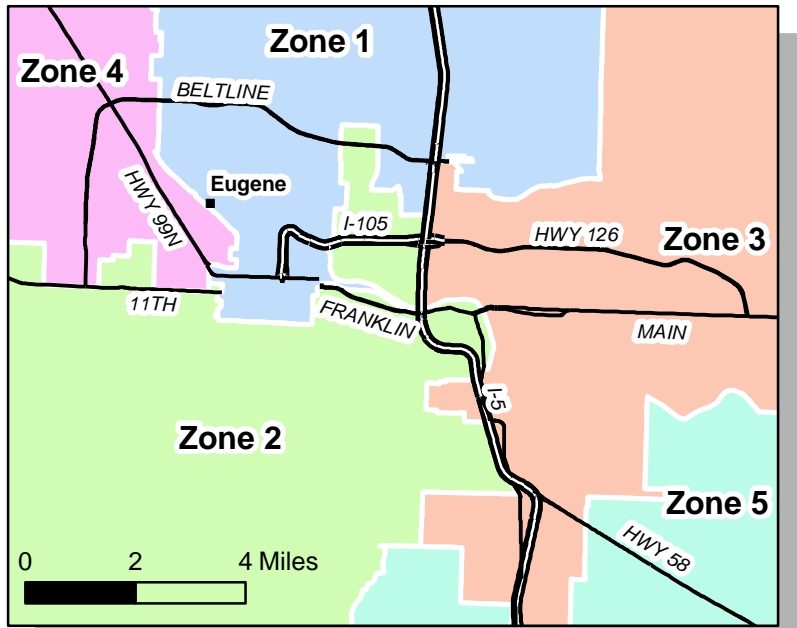
Fiscal Year 2024-25

|                                    |            | Adopted Budget    | Actuals thru 1/31/2025 | % of Budget   | Projected thru 6/30/2025 | % of Budget   | BUDGET VARIANCE  | NOTES                            |
|------------------------------------|------------|-------------------|------------------------|---------------|--------------------------|---------------|------------------|----------------------------------|
| <b>GENERAL FUND</b>                | <b>100</b> |                   |                        |               |                          |               |                  |                                  |
| Instruction                        |            | 13,292,681        | 5,441,457              | 40.9%         | 12,843,901               | 96.6%         | 448,780          | +                                |
| Support Services                   |            | 12,267,969        | 6,301,839              | 51.4%         | 12,065,199               | 98.3%         | 202,770          | +                                |
| Transfers of Funds                 |            | 449,000           | 429,000                | 95.5%         | 449,000                  | 100.0%        | -                | +                                |
| Apportionment of Funds by ESD      |            | 3,297,987         | 1,551,175              | 47.0%         | 3,031,739                | 91.9%         | 266,248          | +                                |
| Contingencies                      |            | 1,265,842         | -                      | 0.0%          | -                        | 0.0%          | 1,265,842        | +                                |
| Unappropriated Ending Fund Balance |            | 800,000           | -                      | 0.0%          | -                        | 0.0%          | 800,000          |                                  |
| <b>Total</b>                       |            | <b>31,373,479</b> | <b>13,723,471</b>      | <b>43.7%</b>  | <b>28,389,839</b>        | <b>90.5%</b>  | <b>2,983,640</b> | <b>+</b>                         |
| <b>SPECIAL REVENUE FUND</b>        | <b>200</b> |                   |                        |               |                          |               |                  |                                  |
| Instruction                        |            | 3,252,835         | 1,563,438              | 48.1%         | 3,250,000                | 99.9%         | 2,835            | +                                |
| Support Services                   |            | 14,531,841        | 8,234,444              | 56.7%         | 14,000,000               | 96.3%         | 531,841          | +                                |
| Enterprise and Community Services  |            | 75,000            | 39,398                 | 52.5%         | 74,398                   | 99.2%         | 602              | +                                |
| Transfers of Funds                 |            | 2,500             | -                      | 0.0%          | -                        | 0.0%          | 2,500            | +                                |
| Apportionment of Funds by ESD      |            | 22,102,824        | 5,952,966              | 26.9%         | 22,000,000               | 99.5%         | 102,824          | +                                |
| <b>Total</b>                       |            | <b>39,965,000</b> | <b>15,790,246</b>      | <b>39.5%</b>  | <b>39,324,398</b>        | <b>98.4%</b>  | <b>640,602</b>   | <b>+</b>                         |
| <b>DEBT SERVICE FUND</b>           | <b>300</b> |                   |                        |               |                          |               |                  |                                  |
| Support Services                   |            | 30                | 0                      | 1.3%          | 1                        | 4.7%          | 29               | +                                |
| Debt Service                       |            | 916,825           | 83,412                 | 9.1%          | 916,825                  | 100.0%        | -                | +                                |
| <b>Total</b>                       |            | <b>916,855</b>    | <b>83,413</b>          | <b>9.1%</b>   | <b>916,826</b>           | <b>100.0%</b> | <b>29</b>        | <b>+</b>                         |
| <b>CAPITAL PROJECTS FUND</b>       | <b>400</b> |                   |                        |               |                          |               |                  |                                  |
| Support Services                   |            | 148,914           | 149,161                | 100.2%        | 149,161                  | 100.2%        | (247)            | + Pending Appropriation Transfer |
| Debt Service                       |            | 136,086           | 63,067                 | 46.3%         | 135,838                  | 99.8%         | 248              | +                                |
| <b>Total</b>                       |            | <b>285,000</b>    | <b>212,229</b>         | <b>74.5%</b>  | <b>285,000</b>           | <b>100.0%</b> | <b>0</b>         | <b>+</b>                         |
| <b>INTERNAL SERVICE FUND</b>       | <b>600</b> |                   |                        |               |                          |               |                  |                                  |
| Instruction                        |            | -                 | 53,800                 | #DIV/0!       | 53,800                   | #DIV/0!       | (53,800)         | + Pending Appropriation Transfer |
| Support Services                   |            | 435,026           | 206,844                | 47.5%         | 365,000                  | 83.9%         | 70,026           | +                                |
| <b>Total</b>                       |            | <b>435,026</b>    | <b>260,645</b>         | <b>59.9%</b>  | <b>418,800</b>           | <b>96.3%</b>  | <b>16,226</b>    | <b>+</b>                         |
| <b>GRAND TOTAL</b>                 | <b>ALL</b> | <b>72,975,360</b> | <b>30,070,003</b>      | <b>226.7%</b> | <b>30,010,466</b>        | <b>41.1%</b>  | <b>3,640,497</b> |                                  |

# Lane ESD Board Zones



## Metro Detail



Lane Council of Governments  
859 Willamette, Suite 500  
Eugene, Oregon 97401

# Lane Education Service District

Code: ACA  
Adopted: 6/22/93  
Readopted: 10/23/01; 11/16/10  
Orig. Code(s): ACA

## Americans with Disabilities Act

*(Is the ESD interested in adding AR(s)? See samples that follow.)*

The ESD is committed to maintaining equitable employment practices, services, programs and activities that are accessible and usable by qualified individuals with disabilities.

The Board directs the superintendent to develop and implement an appropriate plan that provides for ESD compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA).

Retaliation is prohibited against anyone who files a complaint of discrimination, participates in an Office of Federal Contract Compliance Program proceeding or otherwise opposes discrimination under federal or state laws.

END OF POLICY

---

### Legal Reference(s):

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Chevron U.S.A. Inc. v. Echazabal, 536 U.S. 73 (2002).  
Americans with Disabilities Act Amendments of 2008.

# Lane Education Service District

Code:                   ACB  
Adopted:               12/01/20

## **Every Student Belongs ~~All Students Belong~~**

*[Insert the ESD's statement on equity if applicable.]*

All students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

All employees are entitled to work in an environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

All visitors are entitled to participate in a school or educational environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior, directed at or about any of the preceding demographic groups.

“Symbol of hate” means a symbol, image, or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin including, the noose, swastika, or confederate flag, and whose display:

1. — Is reasonably likely to cause a substantial disruption of or material interference with school activities; or
1. — Is reasonably likely to interfere with the rights of students by denying them full access to the services, activities, and opportunities offered by a school.

“Symbol of hate” means nooses<sup>[1]</sup>, symbols of neo-Nazi ideology or the battle flag of the Confederacy.

The ESD prohibits the use or display of any symbols of hate<sup>{2}</sup> on ESD grounds<sup>3</sup> or in any ESD or school sponsored an education program<sup>4</sup>, service, school or activity that is funded in whole or in part by

<sup>1</sup> [The display of a noose on public property with the intent to intimidate may be a Class A Misdemeanor under Senate Bill 398 (2021).]

<sup>2</sup> {Prior to adopting the symbols of hate prohibition, or adding other symbols to the list, we recommend that the ESD document why the ESD feels that the presence of these symbols will cause a “material and substantial interference with schoolwork or discipline” or collide “with the rights of other students to be secure and be let alone.” These reasons may include previous incidents, current conditions in the schools and other factors.}

<sup>3</sup> “ESD grounds” means any property under the control of the ESD.

<sup>4</sup> “Education program” includes any program, service, school or activity sponsored by the ESD.

monies appropriated by the Oregon Legislative Assembly, except where used in teaching curriculum that is aligned with state standards of education for public schools to the Oregon State Standards.

In responding to the use of any symbols of hate or bias incidents, the ESD will use non-disciplinary remedial action whenever appropriate.

The ESD prohibits retaliation against an individual<sup>{5}</sup> because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and individual has in good faith reported information that the individual believes is evidence of a violation of a state or federal law, rule or regulation.

Nothing in this policy is intended to interfere with the lawful use of ESD facilities pursuant to a lease or license.

The ESD will use administrative regulation ACB-AR - Bias Incident Complaint Procedure to process reports or complaints of bias incidents.

END OF POLICY

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**Legal Reference(s):**

[ORS 174.100](#)  
[ORS 339.347](#)  
[ORS 659.850](#)

[ORS 659.852](#)

[OAR 581-002-0005](#)

[OAR 581-022-2312](#)  
[OAR 581-022-2370](#)

*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503 (1969).  
*Dariano v. Morgan Hill Unified Sch. Dist.*, 767 F.3d 764 (9th Cir. 2014).  
*State v. Robertson*, 293 Or. 402 (1982).

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<sup>5</sup> {ORS 659.852 prohibits retaliation only against students. Other statutes (and other complaint procedures) prohibit retaliation against staff and others for reporting or providing information regarding a complaint or investigation.}

Lane Education Service District

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The following symbol is used on some policies:

\*\* As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

## Lane Education Service District

Code: BB  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BB

### Board of Directors-Legal Status

The Legislature provides for the creation in each region a district to be known as the education service district to consist of the counties and the area of the common school districts as set forth by statute. The immediate control of education service districts is delegated to locally elected boards of directors.

Federal and state statutes and the State Board of Education rules define and outline the general powers and duties of the Board. The Oregon statutes authorize the Board to transact all business within the jurisdiction of the ESD, assist the State Board of Education in providing state level services, deliver essential support services to school districts and respond to school district needs. Oregon Administrative Rules establish further requirements and guidelines for the education service district. The Board's duty is to carry out those statutes and rules that are mandatory e.g., "The Board shall...;" where the laws are permissive, e.g., "The Board may...," the Board is empowered to exercise judgment and discretion.

The governing body of this ESD shall be known officially as the Board of Directors of Lane Education Service District in the county of Lane.

Lane Education Service District shall comprise all the area within the boundaries of Lane County and joint territory located in adjoining counties, which territory is contained within the boundaries of Lane County school districts. The ESD shall exclude Lane County territory which is part of any joint district situated in an adjoining county.

The Board is responsible for the establishment and operation of the education service district.

Lane Education Service District derives its authority legally from the state. It is an agent of the state and also of the citizens of the district it serves. Its authority and duties are described in and limited by law.

The regular term of office for Board members will be four years. The terms of office will commence on the first day of July following regular ESD elections. The term of office for members appointed to fill a vacancy will be until June 30 following the next regular ESD election. The term of office for members elected to fill a vacancy will be the time remaining in the vacated Board position.

END OF POLICY

#### Legal Reference(s):

[ORS 255.335](#)

[ORS Chapter 334](#)

OR. CONST. art. VIII, § 3.

## Lane Education Service District

Code: BBA  
Adopted: 2/25/97  
Revised/Readopted: 10/23/01; 2/28/06  
Orig. Code(s): BBA

### Board Powers and Duties

(Version 1)

*(This appears to be outdated language from statute (statute has been updated at least two times since 2006; 334.125 Status of board; powers and duties; rules); consider a different policy (version 2 of BBA attached) as a different way to communicate this. The ESD receives policy update recommendations, where it might not receive notice that a specific statute has been revised (which is presumably what this policy is written from). However, if the ESD prefers this format, let me know and I can send a revised version.)*

#### Powers

1. The Board is:
  - a. Authorized to transact all business coming within the jurisdiction of the ESD.
  - b. Subject to the Local Budget Law.
2. The Board may:
  - a. Sue and be sued;
  - b. Adopt such rules as it considers necessary to carry out its duties;
  - c. Employ and fix the compensation of such personnel as it considers necessary for carrying out duties of the Board;
  - d. Locate, buy, accept by gift or lease such land, buildings and facilities as may be required for ESD purposes. Leases authorized may be for a term of up to 30 years and include lease-purchase agreements where under the ESD may acquire ownership of the leased property;
  - e. Acquire personal property by a lease-purchase agreement or contract of purchase for a term exceeding one year. A lease-purchase agreement is one in which the rent payable by the ESD is expressly agreed to have been established to reflect the savings resulting from the exemption from taxation, and the ESD is entitled to ownership of the property at a nominal or other price which is stated or determinable by the terms of the agreement and was not intended to reflect the true value of the property;
  - f. Lease property or sell and convey property of the ESD as the Board considers unnecessary for its purposes;
  - g. Purchase relocatable structures in installment transactions in which deferred installments of the purchase price are payable over not more than 10 years from the date of delivery of the property to the ESD and are secured by a security interest in the property. Such transactions may take the form of, but are not limited to, lease-purchase agreements;
  - h. Accept money or property donated for the use or benefit of the ESD and use such money or property for the purpose for which it was donated;
  - i. Provide space for the offices of other education, employment training and human service providers;
  - j. Contract with public and private entities for service delivery and facilities to be provided by agreement or on a reimbursable basis.

3. The ESD shall work cooperatively with component school districts and review periodically with component school districts the operations of component school districts, and shall provide to the component school districts recommended plans for operation that achieve economies through consolidation of various operations of all or some of the districts. "Operations" means services involving transportation, payroll, education records, auditing, legal services, insurance, printing, investment and other similar services.

**Duties**

1. The Board shall perform all duties required by law, including, but not limited to:
  - a. Distribution of such school funds as it is empowered to apportion;
  - b. Conduct of audits;
  - c. Duties as district boundary board;
  - d. Budget and tax levying duties;
  - e. Contracting a bond indebtedness and levying direct ad valorem taxes on all taxable property within the ESD in the manner that component school districts are authorized to issue bonds and levy taxes pursuant to Oregon Revised Statutes and other laws applicable to the issuance of bonds and levying of taxes by school districts;
  - f. Creating a county education bond district.
2. In addition to duties required by law, the Board may provide services required by the local service plan and may provide funds to component school districts to provide services required by the local service plan in lieu of those school districts receiving services from the ESD.

END OF POLICY

**Legal Reference(s):**

|  |   |                                  |
|--|---|----------------------------------|
| <a href="#">ORS 192.630</a>                      | <a href="#">ORS 334.185</a>             | <a href="#">OAR 581-024-0210</a> |
| <a href="#">ORS 243.656</a>                      | <a href="#">ORS 334.215</a>             | <a href="#">OAR 581-024-0226</a> |
| <a href="#">ORS Chapters 279A, 279B and 279C</a> | <a href="#">ORS 334.225</a>             | <a href="#">OAR 581-024-0228</a> |
| <a href="#">ORS 280.060</a>                      | <a href="#">ORS 334.240</a>             | <a href="#">OAR 581-024-0235</a> |
| <a href="#">ORS 294.305 to -294.565</a>          | <a href="#">ORS Chapter 339</a>         | <a href="#">OAR 581-024-0250</a> |
| <a href="#">ORS 328.205 to -328.304</a>          | <a href="#">ORS 342.805 to -342.937</a> | <a href="#">OAR 581-024-0252</a> |
| <a href="#">ORS 330.080 to -330.133</a>          | <a href="#">ORS Chapter 343</a>         | <a href="#">OAR 581-024-0260</a> |
| <a href="#">ORS 334.005</a>                      |   | <a href="#">OAR 581-024-0265</a> |
| <a href="#">ORS 334.125</a>                      | <a href="#">OAR 581-024-0205</a>        | <a href="#">OAR 581-024-0280</a> |
| <a href="#">ORS 334.145</a>                      | <a href="#">OAR 581-024-0206</a>        |                                  |
| <a href="#">ORS 334.175</a>                      | <a href="#">OAR 581-024-0208</a>        |                                  |



## Lane Education Service District

Code: BBA  
Adopted:  
Orig. Code(s): BBA

# R

### Board Powers and Duties (Version 2)

The Legislature of the state of Oregon delegates to the Board responsibility for the conduct and governance of programs and services in the ESD. The general powers granted to the Board are:

#### 1. Legislative or Rule-Making Authority

In regular or special public meetings, after open discussion and after members' votes are recorded, the Board will establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board shall establish policies for governing the programs and services of the ESD consistent with State Board of Education rules and with local, state and federal laws.

The Board is responsible for providing adequate and direct means for keeping informed about the need and wishes of the public and for keeping local community patrons informed about the ESD.

#### 2. Judicial Authority

As provided by law, policy or contract, the Board acts as a fact-finding body or a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the Board must determine the rights, duties or obligations of those who address the Board.

#### 3. Executive/Administrative Authority

The Board will appoint a superintendent delegated to establish administrative regulations to implement Board policy and goals. The Board will evaluate the superintendent's performance.

The Board may establish academic and financial goals for the district and evaluate the superintendent's implementation of those goals.

The Board will oversee the ESD's financial affairs by authorizing, appropriating and adopting budgets and by proposing local option or bond elections, when appropriate and as allowed by law, to provide for program operation and maintenance or acquisition of ESD property.

The Board will authorize the superintendent to approve payment on all contracts and business transactions of the ESD in accordance with Board policies on purchasing and budget requirements. The Board will provide for an annual audit of the ESD's assets.

The Board will employ the staff necessary to carry out the ESD's programs and services and will provide for regular evaluation of staff.

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The Board will direct the collective bargaining process to establish collective bargaining agreements with the ESD’s personnel. The Board will establish, through the collective bargaining process where appropriate, salaries and salary schedules, other terms and conditions of employment, and personnel policies for ESD-wide application.

The Board will establish the days of the year and the hours of the day when ESD programs and services will be available.

END OF POLICY

R

**Legal Reference(s):**

[ORS 192.630](#)  
[ORS 243.656](#)  
[ORS Chapters 279A, 279B](#) and [279C](#)  
[ORS 280.060](#)  
[ORS 294.305](#) to -294.565  
[ORS 328.205](#) to -328.304  
[ORS 330.080](#) to -330.133  
[ORS 334.005](#)  
[ORS 334.125](#)  
[ORS 334.145](#)  
[ORS 334.175](#)

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[ORS 334.185](#)  
[ORS 334.215](#)  
[ORS 334.225](#)  
[ORS 334.240](#)  
[ORS Chapter 339](#)  
[ORS 342.805](#) to -342.937  
[ORS Chapter 343](#)

[OAR 581-024-0205](#)  
[OAR 581-024-0206](#)  
[OAR 581-024-0208](#)

[OAR 581-024-0210](#)  
[OAR 581-024-0226](#)  
[OAR 581-024-0228](#)  
[OAR 581-024-0235](#)  
[OAR 581-024-0250](#)  
[OAR 581-024-0252](#)  
[OAR 581-024-0260](#)  
[OAR 581-024-0265](#)  
[OAR 581-024-0280](#)

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## Lane Education Service District

Code: BBA-AR  
Adopted: 5/10/95  
Revised/Readopted: 10/23/01  
Orig. Code(s): BBA-AR

### Services for Public and Private Entities

Lane ESD may provide services to public and private entities other than component school districts. Services and facilities may be provided to other school districts, government agencies and private entities under the following conditions:

1. A written agreement approved by the ESD superintendent or designee and the receiving entity will delineate the conditions under which the services or facilities may be delivered;
2. At the discretion of the superintendent, the ESD may be reimbursed for use of ESD facilities and services up to the actual cost. Cost determination shall include actual cost of delivery and an appropriate amount for ESD fixed costs;
3. Services and facilities provided to entities other than component school districts shall be limited to those being provided to component districts except that a government agency, health-care agency, social service organization or employment training agency may contract with the ESD to provide services in addition to those normally provided by the ESD;
4. No services or facilities may be provided which place the ESD in the position of sponsoring, financially supporting or participating in religious activities or competing with private enterprise.

## Lane Education Service District

Code: BBA  
Adopted: 2/24/09  
Orig. Code(s): BBA

### Individual Board Member's Authority and Responsibilities

An individual Board member exercises the authority and responsibility of their/his/her position when the Board is in legal session only.

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. The affirmative vote of the majority of members of the Board is required to transact any business. When authorized to act as the ESD's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

~~When expressing~~ A Board member has the right to express personal opinions. ~~When expressing such opinions in public, the Board member should~~ must clearly identify the opinions as their/his/her own.

Members will be knowledgeable of information requested through Board action, supplied by the superintendent, gained through attendance at ESD activities and through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of membership:

#### 1. Request for Information

Any individual Board member who desires a copy of an existing written report or survey prepared by the administrative staff will make such a request to the superintendent. A copy of the material may be made available to each member of the Board. Requests for the generation of reports or information, which require additional expense to the ESD, must be submitted to the Board for consideration.

#### 2. Requests for Legal Opinions

~~A request~~ Requests for a legal advice or opinions by a Board member, must be approved by a majority vote of the Board before the request is made to legal counsel. ~~If the legal opinion sought involves the superintendent's employment or performance, the request should be made to the Board chair.~~ The Board chair is authorized to obtain legal advice or opinions if advantageous to do so prior to the next meeting (e.g., advice regarding an executive session or a decision to invite ESD legal counsel) without a need for Board approval. Legal counsel is responsible to the Board.

#### 3. Action on Complaints or Requests Made to Board Members

When Board members receive complaints or requests for action from staff, students or members of the public, the Board members will direct the staff, students and members of the public to the appropriate complaint policy (Board policy KL - Public Complaints). Such information will be conveyed to the superintendent.

4. Board Member's Relationship to Administration

Individual Board members will be informed about the ESD's educational program, may visit schools or other facilities to gain information, and may request information from the superintendent. No individual Board member may direct the superintendent to act without Board authorization. Board members will not intervene in the administration of the ESD or its schools.

5. Contracts or Agreements

All contracts of the ESD must be approved by the Board, unless otherwise delegated by the Board to the superintendent or designee for approval, before an order can be drawn for payment. If a contract is made without authority of the Board, the individual making such contract shall be personally liable.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.045](#)

[ORS 332.057](#)

[ORS 332.055](#)

[ORS 332.075](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

## Lane Education Service District

Code: BBB  
Adopted: 9/26/95  
Readopted: 10/23/01; 4/27/04; 5/19/09;  
7/24/12; 8/28/12  
Orig. Code(s): BBB

### Board Elections

#### 1. Number of Directors

The Board shall consist of seven members. Five Board members represent geographical zones; two are at-large members.

*(Any changes that need made in these positions?)*

Zone 1 (Position 1) includes the following voting precincts, or portions of precincts, in Eugene School District, comprising the area north of Eleventh Avenue:

City Precincts: (Eugene) 1123, 1125, 1341, 1349, 1451, 1561, 1563, 1565, 1567, 1569, 1781, 1783, 1785, 1787; (Springfield) 2122; (Coburg) 4200.  
County Precincts: 726, 728, 730, 732, 734, 736, 738.

Zone 2 (Position 2) includes the following voting precincts, or portions of precincts, in Eugene School District 4J, generally comprising the area south of Eleventh Avenue:

City Precincts: (Eugene) 1121, 1127, 1129, 1231, 1233, 1235, 1237, 1343, 1345, 1347, 1349, 1453, 1455, 1457, 1893, 1895, 1897, 1899; (Springfield) 2238.  
County Precincts: 714, 718, 720, 740, 742.

Zone 3 (Position 3) includes the following school district:

Springfield School District 19

Zone 4 (Position 4) includes the following school districts:

Fern Ridge School District 28J (Douglas Co. #3J)  
Mapleton School District 32  
Bethel School District 52  
Junction City School District 69  
Blachly School District 90  
Siuslaw School District 97J (Douglas Co. #5J)

Zone 5 (Position 5) includes the following school districts:

Pleasant Hill School District 1  
Creswell School District 40  
South Lane School District 45J (Douglas Co. #1J)  
Crow-Applegate-Lorane School District 66  
McKenzie School District 68

Lowell School District 71  
Oakridge School District 76  
Marcola School District 79J (Linn Co. #79J)

At-large positions (Positions 6 and 7) include the entire Education Service District.

2. Designation of Board Positions

Board members' positions and their respective successors in office will be designated by numbers as Position No. 1 (Zone 1), No. 2 (Zone 2), No. 3 (Zone 3), No. 4 (Zone 4), No. 5 (Zone 5), No. 6 (at-large) and No. 7 (at-large). In all proceedings for the nomination or election of candidates for or to the office of Board member, every petition for nomination, declaration of candidacy, certificate of nomination, ballot or other document used in connection with the nomination or election will state the position number to which the candidate aspires.

Individuals may seek more than one elected position such as school board and education service district board. However, individuals may not seek more than one elected position in the same election. An exception would be if one of the districts has less than 10,000 registered voters.

Re-elections for Board positions will occur as follows:

Position No. 1: Spring ~~2005~~2025, and every four years thereafter;  
Position No. 2: Spring ~~2003~~2027, and every four years thereafter;  
Position No. 3: Spring ~~2005~~2025, and every four years thereafter;  
Position No. 4: Spring ~~2003~~2027, and every four years thereafter;  
Position No. 5: Spring ~~2003~~2027, and every four years thereafter;  
Position No. 6: Spring ~~2005~~2025, and every four years thereafter;  
Position No. 7: Spring ~~2003~~2027, and every four years thereafter.

3. Term of Office

The term of each Board member shall commence on July 1 of the year in which ~~he/she is the~~ **member is** elected and shall continue for four years.

4. Nonvoting Advisory Members

The Board may appoint nonvoting advisory members to the Board as the Board deems important. Nonvoting members shall not participate in executive sessions unless invited by the Board.

END OF POLICY

**Legal Reference(s):**

|                             |                             |                                  |
|-----------------------------|-----------------------------|----------------------------------|
| <a href="#">ORS 249.013</a> | <a href="#">ORS 334.025</a> | <a href="#">ORS 334.045</a>      |
| <a href="#">ORS 255.235</a> | <a href="#">ORS 334.032</a> | <a href="#">ORS 334.090</a>      |
| <a href="#">ORS 255.245</a> | <a href="#">ORS 334.035</a> | <a href="#">OAR 581-024-0290</a> |

## Lane Education Service District

Code: BBBA  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01; 2/07/23  
Orig. Code(s): BBBA

### Board Member Qualifications

A person is eligible to serve as a Board member if the person is a qualified elector<sup>1</sup> of the ESD and has been a resident within the ESD for one year immediately preceding the election or appointment. If the position sought is one elected or nominated by zone, the person must also reside in the zone from which the person is nominated except as authorized by law.

A person who is an employee of the ESD is not eligible to serve as a Board member while so employed.

END OF POLICY

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#### Legal Reference(s):

|                             |                             |                             |
|-----------------------------|-----------------------------|-----------------------------|
| <a href="#">ORS 247.002</a> | <a href="#">ORS 249.013</a> | <a href="#">ORS 334.032</a> |
| <a href="#">ORS 247.035</a> | <a href="#">ORS 334.025</a> | <a href="#">ORS 334.090</a> |

OREGON CONSTITUTION, ARTICLE II, Section 2.

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<sup>1</sup> “Electors” means an individual qualified to vote under Article II, section 2, [Oregon Constitution](#).

## Lane Education Service District

Code: BBBB  
Adopted: 9/28/93  
Readopted: 10/23/01  
Orig. Code(s): BBBB

### Board Member Oath of Office

~~New directors~~ Any elected or appointed Board member must qualify by taking an oath of office before assuming the duties of office. The oath of office will be in the following form:

I, \_\_\_\_\_, do hereby swear or affirm that I will support the laws and constitutions of the United States of America and the state of Oregon and the laws thereof, and the policies of the Lane Education Service District. ~~and that~~ During my term, I will faithfully discharge the duties of ~~my~~ the office as a member of the Board of Directors of for the Lane Education Service District, representing (Position or Zone) \_\_\_\_\_, to the best of my ability throughout my term of office throughout the four-year term, \_\_\_\_\_ through \_\_\_\_\_.

\_\_\_\_\_  
Director (Signature)

Attest: This oath of office was administered by to \_\_\_\_\_ (Name, Title)  
on \_\_\_\_\_ (date).

\_\_\_\_\_  
Recording Secretary  
Lane ESD Board of Directors

END OF POLICY

#### Legal Reference(s):

[ORS 334.090\(3\)](#)

## Lane Education Service District

Code: BBC  
Adopted: 7/27/93  
Readopted: 10/23/01  
Orig. Code(s): BBC

### Board Member Resignation

The Board believes that any citizen who files and seeks election or appointment to the Board should do so with full knowledge of and appreciation for the investment in time, effort and dedication expected of all Board members, and that the citizen's intent is to serve a full term of office.

When a member decides to terminate service, the Board requests earliest possible notification of intent to resign so the Board may plan for the continuity of Board business. Resignations must be made in writing. Board members can resign the office effective at a future date. If the resignation is effective at a future date, the resignation is binding unless withdrawn in writing by the end of the third business day after the resignation is made.

The Board will announce the resignation and declare the vacancy at a Board meeting.

The Board will determine the procedures to be used in filling the vacancy. The Board may begin a replacement process and select a successor prior to the effective date of resignation; however, the actual appointment shall not be made before the resignation date.

END OF POLICY

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#### Legal Reference(s):

[ORS 236.320](#)

[S 236.325](#)

[ORS 334.095](#)

## Lane Education Service District

Code: BBD  
Adopted: 10/24/95  
Readopted: 10/23/01; 11/15/11  
Orig. Code(s): BBD

### Board Member Removal from Office

The Board shall declare the office of a director vacant upon any of the following ~~when the incumbent:~~

- ~~1. The death or resignation of an incumbent; Dies or resigns;~~
- ~~2. When an incumbent ceases to be a resident of a school district that is a component school district that is located within the territory of the education service district;~~
- ~~3. When an incumbent ceases to discharge the duties of office for two consecutive months unless prevented from discharging the duties by sickness or unavoidable cause;~~
- ~~4. When an incumbent is removed from office by judgment of any court or a court declares the election for the office void;~~
- ~~5. When an incumbent has been recalled from office by district-ESD voters;~~
- ~~6. When an incumbent is elected by zone and moves from the zone to which he/she was they were elected. When the incumbent has been nominated from a zone and changes permanent residence from one zone to another zone in which another director resides, the incumbent shall continue to service as director until the next regular election when a successor shall be elected to serve for the remainder of the unexpired term.~~

~~The Board may not declare the office of a director vacant if the director is a resident of a school district that withdraws from the education service district, unless the director's term expires or the Board declares the office vacant for a reason described in items 1 through 6 above.~~

~~Vacancies will be filled through appointment by the Board unless a majority of the positions are vacant at the same time. In that case, vacancies will be filled by the State Board of Education.~~

END OF POLICY

#### Legal Reference(s):

[ORS 249.865 to -249.877](#)  
[ORS 334.090](#)

[ORS 334.095](#)  
[ORS 408.240](#)

## Lane Education Service District

Code: BBE  
Adopted: 7/27/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BBE

### Vacancies on the Board

~~Any vacancy on the Board shall be filled by appointment by the remaining members of the Board from among the qualified persons within the zone in which the vacancy occurs. Any vacancy in an at-large Board position shall be filled by appointment by the remaining members of the Board from among the qualified persons within Lane ESD as a whole.~~

Vacancies will be filled through Board appointment. The Board appointee must be a legally registered voter and a resident within the ESD for one year immediately preceding the appointment. Any vacancy on the Board from any zone shall be filled by the remaining Board members from among the qualified persons in that zone. Any such vacancy from the ESD at large shall be filled by the remaining Board members from the qualified persons in the ESD.

~~The Board appointee must be an elector of the ESD, a resident within the ESD for one year immediately preceding the appointment and a resident of the zone from which the vacancy has occurred.~~  
In the event of multiple vacancies, the position vacated first will be filled first.

Upon appointment by the Board, the newly appointed Board member(s) will take office at the next board meeting following the appointment.

If the offices of a majority of Board members are vacant at the same time, the State Board of Education shall appoint persons to fill the vacancies from qualified ESD voters in accordance with administrative regulation BBE-AR – Procedures for Vacancies on the Board.

Board elections are held every odd-numbered year, which for purposes of this policy, are termed “election” years. The appointee will:

- ~~Will~~ Serve until June 30 following the next “election,” at which time the individual elected in May of that year will fill the remaining portion of an unexpired term or serve a full four-year term; or
- ~~Will~~ Serve until June 30 of a subsequent “election” year if the vacancy occurs after the filing date in an “election” year.

~~A Board member so elected as a replacement will serve the remaining year(s) of the term of office of the Board member being replaced.~~

~~In the event of multiple vacancies, the position of the Board member who resigned first will be filled first.~~

**(Move to AR)** Appointment to unexpired terms will be made by the Board under the following guidelines:

- ~~Announcements of the vacancy will be published in area newspapers. Reporters will be asked to include information regarding the position in articles in their respective papers;~~

2. Letters announcing the vacancy will be sent to all qualified candidates in the most recent Board election;
3. The announcement will invite individuals to submit applications for nominations to the Board within the time frame established by the Board;
4. The Board will interview potential appointees in open session;
5. The Board will select the appointee by utilizing the following procedures:
  - a. When there are three or more candidates the Board will continue to vote until two candidates each have a greater number of votes than any other candidate. In such voting procedure, each member will vote for two candidates;
  - b. When there are only two candidates, either because there are only two or because the Board has reduced the list to two, the Board will select the new member by majority vote of Board membership.
6. All voting will be conducted in accordance with public meeting laws, with the name of each Board member and how each voted duly recorded in the minutes;
7. All candidates will be notified of the Board's decision at the most immediate and appropriate time;
8. Upon appointment by the Board, the newly appointed Board member(s) will be sworn in and seated immediately.

END OF POLICY

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**Legal Reference(s):**

[ORS 249.865 - 249.877](#)  
[ORS 255.245](#)

[ORS 255.335](#)  
[ORS 334.090](#)

[ORS 334.095](#)

## Lane Education Service District

Code: BBE-AR  
Adopted: 7/27/93  
Revised/Readopted: 10/23/01  
Revised/Reviewed:  
Orig. Code(s): BBE

### ~~Vacancies on the Board~~ Procedures for Vacancies on the Board

Appointment to unexpired terms for the board of directors of Lane Education Service District will be made by the Board under the following guidelines:

1. Announcements of the vacancy will be published in area newspapers and on the ESD website. Reporters will be asked to include information regarding the available position(s) in articles in their respective news outlets;
2. Letters announcing the vacancy will be sent to all qualified candidates in the most recent Board election;
- 3.2. The announcement will invite individuals to submit applications for nominations to the Board within the time frame established by the Board;
- 4.3. The Board will interview potential appointees in open session;
- 5.4. The Board will select the appointee by utilizing the following procedures:
  - a. When there are three or more candidates, the Board will continue to vote until two candidates each have a greater number of votes than any other candidate. In such voting procedure, each member will vote for two candidates;
  - b. When there are only two candidates, either because there are only two or because the Board has reduced the list to two, the Board will select the new member by majority vote of Board membership.
- 6.5. All voting will be conducted in accordance with Public Meetings Laws, with the name of each Board member and how each voted duly recorded in the minutes;
- 7.6. All candidates will be notified of the Board's decision at the most immediate and appropriate time;
- 8.7. Upon appointment by the Board, the newly appointed Board member(s) will be sworn in and seated immediately.

END OF POLICY

#### Legal Reference(s):

[ORS 249.865 - 249.877](#)  
[ORS 255.245](#)

[ORS 255.335](#)  
[ORS 334.090](#)

[ORS 334.095](#)

## Lane Education Service District

Code: BBF  
Adopted: 9/28/93  
Revised/Readopted: 10/23/01, 2/27/07, 12/15/09; 4/07/20;  
12/07/21  
Orig. Code(s): BBF

### Board Member Standards of Conduct

(Version 1)

*(See proposed version 2. The ESD's BBF-AR is essentially the same as the proposed version 2 of this policy. Choose a version for policy and if 2 is selected, consider whether BBF-AR is needed.)*

Individual Board members and the Board as a public entity must comply with ethics laws for public officials.

Board members will treat other Board members, the superintendent, staff and the public with dignity and courtesy and will provide an opportunity for all parties to be heard with due respect for their opinions.

Board members will recognize the superintendent as the chief executive officer to whom the Board has delegated administrative authority to establish regulations and oversee the implementation of Board policy.

When a Board member expresses personal opinions in public, the Board member should clearly identify the opinions as personal.

A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the ESD.

A Board member will keep information and documents discussed in executive session confidential.

A Board member will not post confidential information or documents about students, staff or ESD business online, including but not limited to, on social media.

Board members will treat fellow Board members, staff, students and the public with respect while posting online or to social media and will adhere to Oregon Public Meetings Laws, including when communicating with other Board members via websites or other electronic means.

A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately make an oral report by telephone or otherwise to the local Department of Human Services (DHS), or to the designee of the department or to a local law enforcement within the county where the person making the report is located at the time of contact.

This information is provided for convenience: **report child abuse to the Oregon Child Abuse Hotline by calling 1-855-503-SAFE (7233).**

END OF POLICY

**Legal Reference(s):**

[ORS 162.015 - 162.035](#)  
[ORS 162.405 - 162.425](#)  
[ORS 192.610 - 192.710](#)  
[ORS 244.040](#)

[ORS Chapter 244](#)  
[ORS 334.095](#)  
[ORS 334.100](#)  
[ORS 419B.005](#)

[ORS 419B.010](#)  
[ORS 419B.015](#)

## Lane Education Service District

Code: BBF  
Adopted:

### Board Member Standards of Conduct

(Version 2)

A Board member should:

1. Comply with ethics laws for public officials;
2. Understand that the Board sets the standards for the ESD through Board policy. Board members do not manage the ESD on a day-to-day basis;
3. Understand that the Board makes decisions by a quorum vote of the Board. Individual Board members may not commit the Board to any action;
4. Respect the right of other Board members to have opinions and ideas which differ;
5. Recognize that decisions are made by a quorum vote are final decisions of the Board. Such decisions should be supported by all Board members;
6. Make decisions only after the facts are presented and discussed;
7. Understand the chain of command and refer problems or complaints to the proper administrative office;
8. Recognize that the Board must comply with the Public Meetings Law and only has authority to make decisions at properly noticed Board meetings;
9. Insist that all Board and ESD business is ethical and honest;
10. Be open, fair and honest — no hidden agendas;
11. Understand that Board members will receive information that is confidential and cannot be shared;
12. Recognize that the superintendent is the Board's employee and designated as the chief executive officer of the ESD and should be present at all meetings, except when the Board is considering the superintendent's evaluation, contract or salary;
13. Take action only after hearing the superintendent's recommendations;
14. Refuse to bring personal or family problems into Board considerations;
15. Give ESD staff the respect and consideration due to skilled, professional employees;
16. Present personal criticism of ESD operations to the superintendent, not to ESD staff or to a Board meeting;
17. Respect the right of the public to attend and observe Board meetings;

18. Respect the right of the public to be informed about ESD decisions and ESD operations as provided by law;
19. Remember that content discussed in executive session is confidential;
20. Use social media, websites, or other electronic communication judiciously, respectfully, and in a manner that does not violate Oregon’s Public Meetings Laws;
21. When posting online or to social media, Board members will treat and refer to other Board members, staff, students and the public with respect, and will not post confidential information about students, staff or ESD business.
22. A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately make a report to the Department of Human Services (DHS) or to law enforcement within the county where the person making the report is located at the time of contact

This information is provided for convenience: report child abuse to the Oregon Child Abuse Hotline by calling 1-855-503-SAFE (7233).

END OF POLICY

**Legal Reference(s):**

[ORS 162.015 - 162.035](#)  
[ORS 162.405 - 162.425](#)  
[ORS 192.610 - 192.710](#)  
[ORS 244.040](#)

[ORS Chapter 244](#)  
[ORS 334.095](#)  
[ORS 334.100](#)  
[ORS 419B.005](#)

[ORS 419B.010](#)  
[ORS 419B.015](#)

## Lane Education Service District

Code: BBF-AR  
Adopted: 9/28/93  
Readopted: 10/23/01  
Orig. Code(s): BBF-AR

### Board Member Ethics

In carrying out his/her Board duties a Board member should:

- Refuse to “play politics” in either the traditional partisan sense or in any other sense within the ESD organization;
- Respect the right of patrons and employees to be heard at official meetings, within the provisions of Board policy;
- Recognize that authority rests with the Board only in official meetings;
- Recognize that a Board member has no legal status to act for the Board outside official meetings, except as delegated by Board vote;
- Refuse to participate in meetings which are not official and which all members do not have the opportunity to attend;
- Refuse to make individual commitments on any matter which should properly come before the Board as a whole;
- Make decisions only after all available facts bearing on a question have been presented and discussed;
- Respect the opinions of others and accept “majority rule” in Board decisions;
- Recognize that the superintendent should have full administrative authority for properly discharging his/her professional duties within limits of established Board policy;
- Act only after hearing at an official meeting the superintendent’s recommendation in matters of employment or dismissal of other school personnel;
- Recognize that the superintendent is the educational advisor to the Board and should be present at all Board meetings. When the superintendent’s contract or salary is under discussion, the superintendent will be present at the discretion of the Board;
- Refer all complaints or problems to the proper administrative office and discuss them at regular meetings only after failure of administrative solution;
- Present personal criticisms of any ESD operation directly to the superintendent rather than to ESD personnel;

- Insist that all ESD business transactions be on an ethical and above-board basis;
- Refuse to use his/her position on the Board for personal gain or prestige;
- **D** Advocate honest and accurate evaluation of all past employees when such information is requested by another district;
- Give staff the respect and consideration due skilled professional personnel.

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## Lane Education Service District

Code: BBFA  
Adopted: 10/28/08  
Readopted: 7/13/10; 9/23/14; 3/29/16  
Orig. Code(s): BBFA

### Board Member Ethics and Conflicts of Interest

No Board member will use ~~their~~<sup>his/her</sup> official position or office to obtain personal financial benefit or to avoid financial detriment for ~~themselves~~<sup>him or herself</sup>, relatives or household members, or for any business with which the Board member, a household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by Oregon Revised Statute (ORS) 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the annual \$50 gift limit from one who has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. ESD-provided meals at board meetings are acceptable under the reimbursement of expenses exception.

#### I. Conflicts of Interest

“Business” means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain. This definition excludes any income-producing tax exempt 501(c) not-for-profit corporation with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

“Business with which a Board member or relative is associated” means any private business or closely held corporation of which a Board member or relative is a director, officer, owner, employee or agent or any private business or closely held corporation in which a Board member or relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding year; any publicly held corporation in which a Board member or relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; or any publicly held corporation of which a Board member or relative is a director or officer.

“Relative” means ~~the spouse<sup>1</sup>, parent, step-parent, child, sibling, step-sibling, son-in-law or~~  
~~{2} child, daughter-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling, son-~~  
~~in-law or child, daughter-in-law of the spouse of the Board member. Relative also includes any individual~~

<sup>1</sup> The term spouse includes domestic partner.

<sup>2</sup> {ORS 244.020(16) uses the terms “son-in-law” and “daughter-in-law” in the definition of relative.}

for whom the Board member has a legal support obligation, whose employment provides benefits<sup>3</sup> to the Board member, or who receives any benefit from the Board member's public employment.

"Member of the household" means any person who resides with the public official.

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member's vote, official action or judgment would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through their/his/her official position or association with the ESD. A Board member will respect individuals' privacy rights when dealing with confidential information gained through association with the ESD.

If a Board member participates in the authorization of a public contract, the Board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

Individual Board members and the Board as a public entity are bound by the ethics laws for public officials as stated in Oregon law.

#### **Potential Conflict of Interest**

"Potential conflict of interest" means any action or any decision or recommendation by a Board member that could result in a financial benefit or detriment for self or relatives or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare a potential conflict of interest. A Board member may, after declaring their/his/her potential conflict of interest, either vote or abstain on the issue. Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

#### **Actual Conflict of Interest**

"Actual conflict of interest" means any action or any decision or recommendation taken by a Board member that would result in a financial benefit or detriment to self or relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare an actual conflict of interest. The Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

#### **Class Exception**

It will not be a conflict of interest if the Board member's action would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the

<sup>3</sup> Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

person or the person's relative is associated, is a member or is engaged. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for the employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

## II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. All gift related provisions apply to the Board member, their relatives, and members of their household. The \$50 gift limit applies separately to the Board member and to the Board member's relatives or members of household, meaning that the Board member, each member of their household and relative can accept up to \$50 each from the same source/gift giver. "Gift" means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

"Relative" means: the spouse<sup>4</sup>; parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~ daughter-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~ daughter-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits<sup>5</sup> to the Board member, or who receives any benefit from the Board member's public employment.

"Member of the household" means any person who resides with the Board member.

### Determining the Source of Gifts

Board members should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the Board member's personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. If the giver does not have a legislative or administrative interest, the ethics rules on gifts do not apply and the Board member need not keep track of it, although they are advised to do so anyway in case of a later dispute.

### Determining Legislative and Administrative Interest

A "legislative or administrative interest" means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a Board member. For example, everyone within a county has a general interest in the fire department, but the person who

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<sup>4</sup> Ibid. p. 1

<sup>5</sup> Ibid. p. 1

sells the uniforms to the fire department has a legislative or administrative interest in the fire department that is distinct from the general public.

### **Determining the Value of Gifts**

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

“Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the Board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payor of the Board member’s admission or meal will include all costs other than any amount donated to a charity.  
  
For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the Board member is \$25. This example requires that the Board member does not claim the charitable contribution on personal tax returns;
2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the Board member’s meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
  - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
  - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
  - c. The source calculates the actual amount spent on the Board member.
3. Upon request by the Board member, the source will give notice of the value of the merchandise, goods, or services received;
4. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

### **Value of Unsolicited Tokens or Awards: Resale Value**

Board members may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

## Entertainment

Board members may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member unless:

1. The entertainment is incidental to the main purpose of another event (i.e. a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
2. The Board member is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when a Board member appears at an entertainment event for a “ceremonial purpose” at the invitation of the source of the entertainment who requests the presence of the Board member at a special occasion associated with the entertainment. Examples of an appearance by a Board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

## Exceptions

The following are exceptions to the ethics rules on gifts:

1. Campaign contributions are not considered gifts under the ethics rules;
2. Gifts from “relatives” and “members of the household” to the Board member are permitted in an unlimited amount; they are not considered gifts under the ethics rules;
3. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties;
4. Contributions made to a legal expense trust fund if certain requirements are met;
5. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
  - a. *Organized Planned Events*. Board members are permitted to accept payment for travel conducted in the Board member’s official capacity, for certain limited purposes:
    - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
      - (a) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the ESD; AND
      - (i) The giver is a unit of a:
        - 1) Federal, state, or local government;
        - 2) An Oregon or federally recognized Native American Tribe; OR
        - 3) Nonprofit corporation.

- (b) The Board member is representing the ESD:
  - (i) On an officially sanctioned trade-promotion or fact-finding mission; OR
  - (ii) Officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the Board.*

The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.

- 6. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the ESD. Again, this exception does not authorize private meals where the participants engage in discussion.

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;

- 7. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020 (67)(b)(I)(i);
- 8. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement;
- 9. A gift received by the Board member as part of the usual or customary practice of the Board member’s private business, employment or position as a volunteer that bears no relationship to the Board member’s holding of public office.

**Honoraria**

A Board member may not solicit or receive, whether directly or indirectly, honoraria for the Board member or any relative or member of the household of the Board member if the honoraria are solicited or received in connection with the official duties of the Board member.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token, or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation, or expertise of the Board member or candidate.

END OF POLICY

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**Legal Reference(s):**

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|---|---|---|
| <a href="#">ORS 162.015 to -162.035</a> | <a href="#">ORS 244.010 to -244.400</a> | <a href="#">OAR 199-005-0001 to -199-010-0150</a> |
| <a href="#">ORS 162.405 to -162.425</a> | <a href="#">ORS 332.055</a>             |   |

38 OR. ATTY. GEN. OP. 1995 (1978)



## Lane Education Service District

Code: BBFB  
Adopted: 9/23/08  
Readopted: 7/13/10; 9/23/14; 3/29/16  
Orig. Code(s): BBFB

### Board Member Ethics and Nepotism

In order to avoid both potential and actual conflicts of interests, Board members will abide by the following rules when a Board member's relative or member of the household is seeking and/or holds a position with the ESD:

1. A Board member may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or member of the household, unless the Board member complies with the conflict of interest requirements of ORS Chapter 244.

This policy does not apply to decisions regarding unpaid volunteer positions unless it is a Board member position or another Board-related unpaid volunteer position (i.e. a Board committee position).

2. A Board member may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. A Board member may still serve as a reference or provide a recommendation.

For the purposes of this policy:

"Member of the household" means any person who resides with the Board member.

"Relative" means: the spouse<sup>1</sup>; parent, step-parent, child, sibling, step-sibling, ~~son-in-law~~ or ~~child~~ daughter-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling, ~~son-in-law~~ or ~~child~~ daughter-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits<sup>2</sup> to the Board member, or who receives any benefit from the Board member's public employment.

#### Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class including the Board member's relative or household member. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board

<sup>1</sup> The term spouse includes domestic partner.

<sup>2</sup> Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

END OF POLICY

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**Legal Reference(s):**

[ORS 244.010 to -244.400](#)

[ORS 659A.309](#)

[OAR 199-005-0001 to -199-010-0150](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

## Lane Education Service District

Code: BC/BCA  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BC/BCA

### Board Organization/Board Organizational Meeting

~~At the first regular meeting held during July, the Board will organize itself for the year.~~  
The ESD Board will hold an organizational meeting during the first meeting of each fiscal year. ~~in July each year.~~

The organizational meeting will consist of, but not be limited to, the following actions:

1. Election of a Board chair;
2. Election of a vice chair;
3. Provision for a time and place for regular meetings;
4. Other organizational actions prescribed by law or by Board practice.

The incumbent Board chair will preside until a successor is elected, whereupon the successor will assume the chair. In the event no incumbent chair or vice chair remains on the Board, or neither is able to continue to serve as an officer, the Board will select a temporary chair to conduct the election. ~~No member may serve as Board chair for more than two consecutive years.~~

END OF POLICY

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#### Legal Reference(s):

[ORS 255.335](#)      [ORS 334.100](#)

## Lane Education Service District

Code: BCB  
Adopted: 9/28/93  
Readopted: 10/23/01  
Orig. Code(s): BCB

### Board Officers

The officers of the Board are the chair and the vice chair. At its first scheduled meeting of each fiscal year, the Board will elect one of its members to serve as chair and one to serve as vice chair. No member of the Board may serve as chair more than two years in succession. If a Board member is unable to continue to serve as an officer, a replacement will be elected immediately. The replacement officer will serve the remainder of the officer's term until the following July. Election of all officers shall be by a majority of the full Board.

#### Officers

1. Officers shall serve for one year or until their respective successors have qualified. No member may serve as chair or vice chair for more than two years in succession, in the same position.
2. An officer may be removed by a majority vote of the full Board should he/she/they refuse to perform the duties of his/her/the office imposed upon him/her/them by law or these by-laws/~~this policy~~.
3. In case an office of the Board becomes vacant, the Board shall fill the vacancy for the unexpired term in accordance with Board policy BBE – Vacancies on the Board and its accompanying administrative regulation.

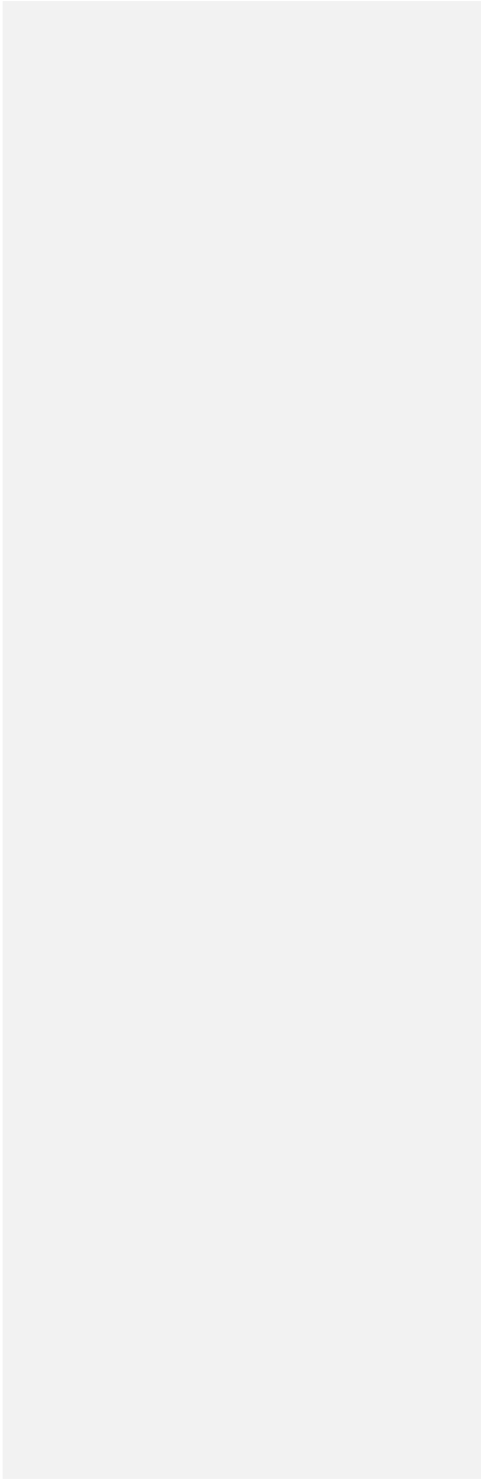
#### Chair

The chair of the Board shall have the following duties:

1. Assist the superintendent in planning Board-agendas for board meetings;
2. Preside over and conduct all meetings and hearings of the Board, public open session or executive session;
3. Make all decisions as to the procedure to be followed in any meeting of the Board. Enforce the rules of order;
4. Call special meetings when needed;
5. Make such appointments to committees and select representatives of the Board as may be required from time to time. Appoint all committees and will be an ex-officio member of all such committees unless otherwise ordered by the Board. Unless otherwise specified, all appointments will be for one-year terms, to be reviewed annually;
6. Have the right to discuss issues and vote;
7. Effect the Board's annual evaluation of the superintendent, in accordance with Oregon Revised

**Lane Education Service District**

Statutes and Board policy;



8. Chair the subcommittee on recommending compensation for the superintendent;
9. Sign official ESD documents that require the signature of his/her the Board Chair respective office.

#### **Vice Chair**

The vice chair shall have the following duties:

1. The vice chair shall serve as chair when the chair is not present at a meeting of the Board or when the chair is disabled or disqualified from acting as chair in an emergency situation and shall serve for the duration of such absence, disablement or disqualification. He/She shall carry out such responsibilities as the chair may assign to him/her from time to time.

In the absence, incapacitation or death of the chair, the vice chair will perform the duties of chair and, when so acting, will have the chair's powers. The vice chair will perform other functions as designated by the Board.

The superintendent shall be appointed clerk of the Board.

#### **Clerk**

The superintendent shall be appointed clerk of the Board. The superintendent may designate a staff member to serve as Board secretary to support the role of the clerk and will directly supervise and evaluate the secretary. In the absence of the designated Board secretary, the Board may name anyone present to serve as secretary for that meeting. The secretary to the Board will perform related work as assigned by the superintendent or requested by the Board chair.

The clerk shall be responsible for ensuring that the following duties are performed:

1. Prepare and maintain a master calendar identifying the Board meetings at which all requested reports shall be made, specified items of business shall be conducted and regular items of business which are repeated on a schedule shall be conducted;
2. Be responsible for the reproduction and distribution of the agenda and meeting materials for each meeting of the Board;
3. Take and prepare the minutes of all meetings of the Board;
4. Record the disposition of all matters on which the Board considered action;
5. Prepare and distribute a record of actions (i.e., minutes) and decisions for each meeting of the Board and maintain official copies of same in accordance with Oregon law;
6. Prepare and distribute, publish, mail or post all necessary notices and advertisements for board meetings and other board-related matters;
7. Conduct such other appropriate activities as the Board may assign or request from time to time.

#### **Board or ESD Spokesperson**

The Board may appoint one of its members, usually the chair, or another person to make authorized statements to the public or the media when the Board deems that, under the circumstances, the ESD's position should be articulated by a single voice. The spokesperson serves at the Board's direction and may be removed or replaced at any time by action of the entire Board.

END OF POLICY

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**Legal Reference(s):**

[ORS 255.335](#)  
[ORS 334.100](#)

[ORS 334.225](#)

[OAR 166-400-0010\(9\)](#)

## Lane Education Service District

Code: BCD  
Adopted: 7/27/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BCD

### Board-Superintendent Relationship

The superintendent/clerk is recognized as the chief executive officer and shall be responsible as the professional leader necessary to translate the will of the Board of Lane Education Service District (ESD) into administrative action. ~~His/Her assistance and recommendations will be considered by the Board prior to any Board action. The superintendent/clerk will be present at all Board meetings. When the superintendent's contract or salary is under discussion, the superintendent will be present at the discretion of the Board.~~

**Commented [LF1]:** Replacement language is suggested in proposed policy CBA on duties and qualifications of the superintendent.

The superintendent shall be responsible for all aspects of ESD operation and for such duties and powers pertaining thereto as directed or delegated by the Board, and to develop such procedures and regulations as ~~he/she~~ the superintendent considers necessary to ensure efficient operation of the ESD.

The Board expects that the superintendent is professionally able and possesses outstanding qualities of leadership, vision and administrative skill and will implement all Board policies in good faith.

The superintendent can ~~expect~~ assume that the Board will respect the superintendent's professional competence and extend to ~~him/her~~ the superintendent full responsibility for implementation of Board policy decisions.

The Board holds the superintendent responsible for carrying out its policies within established guidelines and for keeping the Board informed about ESD ~~operations~~ operation.

END OF POLICY

#### Legal Reference(s):

ORS 334.225

## Lane Education Service District

Code: BCE  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BCE

### Board Committees

The Board ~~may~~ ~~will not~~ ~~does~~ shall have no standing committees. Special committees may be appointed by the Board for specific purposes to serve until their assignment is completed. The entire Board may meet as a committee-of-the-whole.

The function of special committees will be fact-finding, deliberative and advisory, rather than legislative or administrative. ~~The committee will make~~ Committee recommendations ~~will be made~~ directly to the Board as a whole, which alone may take action. Committee meetings may be called by the Board chair, the committee chair or any committee member.

Committee-of-the-whole meetings, called “work sessions,” may be held. Committee-of-the-whole meetings may be called by the Board chair or any two Board members.

All meetings of special committees and of committees-of-the-whole will ~~follow~~ be publicly announced and the Public Meetings Law. The Board or its committees may sit in an executive session to discuss matters when such session is required or public will be permitted by law to attend.

All matters referred to a committee will be thoroughly investigated. A committee will not have the power to act for the Board except as the Board has specifically authorized, but will make recommendations to the Board. Committee recommendations and reports will become an official part of Board minutes.

A Board committee may appoint, ~~subject to Board approval,~~ advisory members from the staff, component school-district staff and students of the ESD with approval of the Board or community. Advisory members will be instructed in the committee’s functions and their status. ~~Advisory~~ These members may not be included in considering whether a quorum of the committee is present, nor may they vote on recommendations to be made to the Board. ~~Either~~ However, either an advisory member or an ex-officio member may present ~~in writing~~ a written minority report to the Board.

END OF POLICY

#### Legal Reference(s):

[ORS 192.610 to -192.690](#)

[ORS 334.125](#)

## Lane Education Service District

Code: BCF  
Adopted: 7/12/00  
Readopted: 10/23/01  
Orig. Code(s): BCF

### Advisory Committees to the Board

In an ongoing effort to increase communication with the public and to provide for ~~community~~ citizen involvement, the Board may appoint advisory committees which include community members to consider matters of ESD-wide importance as the law requires or where special need exists.

When requested and approved by the Board, appointment of staff members, when appropriate, will be made by the superintendent.

All meetings of advisory committees shall follow the Public Meetings Law. The press may attend and report proceedings.

The Board will adopt guidelines for each committee as appropriate, which will include, but not be limited to, the following:

1. The committee's written charge which shall include, but not be limited to, a statement of purpose and responsibility;
2. The resources the Board will provide;
3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive the committee report(s).

Except as specifically provided by the Board, advisory committees will cease to function when their reports have been received by the Board or when the purposes for which they were established have been accomplished.

The Board may be represented on such advisory committees in an advisory capacity, with specific Board members appointed by the chair, but normally Board members will function as ex-officio members of the committees.

Additionally, upon ~~upon~~ petition of at least two component school districts, the Board shall establish a local advisory committee(s) to represent the interests ~~interest of areas~~ ~~specified area~~ within the petitioning district ~~ESD. The local committee(s). Committee composition and number of members, including process of selection and term of office will be determined by~~ shall advise the Board ~~on matters of area-wide concern.~~

Recommendations of such committees will be given careful consideration by the Board. The Board's responsibility, however, cannot be delegated or surrendered to others; therefore, all recommendations of an advisory committee must be submitted to the Board for action and ~~will~~ must be recognized as advisory in nature.

All advisory committee meetings shall be considered open meetings and comply with Oregon's Public Meetings Law.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.610](#)

[ORS 192.630](#)

[ORS 294.414](#)

[ORS 334.025](#)

[ORS 334.125](#)

[OAR 581-024-0300](#)

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES MANUAL.

## Lane Education Service District

Code: BCG  
Adopted: 7/27/93  
Readopted: 10/23/01  
Orig. Code(s): BCG

### Legal Counsel

*(Keep? It would not be necessary other than to inform.)*

The Board may appoint an attorney to advise and represent the district. If legal counsel is appointed, such appointment shall be reviewed annually.

The ESD's attorney will be the chief legal advisor for the ESD. The responsibilities include, but are not limited to, the following:

1. ~~Be present as requested at meetings of the Board and its committees;~~
2. ~~Advise the Board and its officials on legal matters when requested to do so;~~
3. ~~Advise the Board and superintendent on points of law where the rights and liabilities of the ESD may be affected;~~
4. ~~Prepare legislation to be enacted by and for the ESD;~~
5. ~~Prosecute legal actions brought by the Board and defend legal actions brought against the Board;~~
6. ~~Investigate and report on accident claims and other claims made against the ESD.~~

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125](#)

[ORS 334.225](#)

## Lane Education Service District

Code: BD/BDA  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01, 12/15/09; 10/15/16  
Orig. Code(s): BD/BDA

### Board Meetings

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. "Meeting" means the convening<sup>1</sup> of a quorum of the Board as the ESD's governing body to make a decision<sup>2</sup> or to deliberate<sup>3</sup> toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board governing body, i.e. a work session. "Meeting" does not include any on-site inspection of any project or program or the attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

The affirmative vote of the majority of members of the Board is required to transact any business.

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. For information how to give or submit public comment it is outlined in Board policy BDDH - Public Comment at Board Meetings<sup>4</sup> [and/or] [posted on the ESD's website].

All Board meetings, including Board retreats and work sessions, will be held within the ESD boundaries, except as allowed by law<sup>5</sup>. The Board may attend training sessions outside the ESD boundaries but cannot

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<sup>1</sup> "Convening" means: (a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communications among participants; or (d) Using an intermediary to communicate among participants.

<sup>2</sup> "Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

<sup>3</sup> "Deliberation" means discussion or communication that is part of a decision-making process.

<sup>4</sup> When telephone or other electronic means of communication is used during a meeting open to the public, the Board shall make at least one place available to the public where, or at least one electronic means by which, the public can listen during the meeting. At all meetings of the Board open to the public, the public will be provided an opportunity, to the extent reasonably possible, to access and attend the meeting by telephone, video or other electronic or virtual means. If in-person oral testimony (or public comment) is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit oral testimony during the meeting, at the designated portion of the agenda, by telephone, video or other electronic or other means. If in-person written testimony is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit written testimony including by email or other electronic means, so that the Board is able to consider the submitted testimony in a timely manner.

<sup>5</sup> ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction if no deliberations toward a decision are involved.

deliberate or discuss ESD business.<sup>6</sup> No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity<sup>7</sup>, age or national origin is practiced.

The Board will give public notice reasonably calculated to give actual notice to interested persons, including the news media which have requested notice~~those with disabilities~~, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they were not included in the notice.

If requested to do so at least 48 hours before a meeting held in public, the Board shall make a good faith effort to provide an interpreter for hearing-impaired persons. If the meeting is being held upon less than 48 hours' notice and a request for an interpreter is made, the Board shall make a reasonable effort to have an interpreter present. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice. ~~Communications with all qualified individuals with disabilities shall be as effective as communications with others.~~

~~{(8)} If requested to do so at least [72] hours before a meeting held in public, the Board will make a reasonable effort to provide translation services.~~

All meetings held in public shall comply with the Oregon Indoor Clean Air Act ~~and the smoking provisions contained in the Public Meetings Law.~~

The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on ESD property.

#### 1. Regular, Special and Emergency Meetings

Generally, a regular Board meeting will be held each month. The regular meeting schedule will be established at the annual organizational meeting ~~in July~~ and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business.

~~No later than the next regular meeting following~~ Each July 1<sup>st</sup>, the Board will hold the annual organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. ~~In Board election years (odd numbered years), the first meeting will be held no later than July 31.~~

Special meetings can be convened by the Board chair, upon request of three Board members or by common consent of the Board at any time to discuss any topic. A special meeting may also be scheduled if less than a quorum is present at a meeting, ~~or additional business still needs to be conducted at the ending time of a meeting, conducting business prior to the next regular meeting~~

<sup>6</sup>ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved.

<sup>7</sup>As defined in ORS 174.100.

<sup>8</sup> {ESDs are encouraged to evaluate translation needs and resources prior to adding this language. An ESD may decide that translating the agenda, minutes or other documents, or public comment is sufficient.}

would be advantageous to the ESD or other reasons. At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

Emergency meetings can be called by the Board in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

## 2. Communication Outside of Board Meetings

Communications, to, by, and among a quorum of Board members outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing ESD business. This includes electronic, video or telephonic communications, serial electronic communications among participants and using an intermediary to communicate among participants. ~~Electronic~~ Serial communications among Board members shall be limited to messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate.

Communications outside of a Board meeting ~~Electronic communications~~ may contain:

- a. ~~Communications to, between or among members of a governing body that are:~~
  - (1) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board (including agendas and information concerning agenda items);
  - (2) Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or
  - (3) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or
- a. ~~Agenda item suggestions;~~
- b. ~~Reminders regarding meeting times, dates and places;~~
- e. ~~Board meeting agendas or information concerning agenda items;~~
- d. ~~One-way information from Board members or the superintendent to each Board member (e.g., an article on student achievement or to share a report on ESD progress on goals) so long as that information is also being made available to the public;~~
- b. Individual responses to questions posed by community members, subject to other limitations in Board policy.

~~[E-mails sent to other Board members will have the following notice:~~

~~*Important: Please do not reply or forward this communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. Electronic communications on ESD business are governed by public meetings law.*~~

## 3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by the Public Meetings Law.

4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with the state law on public meetings, including notice and minutes. The Board ~~[may make]~~ is discouraged from making official decisions during a work session. ~~[Generally, Boards do not take official action during work sessions, although there is no legal prohibition to do so.]~~

5. Executive Sessions

Executive sessions may be held as an agenda item during regular, special or emergency meetings for a reason permitted by law. (See Board policy BDC - Executive Sessions)

Complaints regarding public meetings laws can be filed with the Board in accordance with Board Policy KL – Public Complaints. The Board will respond and provide a copy of the complaint and response to the Oregon Government Ethics Commission within 21 days in accordance with state law.<sup>9</sup>

<sup>{10}</sup> **Mandatory Training**

Every member of the Board shall attend or view a training on public meetings law prepared or approved by the Oregon Government Ethics Commission (OGEC) at least once during the Board member’s term of office and shall verify attendance in accordance with OGEC procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS Chapter 192](#)

[ORS 334.100](#)

[ORS 433.835 - 433.875](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).  
OR. ATTY. GEN. Public Records and Meetings Manual.

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<sup>9</sup> See House Bill 2805 (2023) Section 5(2) for requirements of the response.

<sup>10</sup> {This is required for Board members in ESDs with total expenditures for a fiscal year of \$1 million or more. This number will be reviewed by OGEC at least once every five years. If the ESD has total expenditures of less than \$1 million, this language can be kept, but “shall” should be replaced with “is encouraged to.”}

## Lane Education Service District

Code: BD/BDA-AR  
Adopted: 9/28/93  
Revised/Readopted: 10/23/01; 8/26/03  
Revised/Reviewed:  
Orig. Code(s): BD/BDA-AR

### Regular Board Meeting Process Procedure

*(Does this reflect practice? Any changes?)*

In order to expedite Board business while providing adequate time for relevant discussion and reasoned decisions, the Lane ESD Board of Directors agrees to use the following processes as a guideline for regular Board meetings:

1. Executive sessions, when needed, will be scheduled, ~~as needed~~;
2. Regular meetings will be scheduled to start at 6 p.m. or whenever the executive session is completed, whichever is later;
3. Regular meetings will have a two-hour time limit from the time that the “Call to order” is provided by the Board chair and a quorum is in place, ready to act;
4. Regular meetings may be extended for a specific amount of time by consensus of the members present or a quorum of the Board (four votes ~~in the affirmative~~);
5. The superintendent will continue to include traditional items in the consent agenda and will also include other items that seem routine and for which appropriate explanatory material is included;
6. Any Board member may remove an item from the consent agenda. A motion and majority vote is not required to remove an item from the consent agenda. If an item is removed from the consent agenda, it will be placed elsewhere on the agenda ~~at the discretion of the chair~~ at a time on the agenda determined by the chair;
7. ~~A position will be provided for persons who are addressing the Board;~~
- ~~8.7.~~ An opportunity for public comment may be provided;
- ~~9.8.~~ Upon review of the materials prior to the meeting, Board members are encouraged to give advance notice by ~~telephone~~ phone or email at least 24 hours in advance of a meeting to the Board secretary of questions or concerns ~~which the staff may research in advance~~.

## Lane Education Service District

Code: BDB  
Adopted: 9/28/93  
Readopted: 10/23/01  
Orig. Code(s): BDB

### Special Meetings

*(Special meeting provisions are included in BD/BDA.)*

Special meetings shall be public except as provided by law and shall be called by the presiding officer or by a majority of the members of the Board. The superintendent shall notify each member and such newspaper, radio or television stations as have requested notice, of the date, time and place of each special meeting and the purpose for which it is called at least 24 hours prior to the meeting. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances but the minutes of such a meeting shall describe the emergency justifying less than 24 hours notice. The order of business shall be as follows unless altered by the chair or a majority of those present and voting:

1. Call to order;
2. Roll call;
3. Reading of notice of meeting;
4. Transaction of business for which meeting was called;
5. Adjournment.

END OF POLICY

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#### Legal Reference(s):

[ORS 192.640](#)

[ORS 334.100](#)

OACE v. Salem Keizer School District 241, 95 Or. App. 28 (1989); reconsideration denied, 95 Or. App. 6 (1989).

## Lane Education Service District

Code: BDC  
Adopted: 7/12/00  
Revised/Readopted: 10/23/01; 8/27/02; 10/15/16  
Orig. Code(s): BDC

### Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action.

~~An executive session may be convened by the Board chair, upon request of three Board members or by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660, during a regular, special or emergency meeting. The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session.~~

~~An executive session may be included as an agenda item of an existing meeting [in accordance with Board policy BDDC, Board Meeting Agenda] or held as its own meeting. Proper notice is required.~~

~~If open session is held prior to the executive session, the presiding officer will announce the executive session by identifying the authorization under Oregon Revised Statute (ORS) 192.660 for holding such session and by noting the subject of the executive session.~~

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent.<sup>1</sup> (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer,<sup>2</sup> employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))
4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))

<sup>1</sup>This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. Prior to holding an executive session under ORS 192.660(2)(a), the Board must ensure:

- a. The vacancy has been advertised;
- b. Regular hiring procedures have been adopted;
- c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
- d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

<sup>2</sup>To determine whether the individual involved is considered a public officer, consult with legal counsel.

5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))
6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))
8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))
9. To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces. (ORS 192.660(2)(o))
10. To consider matters relating to cyber security infrastructure and responses to cyber security threats. (ORS 192.660(2)(p))
11. ~~To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))~~
12. 11. To discuss matters pertaining to or examination of the confidential ~~medical~~ records of a student, ~~including that student's educational program.~~ (ORS 332.061(1)(b))

Members of the press may attend executive sessions except those matters pertaining to:

4. ~~Deliberations with persons designated by the Board to carry on labor negotiations; ~~and~~~~
2. ~~Hearings on the expulsion of minor students; or examination of the confidential medical records of a student, including that student's educational program;~~
3. ~~2.~~ Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's confidential medical records and educational program; the discussion; and each Board member's vote on the issue.

Minutes shall be kept for all executive sessions.

Content discussed in executive sessions is confidential except as provided by law. Board members and the media are instructed not to disclose information obtained in executive session except when specifically authorized to do so or as required by law.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)

[ORS 332.045](#)

[ORS 332.061](#)

8/30/23 | SL

Executive Sessions – BDC

2-3

OR. ATTY. GEN. Public Records and Meetings Manual.

Oregon Government Ethics Commission, [Staff Advisory Opinion](#) No. 22-106S

**Commented [JC1]:** These references are on the SCH, Charter and CC versions... do they need to be on the ESD version?

**Commented [LF2R1]:** Jean, spencer added them but they were on the next page

# Lane Education Service District

Code: BDD  
Adopted: 9/27/94  
Revised/Readopted: 10/23/01; 2/27/07  
Orig. Code(s): BDD

## Board Meeting Procedures

### 1. Quorum

A quorum will consist of the majority of the Board members. Appointed nonvoting advisory members shall not factor in the quorum requirements.

### 2. Vote Needed for Exercise of Powers

The affirmative vote of a majority of Board members will be necessary for exercising any of the Board's powers.

### 3. Board Member Voting

Each member's vote on all motions will be recorded in the minutes. Appointed advisory members shall be nonvoting are not voting members of the Board.

### 4. Abstaining From Vote

If a Board member chooses to abstain from voting, and the abstention is due to a conflict of interest, the Board member will state the nature of the conflict of interest and such abstention will be recorded.

### 5. Parliamentary Procedure

Official Board business will be transacted by motion or resolution at duly called regular or special meetings.

Except as otherwise provided by state law and/or Board policy, the rules of parliamentary procedure comprised in *Robert's Rules of Order, Newly Revised*, "Procedure in Small Boards," as modified by the Board, will govern the Board in its deliberation. Modifications will include the following: Motions will all be seconded prior to consideration by the Board and motions to close or limit debate are acceptable.

The Board chair will decide all questions relative to points of order, subject to an appeal to the entire Board.

END OF POLICY

#### Legal Reference(s):

[ORS 192.650](#)      [ORS 334.025](#)      [OAR 581-024-0290](#)  
[ORS 244.120\(2\)](#)      [ORS 334.100](#)

38 OR. ATTY. GEN. OP. 1995 (1978)  
41 OR. ATTY. GEN. OP. 28 (1980)

## Lane Education Service District

Code: BDDA  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BDDA

### Notification of Board Meetings

*(Notice requirements and other content are included in BD/BDA.)*

The Board will give public notice reasonably calculated to give actual notice to interested persons, including those with disabilities, of the time and place for regular meetings and of the principal subjects to be considered.

Notices to individuals with disabilities shall be given in an appropriate form upon request and with appropriate advance notice. Auxiliary aids and services available to ensure equally effective communications with qualified individuals with disabilities may include large print, Braille, audio recordings and readers. Primary consideration will be given to the requests of the individual with a disability in the selection of appropriate auxiliary aids and services.

No special meeting will be held without at least 24 hours notice to the Board members and the general public except in cases of emergency.

In an emergency, a meeting may be held with notice as is appropriate under the circumstances, but minutes will explain the emergency situation.

Dates of regular Board meetings will be provided to ESD employees, interested members of the public and the news media.

END OF POLICY

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#### Legal Reference(s):

[ORS 192.610 - 192.690](#)

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

## Lane Education Service District

Code: BDDB/BDDC  
Adopted: 7/27/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BDDB/BDDC

### Board Meeting Agenda

The Board chair and the superintendent will prepare an agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, student or citizen of component school districts by notifying the superintendent or Board chair at least five working days prior to the meeting.

A consent agenda may be used by the Board for noncontroversial business. The consent agenda will consist of routine business that requires action but not necessarily discussion. These items may all be approved at the same time. A Board member may ask that any item be removed from the consent agenda. The removed item will then be placed on the regular agenda.

The consent agenda will be established following a general order established by the Board resolution. Opportunities for the audience to be heard may will be included on the agenda. The Board will follow the order of business set up by the agenda unless the order is altered by a consensus of the Board.

Items of business not on the agenda may be discussed and acted upon if the majority of the Board agrees to consider them.

The agenda, together with supporting materials, will be distributed by the ESD office or superintendent to Board members ~~at least [three] full working days~~ Friday of the week prior to the meeting. The agenda will be available to the press and to interested patrons through the superintendent's office at the same time it is available to the Board members. Copies of the agenda for the press and public will not contain any confidential information included in the Board members' packets.

A copy of the agenda will be posted ~~on the ESD website [in the staff room and distributed to the press and interested persons as requested on the day of the meeting]~~. Members of the public may request a copy of the agenda at the ESD central office.

~~All minutes shall be available to the public within a reasonable time after the meeting. Minutes will be identified as draft minutes until approved by the Board. Minutes are available in the staff room and ESD central office.~~

~~Visually impaired individuals will receive an agenda, any related supporting materials available to the general public and minutes in an appropriate alternative format upon request of at least 48 hours notice prior to and/or following a public meeting.~~

The ESD will ensure equally effective communications are provided to qualified persons with disabilities, upon request, as required by the Americans with Disabilities Act.

Appropriate auxiliary aids and services available to ensure equally effective communications with qualified individuals with disabilities may include, but are not limited to, qualified interpreters, assistive listening systems, note takers, large print, Braille materials, audio recordings and readers. Primary consideration will be given to the requests of the person/individual with a disability in the selection of the appropriate auxiliary aids and/or service services. Should the Board demonstrate such a request requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burden, an burdens, alternate, equally effective communications will be used provided.

Commented [LF1]: This is in the minutes policy.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual.

END OF POLICY

**Legal Reference(s):**

[ORS 192.630](#)      [ORS 192.640](#)      [ORS 334.100](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2016); 28 C.F.R. Part 35 (2016).  
Americans with Disabilities Act Amendments Act of 2008.

## Lane Education Service District

Code: BDDG/BDDK  
Adopted: 7/12/00  
Readopted: 10/23/01; 8/27/02  
Orig. Code(s): BDDG/BDDK

### Minutes of Board Meetings

The Board secretary will take written minutes of all Board meetings. The written minutes will be a true reflection of the matters discussed at the meeting and the views of the participants. The minutes will include, but not be limited to, the following information:

1. All members of the Board who were present;
2. All motions, proposals, resolutions, orders and measures proposed and their disposition;
3. The results of all votes and the vote of each member by name;
4. The substance of any discussion on any matter;
5. Any other information required by law.

Minutes of executive sessions will be kept in accordance with the requirements of Oregon Public Meetings Law with essentially the same level of detail as for public sessions. If disclosure of material in the executive session minutes would be inconsistent with the purpose for which executive session was held under Oregon Revised Statute (ORS) 192.660, the material may be withheld from disclosure.

The public, patrons of Lane ESD and staff members may receive, upon request, copies of approved current minutes at the administration office. However, minutes need not be approved by the Board prior to being available to the public.

All minutes shall be available to the public within a reasonable time. The public and patrons of the ESD may receive, upon request, copies of minutes through the ESD central office. A copy of the minutes of each regular and special Board meeting as they are drafted for approval may be distributed.

The ESD will maintain a hard copy<sup>1</sup> of the meeting minutes and make them available to staff and other interested patrons an updated copy of the meeting minutes.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including a student's confidential medical records and educational program; the discussion; and each Board member's vote on the issue.

END OF POLICY

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#### Legal Reference(s):

<sup>1</sup> Oregon Administrative Rule 166-400-0010(9)

[ORS 192.610 - 192.710](#)

[ORS 334.100](#)

Letter Opinion, Office of the OR Attorney General (Nov. 20, 1970).

## Lane Education Service District

Code: BDDH  
Adopted: 7/27/93  
Revised/Readopted: 10/23/01; 12/06/17  
Orig. Code(s): BDDH

### Public Comment at Board Meetings (Version 1)

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites ESD community members to attend Board meetings to become acquainted with the program and operation of the ESD. Members of the public also are encouraged to share their ideas and opinions with the Board when appropriate.

It is the intent of the Board to ensure communications with individuals with disabilities are as effective as communications with others. Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings. Primary consideration will be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary aids<sup>1</sup> and services.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual. All auxiliary aids and/or service requests must be made with appropriate advance notice. Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, an alternative, equally effective means of communication will be used.

#### Audience

During a session of a Board meeting open to the public, members of the public may be invited to present comments during the designated portion of the agenda. At the discretion of the Board chair, further public comment may be allowed.

#### Request for an Item on the Agenda

A member of the public may request the superintendent consider placing an item on the agenda of a regular Board meeting. This request should be made in writing and presented to the superintendent for consideration at least ten working days prior to the scheduled meeting.

#### Procedures for Public Comment at Meetings

The Board will establish procedures for public comment in open meetings. The purpose of these procedures will be to inform the public how to effectively participate in Board meetings for the best interests of the individual, the ESD and the patrons. The information will be easily accessible and available to all patrons attending a public Board meeting.

1. Discussion or presentation concerning a published agenda item is limited to its designated place on the agenda, unless otherwise authorized by the Board chair.

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<sup>1</sup> Auxiliary aids may include, but are not limited to, such services and devices as qualified interpreters, assistive listening systems, note takers, readers, taped texts, Brailled materials and large print.

2. A visitor speaking during the meeting may introduce a topic not on the published agenda. The Board, at its discretion, may require that a proposal, inquiry or request be submitted in writing, and reserves the right to refer the matter to the administration for action or study.
3. Any person who is invited by the Board chair to speak to the Board during a meeting should state his/her name and address and, if speaking for an organization, the name and identity of the organization. A spokesperson should be designated to represent a group with a common purpose.
4. Statements by members of the public should be brief and concise. The Board chair may use discretion to establish a time limit on discussion or oral presentation by visitors.
5. Questions asked by the public, when possible, will be answered by the Board chair or referred to the superintendent for reply. Questions requiring investigation may, at the discretion of the Board chair, be referred to the superintendent for response at a later time.
6. At the discretion of the Board chair, anyone wishing to speak before the Board, either as an individual or as a member of a group, on any agenda item or other topic, may do so by providing the Board secretary with a completed registration card or sign-in sheet prior to the Board meeting in order to allow the chair to provide adequate time for each agenda item.

The Board chair should be alert to see that all visitors have been acknowledged and thanked for their presence and for any contributed comments on agenda issues. Similar courtesy should be extended to members of staff who have been in attendance. Their return for future meetings should be welcomed.

#### **Petitions**

Petitions may be accepted at any Board meeting. No action will be taken in response to a petition before the next regular meeting. Petitions will be referred to the superintendent for consideration and recommendation.

#### **Comments Regarding Staff Members**

Speakers may offer objective criticism of ESD operations, programs and services. The Board will not hear comments regarding any individual ESD staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a legitimate complaints involving a staff member. The association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, his/her supervisor and the Board.

END OF POLICY

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#### **Legal Reference(s):**

[ORS 165.535](#)  
[ORS 165.540](#)

[ORS 192.610 - 192.690](#)  
[ORS 334.100](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

*Baca v. Moreno Valley Unified Sch. Dist.*, 936 F. Supp. 719 (C.D. Cal. 1996).

*Leventhal v. Vista Unified Sch. Dist.*, 973 F. Supp. 951 (S.D. Cal. 1997).

Oregon House Bill 2560 (2021).

## Lane Education Service District

Code: BDDH  
Adopted:  
Orig. Code(s): BDDH

### Public Comment at Board Meetings

(Version 2)

{House Bill 2560 (2021) goes into effect on January 1, 2022, and requires that ESDs provide the same opportunity for public comment to those attending virtually as is provided to those attending in person. We recommend that ESDs review current public comment practices and adopt policy language that meets the law and the desired ESD practice.}

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites ESD community members to attend Board meetings to become acquainted with the program and operation of the ESD. The public has a right to attend public meetings held in open session, and may be invited to share comments, ideas and opinions with the Board during designated times on the agenda. The Board may conduct a meeting without public comment.

Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings and submit written comments to the Board. Individuals requesting assistance, aids or accommodations are encouraged to notify the ESD at least 48 hours prior to the Board meeting with the request, consistent with Board policy BD/BDA – Board Meetings.

#### Procedures for Oral Public Comment

The Board establishes the following procedures for public comment at Board meetings held in open session. The information will be accessible and available to all patrons accessing or attending such a Board meeting.

1. Public comment is limited to its designated place on the agenda and while time allows.
2. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will ~~{sign in on the public comment sheet provided}~~ complete and submit the Intent to Speak card to the Board secretary or submit their name electronically ~~{do so as directed}~~ prior to the Board meeting.<sup>1</sup> A request to give public comment in-person or electronically does not guarantee time will be available.
3. A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda ~~{may comment only on agenda items}~~.
4. A person speaking during the public comment portion of the meeting should state their name ~~{whether they are a resident of the ESD,}~~ and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.
5. A person giving public comment is limited to an established time limit of three minutes. Statements should be brief and concise. The Board chair has discretion to waive time limits or extend the overall time allotted for public comment. Additional time will be allocated in a fair and

<sup>1</sup> When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the same opportunity.

equitable manner. Time limits will be determined based on the number of commenters and the amount of time available for public comment. If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board through the ESD office as directed.

6. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, and may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.

The Board will not hear public comment at Board work sessions.

Topics raised during the public comment portion may be considered for inclusion as agenda items at future Board meetings.

#### **Procedures for Written Comment**

Members of the public may submit written comments or materials to the Board at any time at the ESD office, by mail or by email to [supt-office@lesd.k12.or.us](mailto:supt-office@lesd.k12.or.us). Materials or comments submitted at least ~~72 hours~~ in advance of a Board meeting will be provided to the Board before the Board meeting, ~~but will not be read at the Board meeting~~. Written materials or comments submitted may not warrant action by the Board.

#### **Comments Regarding Staff Members**

A person speaking during the designated portion of the agenda for public comment may offer objective criticism of ESD operations and programs. The Board will not hear comments regarding any individual ESD staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints published complaint procedures for consideration of a legitimate complaint involving a staff member. ~~[Any association contract governing the employee's rights will be followed.]~~ A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, a supervisor and the Board.

END OF POLICY

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#### **Legal Reference(s):**

[ORS 165.535](#)  
[ORS 165.540](#)

[ORS 192.610 - 192.690](#)  
[ORS 334.100](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

*Baca v. Moreno Valley Unified Sch. Dist.*, 936 F. Supp. 719 (C.D. Cal. 1996).

*Leventhal v. Vista Unified Sch. Dist.*, 973 F. Supp. 951 (S.D. Cal. 1997).

Oregon House Bill 2560 (2021).

## Lane Education Service District

Code: BDDH-AR  
Revised/Reviewed: 11/07/17  
Orig. Code(s): BDDH-AR

### ~~Public Comment at Board Meetings~~ Intent to Speak - Public Comment

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point.

~~To make a comment or present a topic during public comment, if the opportunity is available on the Board agenda, please complete the Intent to Speak card and submit it to the Board secretary prior to the start of the meeting. An individual that has submitted an Intent to Speak card and has been invited to speak by the Board chair, will be allowed three minutes.~~

~~Any person, who is invited by the Board chair to speak to the Board during a meeting, should state his/her name and address and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.~~

~~Please keep in mind that reference to a specific employee or group of employees, is prohibited as follows:~~

~~Board policy BDDH – Public Comment at Board Meetings:~~

~~“Comments Regarding Staff Members – Speakers may offer objective criticism of ESD operations and programs. The Board will not hear comments regarding any individual ESD staff member. The Board chair will direct the visitor to the procedures in Board policy KL – Public Complaints for Board consideration of a complaints involving a staff member. The association contract governing the employee’s rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the staff member, his/her supervisor and the Board.”~~

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#### INTENT TO SPEAK

~~If a time for public comment is designated on a portion of the meeting agenda, a person providing public comment will be allowed three minutes. Signing up to provide public comment does not guarantee time will be available.~~

~~The Board welcomes your input. To provide in-person public comment please submit this completed card to the Board secretary prior the start of the meeting. To submit public comment electronically, submit your name electronically to [supt-office@lesd.k12.or.us](mailto:supt-office@lesd.k12.or.us) prior to start of the board meeting.~~

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Name of organization (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Email (optional): \_\_\_\_\_

~~Public Comment at Board Meetings~~ Intent to Speak - Public Comment – BDDH-  
AR  
1-2

Topic or comment to be presented (brief description): \_\_\_\_\_

A complaint brought before the Board shall be referred to the proper school authorities. A complaint shall be processed in accordance with Board policy KL - Public Complaints and KL-AR - Public Complaints Procedure. A hearing conducted by before the Board regarding personnel may shall take place in an executive session.

**The Board requests that a topic or comment is limited to three minutes or less.**

## Lane Education Service District

Code: BDE  
Adopted: 6/22/93  
Readopted: 10/23/01  
Orig. Code(s): BDE

### Public Hearings

*(The ESD could choose to keep this; not required to have policy; follow the law, e.g., budget committee, policy, best practices for community forums.)*

The Board will hold public hearings as required by law and will follow the appropriate procedures.

The Board will establish procedures for other hearings as may be required by the Board to ascertain the ideas and opinions of the community on items of interest or to facilitate the orderly resolution of questions or concerns of the Board or community.

END OF POLICY

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#### Legal Reference(s):

[ORS 192.610 - 192.690](#)

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## Lane Education Service District

Code: BE  
Adopted: 9/28/93  
Readopted: 10/23/01  
Orig. Code(s): BE

### School Board Work Sessions

*(See policy BD/BDA)*

The Board may schedule special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Topics for discussion and study will be announced publicly. Work sessions will be conducted in accordance with the state law on public meetings.

END OF POLICY

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#### Legal Reference(s):

[ORS 192.610 - 192.710](#)

[ORS 334.100](#)

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## Lane Education Service District

Code: BF  
Adopted:

### Policy Development

The Board has the authority and responsibility to establish policy. The Board accepts the definition of policy set forth by the National School Boards Association:

Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a district. They create a framework within which the superintendent and staff can discharge their assigned duties with positive direction. They tell what is wanted.

The formulation and adoption of policies, recorded in writing, will constitute the basic method by which the Board will exercise its leadership in the operation of the ESD.

The policies shall be consistent with Oregon Revised Statutes, Oregon Administrative Rules and all

federal laws and regulations.

The basic responsibility for initiating, reviewing and recommending new policies or policy modification will rest with the superintendent. New policies or changes in existing policy may be proposed by any Board member, group or organization, staff member, parent, student or other member of the ESD to the superintendent for the Board to consider. The superintendent, in developing these policies, may be guided by the recommendations of the staff and may seek input from component district staff or ESD patrons during the preparation and subsequent review of policy statements. Advice from legal counsel may be appropriate. The superintendent will furnish necessary background information to the Board.

The final authority and responsibility for Board policy lies with the Board.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)

## Lane Education Service District

Code: BFC  
Adopted: 7/27/93  
Readopted: 10/23/01  
Orig. Code(s): BFC

### Adoption and Revision of Policies (Version 1)

The Board shall exercise its rule-making power by adopting policies consistent with the Oregon Revised Statutes, Oregon Administrative Rules or opinions of a court of competent authority, for its own governance and for the organization and operation of Lane ESD. The Board accepts the definition of policy set forth by the National School Boards Association:

School Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and his/her staff can discharge their assigned duties with positive direction. They tell what is wanted.

Such policies may be adopted, amended or repealed at any Board meeting provided that the proposed adoption, amendment or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding meeting until approved or rejected and except that the Board may adopt, amend or repeal policies at any meeting of the Board in the event of an actual emergency, as determined at the sole discretion of the Board. Additionally, when in the best interests of the district immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

Policies shall be adopted, amended or repealed by the affirmative vote of four or more Board members.

Policies and amendments adopted by the Board will be attached to, and made a part of, the minutes of the meeting at which they are adopted and also will be included in the ESD's policy manual.

The Board shall communicate its position on matters of public policy and shall interact with the community, other governmental bodies and agencies and the media through the spokesperson designated by the Board.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)

## Lane Education Service District

Code: BFC  
Adopted:

### Adoption and Revision of Policies (Version 2)

Adopting new policies and changing or repealing existing policies is the Board's responsibility. Policy will be adopted and amended or repealed only by the affirmative vote of a majority of the Board members. Such action will be scheduled on the agenda of a regular or special meeting.

Proposed policies or policy changes and repeal of existing policies will be presented in writing for consideration by the Board.

To permit time for studying all new policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as a Board agenda item in the following sequence:

1. First reading of a proposed policy (or policies): This is an information item and no action is required by the Board. A first reading announces that a new policy, a revision of an existing policy or consideration to rescind a policy, is being considered by the Board. Comments, questions, concerns and recommended edits should be forwarded to the superintendent for consideration prior to the meeting in which the policy is recommended for second reading and/or adoption. If a Board member wishes to discuss a proposed policy or administrative regulation listed as an information item, the policy must be moved to the agenda for discussion with a [consensus] majority vote of the Board. Any organization which represents employees of the ESD shall be furnished a copy of personnel policies and revisions as they are made.
2. Second reading/Adoption of a proposed policy (or policies): This is an action by the Board and may be placed on the consent agenda. Any revisions to a policy from the first reading will not require the policy go through an additional reading, except as the Board determines that the revision(s) need(s) further study and an additional reading would be advantageous.

When, in the best interest of the ESD, immediate adoption of a proposed policy is necessary, the Board

Policies and amendments adopted by the Board will be attached to, and made a part of the minutes of the meeting at which they are adopted and will be included in the ESD's board policy manual.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)

## Lane Education Service District

Code: BFC  
Adopted: 7/27/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BFC

### ~~Administrative Rules~~ Administrative Regulations

Administrative ~~regulations~~ rules are detailed directions governing the operation of the Lane ESD.

The superintendent is authorized to formulate such administrative ~~regulations~~ rules appropriate for the implementation of policies adopted by the Board and necessary for the consistent operation of the ESD. Such administrative ~~rules~~ regulations shall be binding on the employees of Lane ESD and the students in the classrooms of the ESD until modified or repealed.

~~All new or amended administrative rules will become effective on the day after approved by the superintendent unless an alternative effective date is specified.~~ When approved by the superintendent, administrative ~~regulations~~ rules shall be distributed to staff and other individuals, as appropriate.

The superintendent will ~~make~~ submit administrative ~~rules~~ regulations available to the Board. The Board may review any administrative ~~regulation~~ rule and may direct its revision if, in the Board's judgment, such ~~administrative regulation~~ rule is not consistent with adopted ~~board~~ policies.

END OF POLICY

#### Legal Reference(s):

[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)

[OAR 581-024-0245](#)

## Lane Education Service District

Code: BFD  
Adopted: 7/12/00  
Revised/Readopted: 10/23/01  
Orig. Code(s): BFD

### Board Policy Implementation

#### Effective Date of Policies

All new or amended policies will become effective on the day after adoption by the Board, unless a specific date is included in the motion for adoption.

#### Policy Implementation

The superintendent and administrative staff will implement board policies. The superintendent may formulate administrative regulations and procedures to assist policy implementation.

It will be the Board's duty to evaluate the effectiveness of the policy and the effectiveness of the administration's implementation of the policy.

#### Policy Dissemination

The written board policies that govern Lane ESD will be maintained in a policy manual to be updated by ESD staff as new policies are developed or existing policies are revised or repealed.

Each Board member will be informed how to access the provided with a current board policy manual.

~~Policy manuals will be maintained by the ESD and accessible to staff and the public during regular office hours, as appropriate. The Board's policy manual will be considered a public record and will be open for inspection at the ESD central office. A summary of personnel policies, as found in the Employee Guide, shall be provided to all employees.~~

Each ESD employee will be notified of the existence and availability of personnel policies.

The ESD shall make a copy of the Board's policy manual available to the public and ESD employees. ~~[A summary of personnel policies, as found in the [Employee Guide] [Staff Handbook], shall be accessible by all employees.]~~ The Board's policy manual will be considered a public record and will be open for inspection at the ESD office during regular office hours.

The superintendent will provide channels for disseminating appropriate policies to the community.

END OF POLICY

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#### Legal Reference(s):

[ORS 192.410\(4\)](#)  
[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)  
[OAR 581-024-0245](#)

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Board Policy Implementation – BFD

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## Lane Education Service District

Code: BFE  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BFE

### Administration in the Absence of Policy

In cases where action must be taken within Lane ESD and the Board has not provided consistent, written policy to guide administrative action, the superintendent will have the power to act ~~provided that such action shall be reported to the Board at the next meeting following such action.~~ Such actions shall be reported to the Board at the next regular meeting.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)

## Lane Education Service District

Code: BFF  
Adopted: 9/28/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BFF

### Suspension of Policies

In the event of emergency or special circumstances, the operation of any single policy, section or sections of Board policy, including those governing its own operational procedures, may be temporarily suspended<sup>1</sup> by a majority of the Board members at any regular, or special or emergency meeting. This suspension, however, does not apply to any section of Board policy that may be established by law or contract.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)

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<sup>1</sup>Be sure to establish a time limit for the suspension, e.g., This policy is suspended for [...].

## Lane Education Service District

Code: BFG/BFGA  
Adopted: 7/27/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BFG/BFGA

### Policy Review and Evaluation/Manual Accuracy Check

To In an effort to keep its written policies current and relevant so they may be consistently used as a basis for Board action and administrative decision, the Board will continually review and update its board policies. The Board will evaluate the implementation execution and effect results of such its policies. It will rely on Lane ESD staff, students and community to provide evidence of the adopted policies' effects. The superintendent has continuing responsibility to alert the Board of all policies that may need revision if there has been a change in the law or educational policy.

The Board directs the superintendent to recall policy and administrative rules manuals periodically as needed for purposes of administrative updating and Board review.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125 \(7\)](#)

[OAR 581-024-0240](#)

## Lane Education Service District

Code: BG  
Adopted: 6/22/93  
Readopted: 10/23/01; 7/08/08  
Orig. Code(s): BG

### Board-Staff Communications

The Board desires to maintain open channels of communication between itself and the ESD staff. The basic line of communication will, however, be through the superintendent.

#### Staff Communications to the Board

All formal communications or reports to the Board, or any Board committee, from administration, teachers or other staff members will be submitted through the superintendent. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of an active administrative procedure, regulation nor disruptive to the operation of Lane ESD. In addition, this procedure does not restrict protected labor relations communications of bargaining unit members. Staff members are invited to Board meetings, which provide an opportunity to observe the Board's deliberations on matters of ESD operation staff concern.

#### Board Communications to Staff

All official Board communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent. The superintendent will provide appropriate communication to keep staff fully informed of the Board's policies, priorities, concerns and actions.

#### Visits to Sites

Visits by Board members will be conducted only under Board authorization and with full knowledge of staff, including the superintendent and other supervisors. Site visits by Board members will be regarded as informal expressions of interest in ESD programs program affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of staff, including the superintendent, administrators and other supervisors.

END OF POLICY

#### Legal Reference(s):

[ORS 334.125\(7\)](#)

[OAR 581-024-0245](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).

Connick v. Myers, 461 U.S. 138 (1983).

Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 (2008).

## Lane Education Service District

Code: BH/BHA  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01; 8/27/02  
Orig. Code(s): BH/BHA

### Orientation of New Board Members

~~The Board and designated Board and staff will make every effort to assist the new member to become fully informed about the Board's functions, policies, procedures and issues. In the interim between election and assuming office or following an appointment, the new Board member(s) will be assisted in the following ways:~~  
A new member is to be given the Board's and staff's fullest measure of courtesy and cooperation.

1. The newly elected or appointed Board member will be given materials related to ~~the role of a Board member~~ an ESD board member;
2. The newly elected or appointed Board member will be invited to attend Board meetings to observe the operation of the Board until they assume office ~~but will not be a voting member~~;
3. The newly elected or appointed Board member will be given a copy of Board policies, Board priorities, any long-range plans and the Lane ESD-adopted ESD budget;
4. The members of the Board will serve as mentors to a newly elected Board members;
5. The superintendent will supply material pertinent to meetings and will explain its content;
6. The newly elected or appointed ~~incoming~~ member will be invited to meet with the superintendent and other administrative personnel, by arrangement with the superintendent, to discuss services they perform for the ESD;
7. The newly elected or appointed Board member will be encouraged to attend the Summer Board Conference and the board training conferences planned ~~sponsored~~ by the Oregon School Boards Association;
8. ~~The newly~~ Newly elected or appointed Board member members will receive all materials, reports and communications normally sent to Board members.

END OF POLICY

#### Legal Reference(s):

[ORS 334.125\(7\)](#)

Commented [JS1]: Inquiring with OSBA re: required language

## Lane Education Service District

Code: BHB  
Adopted: 7/27/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BHB

### Board Member Development

The complexity of Board membership demands opportunities for development, study and training for Board members. The Board places a high priority on the importance of a planned and continuing program of professional Board development for its members.

In order to develop leadership capabilities, become informed about current issues in education, and improve their skills as members of a policy-making body, Board members will participate, to the best of their ability, in opportunities for professional development that may include, but not be limited to, the following:

1. In-service Board development activities planned by the Board and by the administration for staff members, as appropriate;
2. Participation in conferences, workshops, and conventions and training held by state and national school boards associations and other educational organizations;
3. Subscriptions to publications addressing Board member related topics.

~~Recognizing the need for continuing training and development of its members, the Board encourages its members to take advantage of professional development opportunities. Such opportunities may include, but are not limited to, in-state conferences sponsored by the Oregon School Boards Association and national conferences sponsored by NSBA or AESA.~~ To control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

1. The superintendent will inform Board members, in a timely manner, of upcoming conferences, conventions, and workshops and training. The Board will decide which meetings appear to be most likely to produce the greatest benefit to the Board and the ESD.

Attendance at such conferences shall be approved by formal action of the Board. Discussion should be placed on the agenda early enough to enable registration and transportation arrangements to be made in a timely manner if attendance is approved. Board members shall be reimbursed for approved expenses incurred in attendances.

The superintendent's staff will register Board members for approved conferences and, upon request, will make travel arrangements to and from the conference and arrange for lodging during the conference.

2. Funds for participation at such professional development will be included in the ESD budget. meetings may be budgeted. When funds are limited, the Board will designate which members will would be most appropriate to participate at a given meeting or training.

3. If authorized by the Board to attend, and reimbursement is approved by the entire Board, Board members will be reimbursed, upon request, for reasonable and necessary expenses actually incurred.;
4. When a conference, convention or workshop is not attended by the full Board, those who do participate will be requested to share, by means of written or oral reports, information, recommendations and materials acquired at the meeting.

END OF POLICY

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**Legal Reference(s):**

[ORS 334.100](#)

[ORS 334.125\(7\)](#)

## Lane Education Service District

Code: BHD  
Adopted: 2/24/09  
Orig. Code(s): BHD

### Board Member [Compensation] and Expense Reimbursement

No Board member will receive any compensation for services other than reimbursement for approved expenses actually incurred on ESD business. Such expenses may include the cost of attendance at meetings, conferences or visitations when such attendance has been approved by the Board.

Reimbursement procedures established by the ESD for staff will also apply to Board members travelling on board-approved ESD business.

When Board members may be reimbursed, when paid admission is required of the general public, Board members may be reimbursed for attending ESD events and other activities when as part of their attendance is consistent with board responsibilities and of being informed about ESD operations. The ESD will establish accounting procedures consistent with this policy.

END OF POLICY

#### Legal Reference(s):

[ORS 244.020](#)      [ORS 244.040](#)      [ORS 332.018\(3\)](#)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 02S-015 (May 20, 2002).

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 03S-015 (Sept. 11, 2003).

Commented [JS2]: Inquiring with OSBA on language

## Lane Education Service District

Code: BHD-AR  
Adopted: 9/27/94  
Revised/Readopted: 10/23/01  
Orig. Code(s): BHD-AR

### Board Member Expense Reimbursement Procedures

*(This is going to come up during discussion of DLC-AR and changes to BHD. Board members generally should follow the same rules as staff.)*

Board members and nonvoting advisory members will be reimbursed in accordance with the following guidelines:

1. Local and in-state mileage reimbursement shall be based on IRS guidelines;
2. Travel reimbursement for out-of-state conferences will be based upon the cost of coach rate air carrier with confirmed reservation at time of registration;
3. The following approved ESD guidelines for reimbursement of other expenses shall apply:
  - a. Covered expenses include lodging, meals and related expenses. Alcoholic beverages are not claimable;
  - b. Receipts for authorized expenses are required for lodging, meals and common carrier travel. Incidental expenses such as telephone calls, taxi cab fares and tips for hotel service may be reimbursed on the basis of written confirmation by the Board member.

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## Lane Education Service District

Code: BHDA  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01; 8/27/02  
Orig. Code(s): BHDA

### Compensation for Legal Fees for Board Members and Employees

It is the policy of Lane Education Service District that employees and Board members should have adequate legal representation in any suit or action or administrative proceeding, when the complaint against such employee or Board member arises out of one or more good faith actions taken on behalf of the ESD within the scope of his/her assignment.

The ESD will not provide for the costs of legal representation for an employee or Board member who is guilty of intentional misconduct, malfeasance in office or willful or wanton neglect of duty.

Except in situations where there is a potential or actual conflict of interest between the Board and the Board member or employee, Board members and employees will be provided representation by the ESD's general legal counsel at the ESD's expense.

In the event of a potential or actual conflict of interest (i.e., duty of the Board or ESD to advocate on behalf of one employee or Board member that would result in a duty to oppose another employee or Board member), the ESD shall compensate the employee or Board member's choice of legal counsel. Compensation of independent legal counsel shall be at a rate no greater than that currently charged by the ESD's legal counsel in his/her independent practice.

When an employee or Board member seeks permission to hire independent legal counsel under this policy, the superintendent, when warranted by the interests of the ESD, in consultation with the ESD's legal counsel, may declare that a conflict of interest exists subject to a final determination by the Board at its next meeting.

END OF POLICY

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#### Legal Reference(s):

[ORS 244.020](#) (15)                      [ORS 334.100](#) (3)  
[ORS 244.040](#) (1)(a)                   [ORS 334.240](#)

Oregon Government Standards and Practices Commission Advisory Opinion 93A-1007 (November 18, 1993).

## Lane Education Service District

Code: BHE  
Adopted: 9/28/93  
Readopted: 10/23/01  
Orig. Code(s): BHE

### Board Member Liability Insurance

The ESDB Board will purchase liability insurance and errors-and-omissions insurance to protect its school board members individually and collectively from claims made against them as a result of official lawful Board actions taken in the course of official duties.

END OF POLICY

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#### Legal Reference(s):

[ORS 30.260](#) to -30.300

[ORS 334.125](#)

## Lane Education Service District

Code: BI  
Adopted: 6/22/93  
Readopted: 10/23/01  
Orig. Code(s): BI

### ~~School-Board~~ Legislative Program

(Version 1)

*(is this current practice? There is an alternate version of this policy – see version 2)*

Lane Education Service District will be involved in the legislative and rule-making processes of state and federal government. An advocacy position for cost effective, cooperative educational services will be maintained. Activities of Congress, the state legislature, legislative interim committees and rule-making administrative agencies which have an impact for the ESD and its services to component districts will be identified, analyzed and monitored.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125\(7\)](#)

## Lane Education Service District

Code: BI  
Adopted:

### Board Legislative Program (Version 2)

The Board will represent the ESD's interests in legislative action to promote the interests of educational service districts, component school districts and the welfare of public education in the state of Oregon or will direct those interests to be represented through the superintendent or designee.

The Board will periodically study, discuss and weigh the merits of pending legislation for the purpose of determining its official position through Board action.

Board members, individually or as members of professional organizations, will not seek to represent any other positions on legislative matters unless it is made clear that such representation is not the official stand of the ESD.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125\(7\)](#)

## Lane Education Service District

Code: BJ/BJA  
Adopted: 6/22/93  
Readopted: 10/23/01  
Orig. Code(s): BJ/BJA

### **School-Board Memberships**

The Board may maintain memberships in the national and state school boards associations and may take an active part in the activities of these groups.

It may also maintain ~~institutional~~ memberships in other educational organizations that the superintendent and Board find to be of benefit to members and Lane ESD personnel.

The materials and benefits of ~~institutional~~ memberships will be distributed and used to the best advantage of the Board and the staff.

END OF POLICY

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**Legal Reference(s):**

[ORS 334.125](#)

## Lane Education Service District

Code: BK  
Adopted: 6/22/93  
Revised/Readopted: 10/23/01  
Orig. Code(s): BK

### Evaluation of School Board Operational Procedures

*(This policy is usually a placeholder for evaluating the effectiveness of the board, not the effectiveness of any ESD program.)*

[In order to appraise the effectiveness of its programs and its progress toward the educational goals of Lane ESD, the Board shall annually evaluate the conduct of the educational program and the operation of the business of the district.]

*(How about this language? Merging the intent of the old language and adds new?)*

The Board will plan a regular evaluation of its function as a Board. This evaluation may be broadly based on relationships and activities or may focus on a particular activity or area.

Working with the superintendent, the Board chair and an ad hoc Board committee appointed by the chair may develop the evaluation plan. The Board may hire a consultant to assist with the evaluation.

The Board may include an appraisal of the effectiveness of its program and progress toward established goals.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125\(7\)](#)

## Lane Education Service District

Code: BKA  
Adopted: 7/27/93  
Readopted: 10/23/01  
Orig. Code(s): BKA

### Review of Contracted Service Providers

The Board recognizes that the interests of Lane ESD will be served by conducting a regular review of the services received from professional consultants. Such consultants include legal counsel, auditor, labor relations consultant, the agent for employee benefits programs and the agent for property/casualty insurance programs.

The Board believes that a continuing evaluation of the work of these service providers is desirable and that a formal review should occur every three years.

The continuing evaluation will include, at a minimum, an annual report by the superintendent to the Board of the work accomplished by each of the professional service providers.

The superintendent will, at the July meeting of the Board each year, identify which vendors are or will be due for the formal review during the ensuing fiscal year and at that time recommend a calendar and process for the review.

The formal review will include a review and adoption by the Board of the standards for the position. It may also incorporate a competitive selection process including a request for proposals from selected vendors, a review of the proposals and formal action by the Board to name the vendor. In making this decision, the Board recognizes that criteria for selection of a professional consultant includes the quality as well as the cost of the services.

In order to implement this policy, the Board directs the superintendent to prepare administrative rules to assure that this policy is carried out.

END OF POLICY

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#### Legal Reference(s):

[ORS 334.125 \(7\)](#)

## Lane Education Service District

Code: BKA-AR  
Adopted: 6/27/93  
Readopted: 10/23/01  
Orig. Code(s): BKA-AR

### Process for Review of Service Providers

In accordance with Lane ESD policy, the following process will be followed to review services provided by individuals or agencies:

#### 1. Administrative Review

- a. Each personal services contract covered by this rule will be reviewed by the superintendent and staff annually. The Board will be provided a written summary of the review at its July meeting;
- b. As part of the review, the superintendent will include recommendations regarding which vendors are due for a formal review during the fiscal year and the timelines and format to be followed;
- c. For providers of the various ESD insurance programs, this will include a review of the risk management policy (in Section E) by the risk management committee.

#### 2. Formal Review

- a. The Board agrees it shall formally review all contracts every three years. The timelines for the Board to complete the formal process shall be established at the time it commences the review process. Upon conclusion of the review, the Board shall determine a course of action which may include:
  - (1) Continuance of the contract based on administrative review and recommendations;
  - (2) Request for proposals from qualified agencies and/or individuals, followed by an interview and formal election by the Board;
  - (3) The elimination of an outside provider and the assignment of the responsibilities to a staff member(s).
- b. The decision shall be based upon the qualifications of the parties, their ability to provide the services as well as their record for providing such services and the needs of the ESD for those services.
- c. The ESD recognizes certain services, such as those of an auditor, must be provided by an independent contractor.



March 2025 Board Report

### **Family and community support**

- Mexican Mobile Consulate- Jose volunteered to help the MEP team with this work as they worked through the weekend to provide family support.
- Recovery High- Planning around the potential Recovery High school has started. We are currently working to identify internet providers associated with the building. We are excited to get started on the discovery phase of this project so we can develop the necessary relationships early on.

### **System Upgrades and Improvements**

- CyberSecurity: We are part way through our final phase, Phase 3, and currently focused on the hardening of our server security posture.
- LEARN Platform- Our SpEd department has been testing the application approval process as well as the use of the LEARN Platform. We plan to roll the process and platform out to all staff before the end of March. We have partnered with 4 J to help support district processes and align our region in the work that we are doing.
- Parent Square- Is currently being updated with regular uploads while HR helps us to keep all staff data changes accurate. Brad Johnston is leading the use of this communication tool when we have important messages that need to go out for inclement weather and emergencies.
- Network Infrastructure- We are working with the vendor to fix a bug in their programming that was discovered by our team.
- HR System- HR and IT have run into some challenges with the new HR system and the team is currently working to identify the best path forward.
- Freshservice- The improvement and redesign of our tickets system is complete. We are in the middle of training staff right now and plan to roll out the new features and options on March 10th.
- Phone System- We started the discovery phase of the new Lane ESD phone system. This phase will last 2-3 months as we collect information and meet with vendors to outline the cost and associated timelines for this project.

## **School Improvement Team | Board Report | 03-04-25**

### **Oregon ACTE Administrator of the Year**

Shareen Vogel, Lane ESD's Regional Coordinator, has been named Oregon ACTE's Administrator of the year for the state. Jesse Quinn from Lane Workforce Partnership said it best, "Shareen has been instrumental in expanding Career and Technical Education (CTE) opportunities across Lane County. From launching Lane Career Academy (LCA) to pioneering Team Oregon Build (TOB) and The HOPE Factory, she has created transformative, hands-on learning experiences that equip students with real-world skills, industry credentials, and pathways to high-wage, high-demand careers."

"Her work has redefined CTE education in Oregon, ensuring that students from all backgrounds—including those in rural communities—have access to meaningful career-connected learning experiences in industries critical to our region, such as construction, emergency response, and behavioral health."

Shareen will be recognized at the Oregon ACTE annual conference in Seaside in April and then moves into the regional award category and from there has the possibility to move into the running for the national award. We are all so thrilled to see Shareen receive such honorable recognition for the hard work and innovation that she brings to Lane ESD.

### **Curriculum Leaders**

The February meeting centered around three topics:

Fetch Therapy Dogs visited and our School Safety and Prevention Specialist Angie Elstone shared ways that therapy dogs can support students and staff in times of tragedy. Connected Lane County's Shimea Jordan announced CLC's receipt of the African American Black Student Success grant and their plans for implementation of services. Finally, Springfield's Taylor Madden, Siuslaw's Lisa Utz, and LESD's Ana Quintero-Arias shared updated guidance for immigrant students and families. Please see the full agenda [here](#).

The Special Education Department will be hosting District partners at the John Serbu Youth Campus to tour a potential new site for the Intensive Services Program. The following email was sent to all SpEd Directors and our tour will be hosted on Tuesday:

*We would like to invite you to join us for a tour of a potential new location for the ISP program as we work to identify a site for 2025-26.*

*As you know, we are currently sharing space with Eugene 4J at the Fox Hollow campus. However, with 4J expanding their Fox programming next year, they will be reclaiming the space we've been using. This means we need to find a new home for our ISP program in order to continue supporting students with intensive behavioral needs.*

*We've identified a potential location at the John Serbu Youth Campus, where a secure residential pod is currently vacant. This pod was specifically designed to ensure the safety and dignity of youth experiencing behavioral disruptions. It includes three classroom spaces, several common areas, two outdoor secure spaces, laundry facilities, showers, a garden area, and sensory rooms. The secure design of the space allows students greater freedom of movement and exploration, minimizing concerns about unsafe elopement.*

*We are still in the early stages of discussions with Lane County and would like to invite our district partners to tour the space and share their feedback. If we move forward with this option, we will provide a detailed communication plan and invite all community partners—such as Disability Rights Oregon, Direction Service, Lane County DDS, and others—as well as parents to participate in a second tour before we make any final decisions. This pod would provide our students with a designated, safe, and secure environment tailored to their educational needs.*

*We recognize the importance of gathering your input on this potential site. Therefore, we would love for you, and possibly your superintendent, to join us for a tour of the John Serbu Youth Campus next Tuesday at 11:45 a.m., following Curriculum Leaders. Your feedback will be invaluable as we work to determine the best options for our students.*

The Special Education Department is also working with Finance and the Superintendent's Office to finalize slot cost adjustments for the 2025-26 school year.

We are also exploring the possibility of a new position requested by districts for an Inclusion Specialist to support Districts who choose to keep their students (who qualify for a Life Skills placement) in their home district.

Finally, we are working towards opening a Life Skills classroom in Cottage Grove or Creswell to better support HS and Transitions age students so that they learn the communities that they will be living in post HS instead of the Eugene community.

## Hispanic Heritage Night

I attended Hispanic Heritage Night at Siuslaw Middle School on February 6th. The event celebrated Hispanic culture through food, music and crafts. The event was well attended and all the teachers, staff and Andy G were on hand to help. Very heart warming event concluded with ballet folklorico.

## Siuslaw School Board Meeting

I attended the Siuslaw School Board meeting on February 12th with Tony Scurto to present the 2025-2027 Local Service Plan . The Board asked good questions and decided to vote for the local service plan.

Also of interest was a discussion about a high school student request to remove a book from the school library. There had been a committee formed to read the book and make a recommendation. Although the committee recommended keeping the book, four of the Board members decided to first read the book themselves before accepting the recommendation. Decision will be made at the next meeting. A large crowd is expected to come and make comments.