

NOTICE: The meeting will be open to the public via live broadcast on KRVM 1280-AM, via the internet at www.4j.lane.edu/stream or via Zoom Webinar at <https://zoom.us/j/96142344890?pwd=bFlybTJlMnNST2RzUnNhQ0c1Zm5tZz09>

Public Comment: Interested residents can submit a request to provide public comment online at 4j.lane.edu/board/publiccomment (<https://www.4j.lane.edu/board/publiccomment/>). The deadline is 5:00 p.m. on Monday before each regular meeting of the school board. District staff will contact requesters after the deadline to notify them whether they have been selected to speak and, if so, when and how to connect to provide public comment to the board.

- I. **5:30 p.m. Executive Session:** The Board will convene in Executive Session to evaluate the employment related performance of the chief executive officer, pursuant to ORS 192.660 (2)(i).
Executive Sessions are not open to the public All matters discussed during Executive Sessions are confidential and shall not be disclosed by any representative of the news media without authorization of the school board.
- II. **7:00 p.m. Regular Board Meeting:**
- III. Call to Order, Roll Call, Flag Salute, Land Acknowledgement
- IV. Agenda Review
- V. Introduction of Guests and Superintendent's Report
- VI. Comments by Board Chair
- VII. Receive Reports from High School Student Representatives
- VIII. Items Raised by the Audience
- IX. Comments by Employee Groups
- X. Comments and Committee Reports by Individual Board Members
- XI. Consent Group - Items for Action
 - XI.1. Approve Purchase of Replacement Classroom Displays
Presenter: Steve Menachemson, Director of Technology Services
 - XI.2. Approve Meeting Minutes for March 3, 2021
Presenter: Cydney Vandercar, Superintendent
- XII. Items for Information
 - XII.1. Update from Eugene Education Foundation (15 minutes)
Presenter: Dana Fleming, Director of Eugene Education Foundation
 - XII.2. Update on COVID-19 School Operations and Planning (30 minutes)
Presenter: Cydney Vandercar, Superintendent
 - XII.3. Update on State Testing Spring 2021 (15 minutes)
Presenter: Eric Anderson, Director of Curriculum; Oscar Louriero, Director of Research and Planning; Brooke Wagner, Director of PreK-8 Education; Jeff Johnson, Director of PreK-8 Education; Andy Dey, Director of High School Education;
- XIII. Items for Action
 - XIII.1. Approve Readoption of Board Policies on Sexual Harassment (5 minutes)
Presenter: Christine Nesbit, General Counsel
- XIV. Items for Action at a Future Meeting
 - XIV.1. Approve Board Guiding Beliefs & Values for 2020-21 (10 minutes)
Presenter: Mary Walston, Board Chair
- XV. Suggestions by the Board for Consideration of Items at a Future Meeting

XV.1. Meeting Dates:

August 2020: August 5, 19 (Complete)

September 2020: September 2, 10, 16, 21, 23 (Complete)

October 2020: October 7, October 14 & October 21 (Complete)

November 2020: November 4 & November 18 (Complete)

December 2020: December 2 & December 16 (Complete)

January 2021: January 13, 2021 & January 27, 2021 (Complete)

February 2021: February 3 & February 17 (Complete)

March 2021: Wednesday, March 3, March 17 & March 31 (Complete)

April 2021: April 16 & April 21 (Complete)

May 2021: Wednesday, May 5 & Wednesday, May 19

June 2021: Wednesdays, June 2, June 16, June 23

July 2021: Thursday, July 1 at 12:00 p.m. "Oath of Office"

XVI. Adjourn

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

INFORMATION FOR THE DEAF AND HARD OF HEARING:

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



ITEM FOR ACTION – CONSENT AGENDA

Date of Meeting

May 5, 2021

Title

Approve the purchase of replacement classroom displays

Presenter

Steve Menachemson

Background

On November 6, 2018, voters approved Measure 20-297 “Bonds to Construct, Improve School Facilities, Address Safety, Overcrowding.” This bond measure provides \$319,300,000 to replace three schools (Edison Elementary, Camas Ridge Elementary and North Eugene High School) and fund improvements across the district. Included in this bond measure is \$6,000,000 for technology purchases, including a budget of approximately \$1.8M for classroom projector replacement.

Projectors are at or beyond end of life. These devices have been integrated into the classroom teaching and learning experience and are deemed a necessary instructional tool.

This request seeks Board approval for the following:

- Fund a pilot to review the quality and cost to operate projectors vs flat panel displays
- Identify the most appropriate technology taking into account need at elementary, middle and high
- Investigate instructional alignment and need for display interactivity
- Replace existing projectors with the most recent/upgraded model where it makes sense to do so and where devices have failed
- Deploy technology that can enable connecting wirelessly, thereby eliminating the cable connectivity in use today.

The Technology Department will negotiate discounted pricing based on volume. Final volume will be determined by an audit representing need.

Options and Alternatives

If the Board declines to approve this purchase, it is possible that the cost of a future purchase would be greater. Projectors that fail may not be replaced and this will be an impact to the quality of instruction in the classroom.

Board and Superintendent Goals

This proposal supports the Board Goal to provide prudent stewardship of District resources to best support student success, education equity and choice.

Recommendation

The Superintendent recommends approval of the purchase of the equipment listed above at a cost of ~1.8M.

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

March 3, 2021

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held a regular session at 7 p.m. Notice of the meeting was mailed to the media and posted in the Education Center on February 26, 2021, and published in The Register-Guard on March 3, 2021.

NOTICE: In light of current public health concerns related to coronavirus COVID-19, the meeting of the Eugene School District Board of Directors took place virtually via Zoom Meeting. Pursuant to ORS 192.670, the meeting was open to the public via live radio broadcast on KRVM 1280-AM and via the Internet at www.4j.lane.edu/

ROLL CALL

BOARD MEMBERS:

Mary Walston, Chair
Judy Newman, Vice Chair
Anne Marie Levis
Alicia Hays
Martina Shabram
Jim Torrey
Gordon Lafer

STAFF:

Cydney Vandercar, Superintendent
Charis McGaughy, Assistant Superintendent for Instruction
Kerry Delf, Chief of Staff
Brooke Wagner, Director of K-8 Education
Jeff Johnson, Director of K-8 Education
Andy Dey, Director of Secondary Education
Christine Nesbit, General Counsel
Steve Menachemson, Director of Technology
Kyle Tucker, Chief Operations Officer
Karen Hardin, Director of Human Resources
Oscar Loureiro, Director of Research and Planning
Andrea Belz, Director of Finance
Holly Langan, Director of Nutrition Services
Misael Flores Gutierrez, Equity, Instruction, and Partnerships Administrator
Eric Anderson, Director of Curriculum
Lisa Fjordbeck, Executive Assistant/Board Secretary

STUDENT ADVISORY PANEL MEMBERS:

Harmony Simmons, Churchill High School
Joel Sadofsky, International High School
Paige Dunnivant, North Eugene High School,
Mazie McNamara, Sheldon High School

MEDIA: KRVM

OTHER: Sabrina Gordon, Eugene Education Association (EEA) President
Tom Horn, Managers, Administrators, Professionals, Supervisors (MAPS) President
Sheila Waggoner, Oregon School Employee Association President

I. 5:30 p.m. Executive Session

1. The Board convened in Executive Session to consider records that were exempt by law from public inspection, pursuant to ORS 192.660 (2)(f).
2. The Board convened in Executive Session to conduct deliberations with persons designated by the governing body to carry on labor negotiations, pursuant to ORS 192.660 (2)(d).

II. 6:00 p.m. Work Session On District Key Performance Indicators

Chair Walston opened the work session at 6:00 p.m.

Ms. Delf reminded everyone that the Board had reviewed KPIs related to the first two goals, Goal I, Educational Excellence With Equitable Access and Outcomes for Every Student, and Goal II, Multiple Pathways to Student Success, at its Feb. 17 work session.

Ms. Delf said that at this meeting, district staff would provide the second part of a two-part update on Key Performance Indicators (KPIs) for the goals of the district's 4J Vision 20/20 Strategic Plan: Goal III, Communications and Connection with the Community; Goal IV, Diverse World-Class Workforce; and Goal V, Stable, Sustainable Stewardship.

The specific measures reviewed included communication output and outcome metrics, staff diversity compared with student diversity, class size and staffing ratios, and access and use of technology devices.

Ms. Delf said that they had increased the amount of text communications with parents. For the 2019-2020 school year the District had 84 news releases and media alerts, 415 documents news stories, and 2,633,841 views on the District webpage. They had 10,754 followers on the Facebook District page, 5,194 follows on the District's Twitter, 1,548 subscribed to their District e-newsletter, and 308 followers on the District's Instagram. Ms. Delf noted that these platforms were important because they allowed two-way communication between parents and the staff.

Ms. Hardin shared that last year when schools closed due to the COVID-19 global pandemic, a lot changed. Many people had to make choices for themselves and how to stay safe and have an income. As a result, the District's attrition rate went up from 3.8% in 2018-2019 to 8% in 2019-2020. These numbers also showed the transition of the Deaf and Hard of Hearing (DHH) program to Lane ESD.

Student diversity had gone up and the percentage of non-white staff went up in every category (licensed staff, classified staff, administrators, and professional staff) except for professional staff. That category went from 14.3% in 2018-2019 to 7.5% in 2019-2020. Ms. Hardin shared that that was their smallest group, so if one person left it would swing the numbers drastically.

Ms. Belz reported that the general fund reserve as healthy and the district had once again been able to budget the 5% reserve level. Section 5d of Board Policy DI "Financial Management

Policies” sets the minimum ending fund balance at 5% of that year’s revenues. She noted that they had not seen a furlough day in the District since 2015-2016.

Student teacher ratios over the last seven years and not only been stabilized but improved. For kindergarten they had one teacher for every 23 students. For grades 1 through 5 they had one teacher for every 26 students. For grades 6 through 8 they had one teacher for every 27 students. Lastly, for grades 9-13 they had one teacher for every 29 students. Ms. Belz noted that their goal was to keep elementary class sizes at or under 30 students. That was accomplished at all elementary schools during the 2019-2020 school year.

Technology was a huge part of the last year since students were able to take it home with them. Each student had access to the appropriate device for their grade and 4J even sponsored Comcast Internet Essentials subscriptions. The District had implemented a new asset tracking and incident-logging tool for student devices. Mr. Menachemson noted that technology had also been changed at the staff level. Over 350 devices had been replaced and over 400 still needed to be replaced. All staff had access to licensed Zoom accounts to support distanced learning. Over the past year 208,371 meetings had been hosted over Zoom in the District.

Mr. Tucker gave an update on the 2018 bond projects. The district facilities team is currently working on the North Eugene High School and Edison Elementary School replacements, the North Eugene High School softball field, and Gilham Elementary School addition, renovating facilities for program relocations, equitable athletic improvements, and critical facility maintenance and repairs. Mr. Tucker said that they had also just started the design process for Camas Ridge Elementary School.

Ms. Newman asked if retirement changed based on the DHH change to Lane ESD. Ms. Hardin replied that retirement was not included in those numbers. Their attrition rate counted all other reasons for departure from the District.

Mr. Lafer said he thought it would be helpful if the district could report on early retirements and staff morale.

Mr. Torrey wanted to know about the technical replacement costs. He understood that they used a lot of federally funding to acquire those devices. Mr. Torrey wondered how they were planning to get more reserve dollars to replace technology. Mr. Menachemson replied that they were and had been working with Ms. Belz to put aside some of the budget to replace outdated technology. Mr. Torrey asked if seniors who received technology would be expected to bring them back to their schools. Mr. Menachemson responded that students would keep their devices until they graduated or transitioned to a class that needed a different device.

Ms. Hays asked if building principals did staff interviews to monitor why they were staying in the District and why they left. Ms. Hardin responded that they talked last year about doing “staff interviews” but that project fell through when COVID-19 started. She added that the District was working with the Oregon School Board Association (OSBA) on an employee wellness grant.

Ms. Hays asked if they were increasing technology staff as they increased the number of devices in the District. Mr. Menachemson replied that they were slowing adding more staff where they could. He said that his team did a lot of work and even adding one new employee helped a lot. Mr. Menachemson wanted to add more staff in the future.

Ms. Shabram knew that student surveys were beneficial to the District and she wanted there to be something similar for the 4J community and for staff. She mentioned that knowing how the overall health of the 4J community and staff would help create a better environment. Ms. Newman thought there was a statewide survey of teachers. She asked if the district used that information. Ms. Hardin said they would look into surveys that were already established. The State survey was not something they were required to use

Chair Walston reminded everyone that the community talked a lot about wanting class sizes to go down. She was glad to see that the district had made progress on that goal.

Mr. Lafer did not find the ratio of licensed staff to student helpful. They needed more detailed data on classrooms by subject and grade level. He also wanted to know what the ratio was when looking at special education.

Chair Walston said she remembered talking about the Vision 20/20 plan and how it translated to actual work. Ms. McGaughy responded that on the instruction side of the plan they monitored KPIs throughout the year and looked closely at numbers through different lens.

Chair Walston adjourned the work session at 6:50 p.m.

III. Regular Meeting – Call To Order, Roll Call, Flag Salute, Land Acknowledgement

Chair Walston called the Board meeting to order at 7:00 p.m. Chair Walston called roll, led everyone in the pledge of allegiance, and read the land acknowledgement.

IV. Agenda Review

Chair Walston wanted to add “Approval of Board Resolution – Personnel Actions” to their consent agenda. There was no objection from the board and the was added to the consent agenda.

V. Introduction of Guests and Superintendent’s Report

Superintendent Vandercar mentioned that that week was classified employee appreciation week. She wanted to take a minute to acknowledge and thank 4J classified employees for all the work they did for the district.

Superintendent Vandercar welcomed the Churchill Choir who performed via video recording. Chair Walston thanked the choir for their performance.

VI. Receive Reports from High School Student Representatives

Mr. Torrey read into record a report sent in by Noa Ablow Measelle from South Eugene High School. Noa wrote that at South Eugene High School the students were working on setting up another food drive since the first was a success. They also had their second virtual student lunch hangout that day to help promote more student social events. Seniors had talked a lot about wanting an in-person graduation event, even if it was small.

Harmony Simmons, Churchill High School, recognized classified staff week. Ms. Simmons said that the students had shared slides in appreciation of their classified staff. A Google form was also shared with the student body where they could send a personal message to a chosen staff member. She said that they were starting to discuss their options for a virtual prom.

Mazie McNamara, Sheldon High School, shared they were working on an in-person graduation plan. Students were talking with school staff on coordinating an outdoor event on their football

field. She said they were doing outreach to different clubs to have representatives join their student government meetings to talk about student moral and culture.

Joel Sadofsky, IHS, said that seniors had met their requirements for graduation by completing multiple tests and essays. He hoped that art and music programs were given the same prioritization that athletics had been given. Mr. Sadofsky had been following the Camas Ridge Elementary School redesign. He wanted them to keep equity in mind and discouraged the large surface parking lot that had been shown.

Paige Dunnivant, North Eugene High School, shared that the students were pushing for the best in-person graduation that the metrics would allow. They had their last scheduled trivia night the week prior. She said that the students were trying to promote their food pantry and clothing closet more.

VII. Public Hearing for Proposed Regulation DJC-AR Special Procurement Exemptions from Competitive Bidding

Chair Walston opened the hearing at 7:22 p.m.

Ms. Nesbit explained that on January 29, 2021 the special procurement exemptions from competitive bidding were posted. The school board, as the local contract review board for the district under Oregon public contracting laws, has the authority to solicit and award public contracts for goods and services and to adopt rules and findings for special procurements and exemptions from competitive bidding. The proposed regulation DJC-AR would establish certain exemptions from competitive bidding and designate certain classes of contracts for special procurement. The use of special procurement and exemptions from competitive bidding is consistent with state law and practices by school districts and other public agencies throughout Oregon. It would be used only when expected to result in substantial cost savings or otherwise substantially promote the public interest in a manner that could not be practically realized through standard procurement processes.

Ms. Nesbit noted that no one had signed up for the public hearing to provide comment.

Chair Walston closed the public hearing at 7:23 p.m.

VIII. Items Raised by the Audience

Becky Thomas, 4J parent, said that both her children were on different schedules. She was disappointed when they received an email saying that schedules would stay the same when they moved to hybrid. Ms. Thomas hoped that they would take another look at that schedule.

Rico Perez, Community Alliance of Lane County, had asked the Equity Committee what the definition of an equity lens was. He could not help but wonder, with a Board that was mainly white, if the disparities between schools was being seen. Mr. Perez asked the Board if they had talked about setting term limits for their position to allow people of color onto the Board.

Jamie NicholSEN-Tait, elementary school teacher and mother of young children who will attend 4J, said it was important to do right by current and future students. The North Eugene High School plans had changed so that a larger field space would no longer be included. She said that this was an equity issue and that those students deserved just as much space for sports as other students in the District. Turfing Swede Johnson stadium would benefit everyone.

Doug Morgan, North Eugene graduate, had spent a lot of time on Swede Johnson stadium. Since the field was not turfed it was not useable during the fall or winter months due to mud.

Jim Neef, North Eugene graduate and parent to North Eugene student, stated that the grass situation at Swede Johnson stadium made it unusable for most of the school year. When he played baseball there, they had to sponge the field before a game in order to make it playable. His son now did the same thing.

Sandee Bybee, parent of a senior at Churchill High School, thanked the Board for their management during COVID-19. She agreed with what student representative had said concerning graduation. At Churchill parents had been meeting to discuss how they could better support their graduating students. They found out that parent volunteer restrictions destroyed all the work they had done. Ms. Bybee asked the Board to reevaluate parent volunteer restrictions.

Ryan Rhodes, president of North Eugene High School, noted that the Board got a bunch of emails from the high school. He understood that they reached out to the University of Oregon to see if they could use their football stadium, but that would not work. Mr. Rhodes wanted the Board to create a committee, which could focus on creating an in-person graduation.

Mats White knew that shutting down schools in March 2020 was needed, however that was no longer the case. Children had a low infection rate and would not spread the virus. If precautions were taken there would be no problem opening schools for in-person instruction. He stated that if this was not done students would fall behind and never catch up.

IX. Comments by Employee Groups

Tom Horn, Managers, Administrators, Professionals and Supervisors (MAPS), wanted everyone to think about what the point of an education was. During the pandemic he had thought a lot about what an education meant. No matter the reason, reducing inequities was crucial. Part of an education was helping students create who they were and foster those interests and ideas.

Sheila Waggoner, Oregon School Employee Association (OSEA), represented around 940 classified staff in the District. She thanked classified staff for all the work they had done over the year. It was those employees who were in schools when COVID-19 started, and who oversaw making sure schools were safely kept so students could return.

Sabrina Gordon, Eugene Education Association (EEA), thanked classified staff for all their work. 4J staff at all levels were working to prepare for a return to in-person instruction. As they worked through these problems, she wanted the community to be realistic about the process. Once they returned to in-person the situation would not magically return to how the world was before COVID-19. However, it would allow for more social time and student teacher bonding. Ms. Gordon said that students would still need time to adjust, and families should be patient.

X. Comments and Committee Reports by Individual Board Members

Before giving an update on All Students Belong, Ms. Newman, Ms. Shabram, and Ms. Levis thanked all classified staff for their work. Ms. Newman reminded everyone that they conducted interviews for a facilitator for the All Students Belong board work group and the board work group chose SeeChange. They shared the District's North Star Goals to map out what they needed from the facilitator. SeeChange came back with a proposal on how they should move forward with All Students Belong. The proposal outlined three phases. First was planning and discovery. They would do inventory and collect what data already existed. Second was to explain and outline the data and suggest potential surveys and focus groups to engage with the

community and staff. Third was communication. They would present findings and give a presentation to the board.

Ms. Shabram noted that this framework was different than what they originally wanted. SeeChange had a lot of experience and wanted them to gather data before forming a community group. The board work group agreed with their recommendation. By defining the work at hand and having data around it, the All Students Belong Committee will be more effective.

Ms. Levis wanted the community to know that they were truly dedicated to addressing the inequities and racism in their system. By taking the time to step back and collect data they would be able to better utilize the Committee and not waste the time of community members. In two weeks, they wanted to have SeeChange at their meeting so Board members could ask questions and the community could hear their plan. Ms. Newman added that it would be done in a work session. She mentioned that the Equity Committee would help with the data collection.

Mr. Torrey said he had recently been asked recently about what the next school year would look like. Would it be hybrid, online, in-person or something else. He said that they would have a Budget Committee meeting on April 5, 2021 and they should get an answer and start planning their budget around being in-person. Mr. Torrey thanked Judy for putting a testimony together for the legislative session about the Essential Skills program.

Ms. Hays thanked the All Students Belong board work group for slowing down the process to make sure that the process with the consultants was set up to succeed.

Mr. Lafer appreciated Mr. Sadofsky's comments on opening schools for art programs. He heard what the public said about Swede Johnson field and would do what he could to support the turfing of the field going forward. Mr. Lafer stated that elementary and middle school families had to decide by March 4, 2021 if they wanted to be in a hybrid or online model. He knew that this was a hard decision to make when there was not a lot of information around the topic. Mr. Lafer noted that U.S Department of Education approved standardized testing to continue that year. The Oregon Department of Education (ODE) had filed to be exempt from that decision. He felt that testing at this time would only add unnecessary stress.

XI. Consent Group – Items for Action

1. Approve Alternative Education Provider Contracts for Special Education Services
2. Approve Meeting Minutes for January 17, 2021
3. Bond Project – Chinese Immersion Program Move to Kennedy Middle School
4. Bond Project – Churchill and Sheldon High School Turf Artificial Field Replacement
5. Authorize Temporary Child Care Voucher Program
6. Approval of Board Resolution – Personnel Actions

MOTION: Ms. Newman moved, seconded by Ms. Hays, to approve the consent group as presented.

VOTE: The motion passed – 7:0.

XII. Items for Information

1. Receive Second Quarter Financial Report

Ms. Belz asked the board to look in their packet at the general fund budget, forecast, and expenditures as of December 31, 2020. The district revenues were on track. At this point most property and local option taxes were in. Expenditures were also on track, but a little bit lower.

She noted that there were a few expenditures, which would move to their Elementary and Secondary School Emergency Relief (ESSER) grant. Going into the third quarter they had nothing in their contingency line.

Ms. Belz pointed out that their debt service fund had \$77,482,092 in it. She explained that this number was a result of the district completing a general obligation bond advanced refunding which was approved by the board in August 2020 and done in September 2020. The district did not benefit from this action, the benefit was to the taxpayers.

Ms. Belz said they would present budget changes at the June Board meeting.

Ms. Shabram asked if given the contract they had before if they would have been able to offer the level of nutrition services, they had been able to do during COVID-19. Ms. Langan responded that they had partnered with other Districts and knew that some were using an outside food management companies and were able to serve their students. She believed that bringing nutrition services in-house, and not using an outside contractor, had helped.

2. Receive a Report on the North Region Review Plan Update

Mr. Johnson said they would focus on the Kelly/Yujin Gakuen co-location. To make room for the new North Eugene High School building, the district needed to tear down the former Silver Lea Elementary School building that housed two programs: the Yujin Gakuen Japanese Immersion and Corridor elementary schools.

One of the board goals for the 2020-21 school year is to begin the process of a North Region Review. The district has enlisted a retired administrator to engage with 4J staff and community members over the next school year to develop the long-term plan for Kelly Middle School and Yujin Gakuen. Over the next year, the district will work with the Kelly and Yujin Gakuen school communities to develop a long-term plan for the best location and co-location of the two schools and other programs housed in the Kelly building, the original North Eugene building, or other available space.

In the short term, Yujin Gakuen will relocate to a separate wing inside Kelly Middle School site, complete with separate entryway and a playground, and connect its K–8 curriculum with the Japanese immersion program already located at Kelly.

Decisions about the long-term plan for location of each school's program would be made before the new high school building opens in 2023. .

Preliminary discussions will begin this spring, followed by a comprehensive visioning process starting in the fall. A recommendation on each school's long-term future location and programming will go to the interim superintendent by the end of the 2021-22 school year for a decision.

Mr. Johnson said that the co-location of Yujin Gakuen was supposed to start in 2020 and continue to at least 2024. North Eugene High School would move into their new building in 2023. The old building would need updates before other programs were potentially put inside.

Mr. Johnson said they were engaging with school leaders to come up with a process for pick-up/drop-off times. In early Fall 2021 they expected additional hurdles as schools opened again.

After that they would engage staff in one-on-one and group discussions and work with communities to capture their hopes and dreams for the programs. Winter/Spring 2022 they wanted to have clearly identified goals and needs for each program and review facility options. By late Spring 2022 they wanted to have a recommendation for each school's long-term future and location for the Superintendent.

Ms. Levis asked if they had ideas on how they would engage people if they were still in a virtual environment or groups that would not attend events like Board meetings. Mr. Johnson replied that they would start brainstorming those ideas in the Fall. Ms. Delf added that it was hard to have two-way-communication virtually. Since the discussions would take place in the next school year, they were hopeful that they could meet in person. If needed, they would use Zoom.

Mr. Lafer wanted to know at what point in the process they would address the program issues that had been brought up about the North region that were not facility related. Ms. Delf replied that they would be envisioning the future of each schools' programs. They would not be looking at other schools in the North region, just Yujin Gakuen and Kelly.

Ms. Hays thanked everyone from the community who had come to their meetings to talk about the Yujin Gakuen and Kelly co-location. She wanted them to know that their statements were not forgotten.

Ms. Shabram reminded the board that they promised to talk about the program issues in the North region. She wanted them to have time to sit down, maybe in a mini retreat, to talk about that issue and what needed to be done. Chair Walston agreed.

Mr. Torrey emphasized the importance of what Ms. Shabram said, but noted that the issue they were talking about was what was happening at Kelly and Yujin Gakuen. He said there was no way for them to have an answer to this question by the end of the school year because the teachers and students needed time to be in the building together and hadn't had that chance yet due to the pandemic.

Mr. Lafer knew that Yujin Gakuen and Kelly were at the forefront of change, but he hoped they would continue the work on the rest of the North region after.

3. Update on COVID-19 and School Operations

Superintendent Vandercar said the board would receive updates on the vaccine, athletics, anti-racism professional development, and hybrid. All 4J employees have had the opportunity to receive their first dose of COVID-19 vaccine, and the district has begun inoculating employees with the second dose. 4J will hold its next district-sponsored vaccination clinic next week.

Ms. Hardin said that Friday February 26, 2021 was their last round of first vaccines. It was also their first day of second dose vaccines. She would include more numbers at their next meeting. Ms. Hardin said there would be a vaccination clinic on Friday March 12, 2021. Originally, due to vaccine supply and deliver, the vaccine clinic was scheduled for the Tuesday. However, holding the clinic on a Friday allowed staff to have the weekend to recover if there were any side affects from the vaccine.

Mr. Dey said that the abbreviated fall sports season of cross-country, football, soccer and volleyball is in full swing, with games and matches kicking off this week. High school varsity games are being live streamed to provide virtual access, as spectators are not allowed on-site at high school games at this time due to state COVID restrictions. Families who come to games

must remain in their cars in the parking lot. School staff and Eugene police will be present for safety and security, as is routine for athletic events under non-pandemic circumstances.

They were able to set up a live stream and promised that the quality would be better. He said that they hoped to have a live crowd as soon as possible. They had to pause one of the football programs due to COVID-19 concerns and knew many people were disappointed. Mr. Dey understood but they had to follow state guidance.

Ms. Newman asked if other clubs would be allowed to meet. Mr. Dey replied that as they got into the hybrid model, they would work on making changes to buildings to allow for clubs to meet. They were also looking at how to hold concerts and plays.

Ms. Hays wanted to know if they had investigated what happened to cause the one football program to shut down. They could share that information with other teams. Mr. Dey responded that they were looking at what happened and how they could make changes to prevent other teams from having the same experience.

Ms. Levis thanked the parents that took the time to talk to the board. She wanted to remind everyone of the unbelievable depths that staff went through to bring athletics back. Ms. Levis wanted to hear more about parent volunteers and how they could find ways bring them back.

Mr. Torrey thought it would be helpful for students to hear about what happened that caused the football team to be put on hold.

Mr. Lafer appreciated all the work staff had done to get athletics going. He hoped that they looked into how to include other clubs in outdoor meetings/practices. Mr. Dey responded that they had two weekly meetings with the committee dedicated to hybrid. They had been working with the fine arts to figure out how they could safely bring them back. He understood the importance of those clubs.

Mr. Flores Guterrez stated that every institution was either producing or sustaining racial inequity between groups. Anti-racist work functioned to take down those barriers. Mr. Anderson said that their focus was on becoming stronger anti-racist educators to improve equity for all students. They had developed a multi-year professional development plan. The first phase was understanding the language used when looking at racism and its barriers. Licensed staff had already underwent their first class and more classes were scheduled for April and May.

Ms. Newman said she thought it showed the district's commitment to equity work that it was being done while hybrid was being worked out. She asked if they were coordinating efforts with other groups to leverage all work being down. Mr. Anderson responded that they started at a basic level: understanding language. They noted that this was just the beginning of the process.

Ms. Shabram wanted to voice her support of that work and how it was not the work of people of color to educate everyone else. She was glad the first step was understanding the language around the issue.

Ms. Levis thanked Superintendent Vandercar and staff for taking on this effort at that time. Breaking down systemic issues was important. She asked how they would educate staff that came into the district after the professional development plan was done. Mr. Anderson replied that they would look at what to do going forward. They would need to continue to grow and

would never end. He added that they were looking at adding some of this work into the new staff orientation.

Ms. Wagner said that the operations team had been working on the elementary hybrid plan since January. She said they spent a lot of time thinking about kindergarteners who had never been in their buildings. They knew that once hybrid started, they would need to allow those students time to adjust. On March 2, 2021 they shared with families their K-2 students cohort assignment.

Mr. Johnson said that they were at the beginning of developing a hybrid model for middle schools. They would be able to use the information founded by the operations team for elementary hybrid. Cohort 1 would meet in-person on Mondays and Tuesdays and Cohort 2 on Thursdays and Fridays. Transportation was the current obstacle they were trying to figure out. Mr. Johnson hoped that they would have a clear plan for middle school by the March 17, 2021 meeting. He mentioned that having clubs meet was a part of that work.

Ms. Newman wondered how much of the outdoor space around schools was being utilized. Mr. Johnson replied that they would be looking at those areas for clubs.

Mr. Dey said that high school hybrid planning was similar to where middle school was at. Cohort 1 would meet in-person on Mondays and Tuesdays and Cohort 2 would meet on Thursdays and Fridays. They wanted to capitalize on the amount of time that students would spend in-person with teachers and staff.

Mr. Lafer understood the constraints staff was under planning for hybrid and same school online students. He hoped that they would be more flexible with when families had to decide which pathway their student would be on. Mr. Dey replied that they wanted to meet families where they could, which meant last minute changes. He emphasized that they had to have an idea of how many students would be online or in-person so they could make detailed plans.

Mr. Torrey asked if they would flush out more details at the March 17, 2021 meeting. He stated that they would not be able to satisfy everyone. Superintendent Vandercar replied that they would try and give as many details as possible moving forward.

Ms. Newman wanted to hear more about middle schoolers not being in schools during the morning. Mr. Johnson responded that it was an issue with transportation. They wanted to have it start earlier but had to account for elementary school start times.

Ms. Levis wanted to hear at their next meeting about parent volunteers and planning high school in-person graduation events.

4. Update on Planning for On-Site Board Meetings

Superintendent Vandercar said that they were planning on having their first in-person board meeting on March 17, 2021 after meeting virtually for a year due to the coronavirus pandemic.

Ms. Delf noted that with COVID-19 guidance the meetings would have to be different than before. People would need to sign-in at the door and disclose if they had been in contact with someone with COVID-19 or been diagnosed. They would need to keep six feet of distance, which limited the amount of people who could be present. Board members would need to be farther apart than what was allowed at their dais. Everyone would be required to always wear a facemask.

Ms. Shabram was excited to see everyone in-person. She would have felt wrong bringing staff and students back while they continued to meet virtually. Ms. Shabram was worried about accessibility. Many had been able to connect with the board more over Zoom and just hearing audio was not the same. There would be a lot of people uncomfortable coming to meetings, so she wanted them to explore how to incorporate Zoom in some way. Ms. Delf understood that sentiment and asked for patience while they figured out how to move forward.

Mr. Lafer noted that having a live and Zoom component would be similar to what teachers would be experiencing. They had figured out how to stream sports and he believed they could figure out how to make Zoom work for their Board meetings.

Mr. Sadofsky said that he was comfortable showing up at in-person meetings.

Ms. Levis thought that having as many people present, even if on Zoom, was important. The level of accessibility over Zoom had opened the Board up to the community in a good way.

Chair Walston asked if there would still just be a maximum of ten public speakers for three minutes each. Ms. Delf said that was true but there might be added time to in-person comment while people left and came in.

Mr. Lafer mentioned that most the public and students would not have been vaccinated at that time. They had to find a way to incorporate Zoom so that their student representatives feel safe.

Ms. Newman said she worried about creating barriers and just hoped the board kept being accessible.

Ms. Hays mentioned that some people had medical issues or went back home to people with medical issues, and that was something that played into meeting in person. She thought it should be an individual choice and that both options should be made available.

XIII. Items for Action

1. Adopt Revisions to Board Policies

CI – Emergency Superintendent Authority

IGBA – Students with Disabilities – Child Identification Procedures

IGBAH – Special Education – Evaluation Procedures

IGBAJ – Special Education – Free Appropriate Public Education (FAPE)

IGBBC – Talented and Gifted – Programs and Services

JGAB – Use of Restraint or Seclusion

JGD – Suspension

Ms. Nesbit noted that the first read of these policies was given at the previous meeting.

MOTION: Ms. Newman moved, seconded by Ms. Levis, to adopt revisions to Board policies CI, IGBA, IGBAH, IGBAJ, IGBBC, JGAB, JGD.

VOTE: The motion passed – 7:0.

2. Adopt DJC-AR Special Procurements and Exemptions from Competitive Bidding

Ms. Nesbit said that a first read was given on the regulation and the public was provided time to comment on it.

MOTION: Ms. Newman moved, seconded by Mr. Torrey, to adopt policy DJC-AR and the regulations around the policy.

VOTE: The motion passed – 7:0.

XIV. Suggestions by the Board for Consideration of Items at a Future Meeting

March 2021: Wednesday, March 17

April 2021: Friday, April 16 Board Retreat & Wednesday, April 21

May 2021: Wednesday, May 5 & Wednesday, May 19

June 2021: Wednesday, June 2 & Wednesday, June 16

Ms. Levis wanted the board to look at splitting their Board meetings into nights for testimony and nights for Board work. They could allow an hour or hour and a half on Monday nights for public to speak and the Board to respond. She said that City Council did something similar. Ms. Levis would rather have two shorter meetings rather than one long meeting. Chair Walston would bring it up to Leadership and said it depended mostly on how other Board members felt.

XV. Adjourn

Chair Walston adjourned the regular meeting at 10:16 p.m.

XVI. Executive Session

1. The Board convened in executive session to consider the dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent. ORS 192.660 (2)(b).

(Minutes recorded by Lydia Dysart)

Cydney Vandercar
District Clerk

Mary Walston
Board Chair



ITEM FOR INFORMATION

Date of Meeting

May 5, 2021

Title

Update from Eugene Education Foundation

Presenter

Dana Fleming, Executive Director

Time Needed

15 minutes

Description

Executive Director Dana Fleming will provide an update on the 2020-21 year at Eugene Education Foundation (EEF), and share current activities of the foundation and plans for the coming year.

The mission of the Eugene Education Foundation is: *To promote educational excellence and opportunities for all students in the Eugene 4J public school district.* At our Board of Directors Retreat in August of 2020, the following three priorities were established for the upcoming year: **equity, access, and engagement.**

This has been a challenging year for students and staff in Eugene School District 4J, and the community has really stepped up to offer their support. Outlined below are the many ways we invested in students this year, thanks to the generosity of our donors.

Student Needs Now

During the pandemic, 4J families experienced an increasing need for basic support. In response, we established the Student Needs Now Fund, through which the community could contribute to the basic needs of our most vulnerable students and their families. When basic needs are not met, our children cannot learn. Support from the Student Needs Now Fund reduces obstacles that are preventing students from focusing on learning.

Since April 2020, more than \$190,000 has been targeted toward the following:

- Food and supplies being regularly distributed through 4J's Wraparound Team
- Warm clothing for unhoused students
- Support of the Youth Drop-In Center
- Internet connectivity for families previously without, including year-long subscriptions to Comcast
- Headphones for elementary school students

- Clothing for 4J students at JC Penney shopping events

EEF Grants

Support of EEF helps make learning happen, and even though the school year looked very different, EEF grants helped to keep students engaged. For example, a 2019-2020 school year district-wide grant to fund an adaptive online math platform allowed every 4J elementary student access to that core subject during distance learning, while giving teachers real-time data to track their progress.

Our grant process was different for the 2020-2021 school year. We changed our traditional granting process to more realistically meet the needs of schools by splitting the Standard Grant cycle into two rounds of applications, one in October 2020 another in January 2021. In addition to our Standard Grants, we are also awarding Urgent Needs Grants, on a rolling deadline, to support unplanned needs that could not wait for the standard application periods. During these three cycles, we have awarded **\$120,000** in grants to schools and district programs in Eugene School District 4J throughout the 2020-2021 school year.

Grant proposals submitted this year represented a broad spectrum of subject areas, including projects in literacy, science, math, career technical education, technology, arts, and music. Examples of grants awarded include: Sheldon High School's *Social Justice Novels for Grade 10*, which provides a copy of *This is My America* by local author Kim Johnson to 10th graders; Madison Middle School's *Building History*, which uses LEGOs in an immersive Social Studies simulation of a variety of government types across the globe; and Twin Oaks Elementary's *Increasing Rigor and Supporting Literacy*, which addresses reading gaps in upper elementary grades with new curriculum tailored to underserved students. Urgent Need Grants included: Edison Elementary's *Silence is Bliss*, which provided students in unstable housing situations with noise-canceling headphones and dividers so they could better concentrate on their schoolwork, and Churchill High School's *Mechanics and Geometric/Physical Optic Take-Home Kits*, which enabled students to perform hands-on science lessons in tandem with their teacher during distance learning.

In addition to awarding grants to schools, Eugene Education Foundation also funded five district-wide grants, including a grant that will pilot mental health support groups for both students and parents, a grant that allows students online access to high-interest books for all grade levels, and a grant that helped to facilitate PE in distance learning.

Looking forward to next school year, we are continuing to adapt to the needs of the district by delaying the application period for EEF grants until the fall, to give teachers and administrators time to ascertain what needs they will have once students are (hopefully) back in school full time. In a normal year, we would have been accepting applications this spring, and recipients would have been notified by June.

Literacy Initiative

In late 2018, EEF adopted a strategic multi-year initiative, targeted at grades K-3, to fund programs to help to improve reading proficiency in 4J students by third grade.

Approaches have included:

- **Heggerty Phonemic Awareness**, a district-wide supplemental curriculum. With funding from the Cressey Family Trust and the Pape' Family Foundation, EEF supported the

training of 130 educators, as well as the materials needed to deliver the program, in the fall and winter of the 2019-2020 school year.

Results: Students in grades K-2 made exceptional growth in their phonemic awareness skills, helping to establish a strong foundation in reading.

- **Distribution of books** to students in 4J elementary schools and programs, including Kindergarten Readiness Bags, River Road Elementary School, and the BEST Afterschool Program. Additionally, this spring, EEF is partnering with United Way and Connected Lane County to provide books for students in four 4J elementary schools, in time for summer break.
- Funding of **Lalilo**, an online literacy application, targeting specific skills and additional practice for students. The application allows teachers to extend their teaching to students while they are at home, leading to better quality instruction.
- Supporting the 100s of new high interest ebooks and audiobooks, available for free to all 4J students, through **Sora**, an app available on all district iPads, Android and Apple phones, or in a web browser.

Rosie's Fund

This fall, a very generous donor initiated the creation of Rosie's Fund, which will provide resources for 4J students who have experienced severe trauma.

EEF Gala

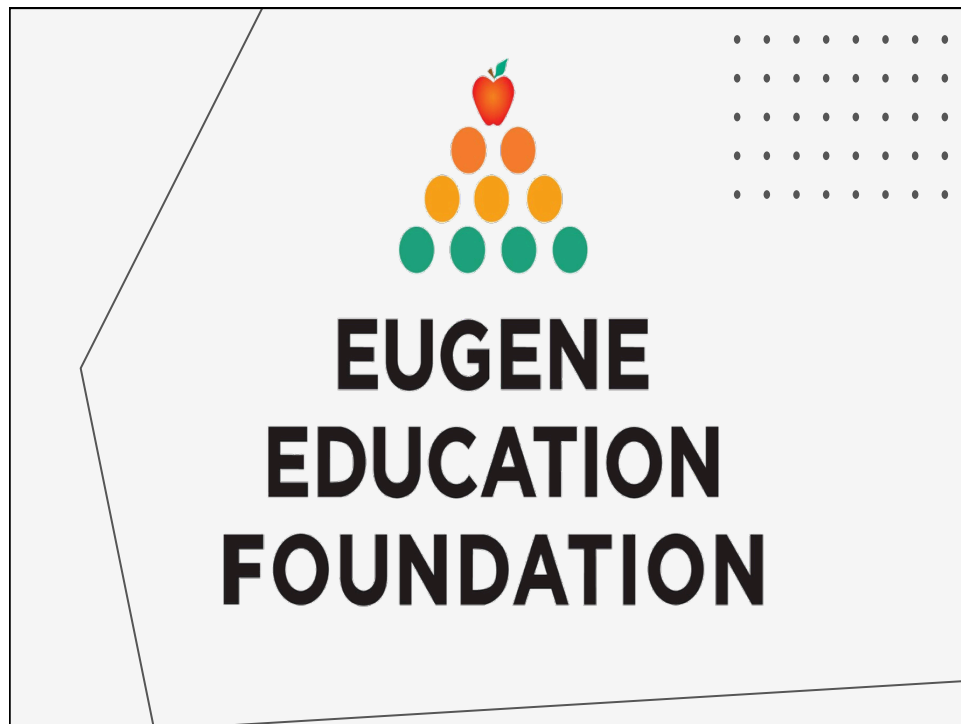
We normally hold an Annual Gala at the Ford Alumni Center at the University of Oregon. The Annual Gala is our largest fundraiser of the year, and last year's 2020 Gala: *The Power of Yet*, which was in early March, was held in just the nick of time – it was the last in-person event for the majority of our attendees.

Last week, we had our 2021 Gala: *A Brighter Future*, in a virtual format. Our goal was \$75,000, and we are pleased to announce that we reached and exceeded that goal! We were excited to see Board Members Mary Walston, Anne Marie Levis, Judy Newman, and Jim Torrey's names among our supporters during the virtual event.

In Conclusion

We are grateful for Anne Marie Levis' service as ex-officio on our Board this year, and welcome the next ex-officio member into that role, along with the 12 EEF Board Members, for the upcoming year.

The Foundation appreciates the support it receives from the 4J District and the School Board, and looks forward to continuing to work with the School Board to achieve our shared goals. To borrow a phrase often repeated this year, in relation to our event theme: ***We shine brighter together!***



What is EEF?



As *the* Foundation for Eugene School District 4J, we **connect** support from caring people like you with programs that create opportunities for **equity, access, and engagement** for *all* 4J students.

EEF Board of Directors



Larry Banks
President

Milagra Tyler
Vice President

Mellani Ocampo
Past President

Maggie Elliott
Treasurer

Joshua Monge'
Secretary

Ann Burgess

Kate McCarthy

Stephen Parac

Doug Park

Jessica Price

Seth Revoal

Craig Smith

Ex Officio Members: Charis McGaughy & Anne Marie Levis

EEF Staff



Dana Fleming,
Executive Director



Jessica Barnhart,
Assistant Director



Caitlin Caldwell,
Office Manager



How Does EEF Fund Innovation in 4J?



- Receiving and administering hundreds of private gifts each year, and then disbursing those gifts according to donor intent or through annual grants
- Hosting an annual gala and other fundraising endeavors
- Supporting schools and parent groups in their site-based fundraising efforts

"Each of us must come to care about everyone else's children. We must recognize that the welfare of our children and grandchildren is intimately linked to the welfare of all other people's children. After all, when one of our children needs lifesaving surgery, someone else's child will perform it. If one of our children is threatened or harmed by violence, someone else's child will be responsible for the violent act. The good life for our own children can be secured only if a good life is also secured for all other people's children."

~LILIAN KATZ

Investing in education adds value to communities



- For every \$1 spent on public education, home values raise by \$20.¹
- Educated people and the children of educated parents tend to be healthier, more empowered regarding their own lives and their society, and socially more tolerant and resolution-seeking.²
- Those with more education are more likely to vote, and to volunteer.³
- The public benefit as a result of the higher earnings of those with more education is both direct, in raising tax revenues, and indirect, in reducing reliance on public services.⁴

1. Barrow and Elena Rouse (2004) "Using Market Valuation to Assess Public School Spending," Journal of Public Economics. v88: 1,747-1,769.
2. UNICEF's report (2015), "The Investment Case for Education and Equity"
3. Baum and Payea (2004) "Education Pays," College Board.
4. Henry M. Levin (2009) "The Economic Payoff to Investing in Educational Justice," Educational Researcher. 38(1): 5-20.

Year in Review



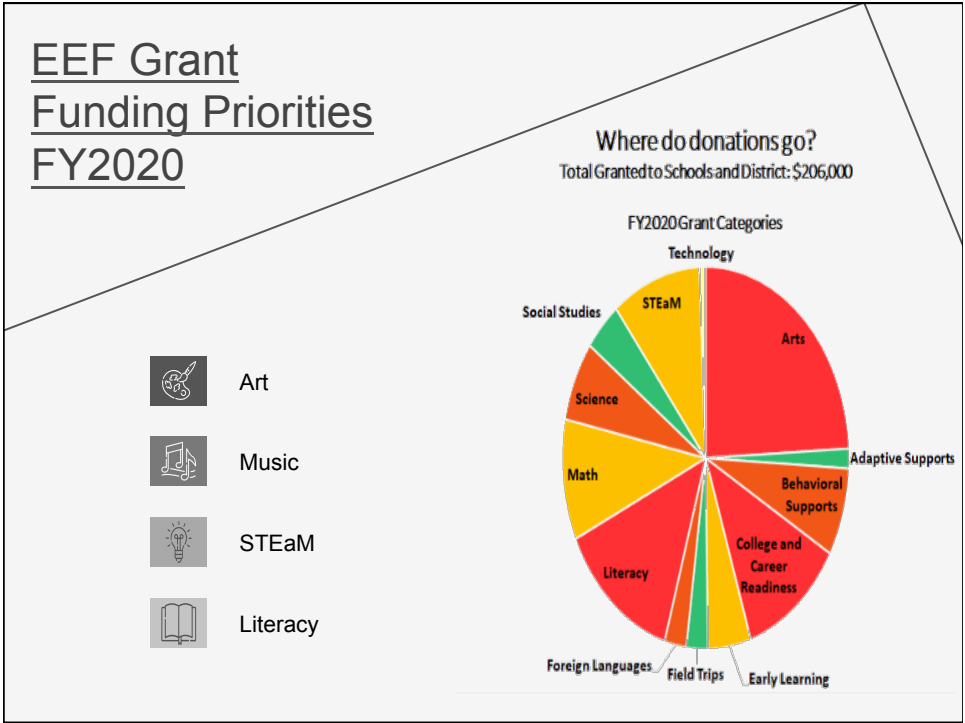
This year looked a lot different than past years.



But learning still happened.

And thanks to our supporters, **EEF helped to make learning happen.**





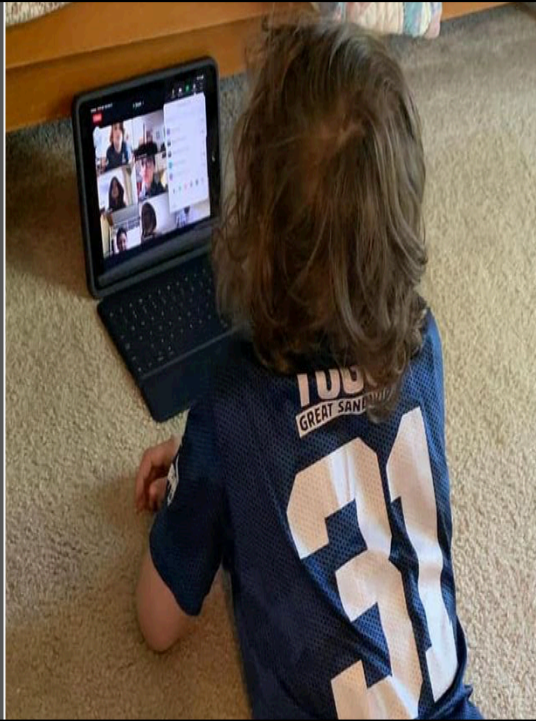
**Buena Vista Spanish
Immersion School:
“Jogging Jags”**



An EEF grant
supported the
purchase of
Band Instruments
for the Arts &
Technology School
Band

EEF Grants during COVID

- Delayed applications from Spring 2020 to Fall & Winter 2020
- We awarded over \$120,000 to 4J Schools and to District-Wide Programs
- Applications for Urgent Needs (COVID or Comprehensive Distance Learning - related) will be accepted on a rolling basis through the end of the 2021 School Year
- All grants are now submitted online, via our website!

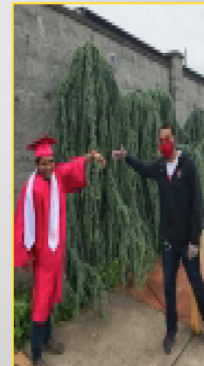


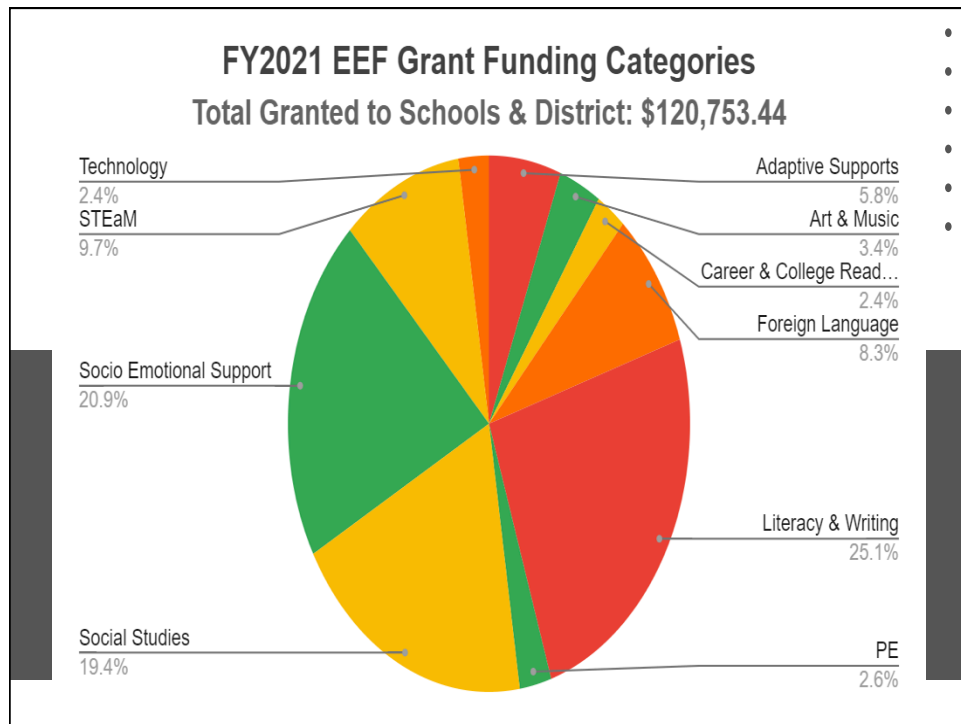
2020-21 Priorities


★ Equity

★ Access

★ Engagement







Comm ity Support

**Since April 2020, over
\$190,000 has been
donated to the
Student Needs Now
fund!**

- •
- •
- •
- •
- •
- •


Student Needs Now
donations provide
critical support to 4J
students and families


Food and Supplies through
4J's Wraparound Team


Warm Clothing for
Unhoused Students

Internet Connectivity for
Families Previously
Without

Clothing for 4J Students at
JC Penney Shopping
Events







Supply Drives:

Generous community members donated food and other supplies to support the district's Wraparound Services.

Some of the members of the Boys & Girls Club of Emerald Valley even lended a hand, and brought donations with notes of encouragement attached.



Literacy Initiative



In 2018, EEF adopted a strategic initiative to fund programs to help to improve reading proficiency in 4J students by third grade.

Multi-year program, targeted at grades K - 3:

- Support of district-wide supplemental phonemic curriculum
- Distribution of free books to students in 4J elementary schools
- Purchase of licensing for online reading program, which tracked students' progress in real time so that teachers could personalize their instruction during distance learning

Phonemic Curriculum funded by EEF:

Phonemic Awareness:

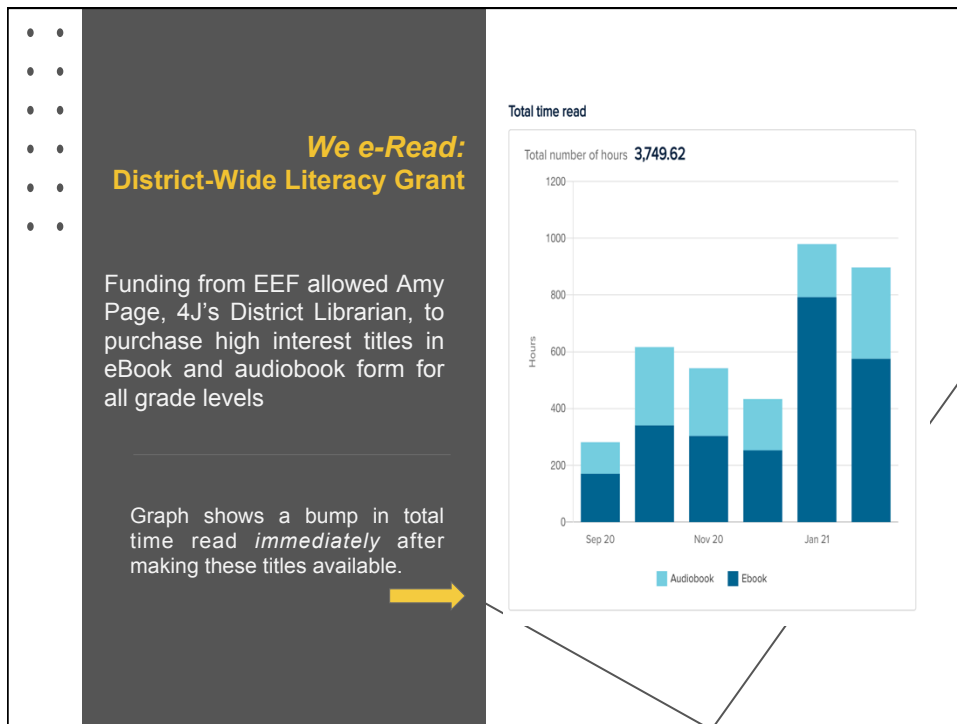
the understanding that spoken words are made up of individual sounds, called phonemes. Phonemic awareness is oral and auditory, and the focus is on the sounds in words.

Impact:

Even during distance learning, students in grades K-2 are making exceptional growth in their skills, helping to establish a strong foundation in reading



EEF-Funded Socio-emotional Books Included in Kindergarten Readiness Bags



BookFest is a partnership between
EEF, Connected Lane County, Early Learning Alliance, and United Way

EEF is supporting this program through distribution of free books to K-2 students in four 4J elementary schools in Spring 2021:

- River Road/El Camino del Rio
- Cesar Chavez
- McCornack
- Howard

Rosie's Fund



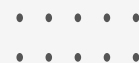
A very generous donor has given \$100,000 to support 4J students, grades K - 5, who have experienced severe trauma. This began a program, Rosie's Fund, that will support our most vulnerable children.

March 5, 2020 Annual
Dinner:

The Power of Yet



Over \$100,000
raised!



**We surpassed our goal of \$75,000,
thanks to the support of the community!**

EUGENE EDUCATION FOUNDATION
Presents
A BRIGHTER FUTURE
Virtual Gala
APRIL 27, 2021
5:30 - 6:30 PM
WE SHINE BRIGHTER TOGETHER!

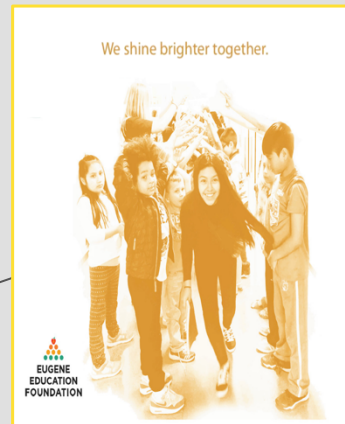


THANK YOU, SPONSORS!

		Chambers Construction	Eugene School District 4J	Carte Blanche Caterers
		Concentric Sky	George Russell & Associates	FASTSIGNS of Eugene
		Edmunson, Barnhart, Knight Attorneys	Kernutt Stokes	Richardson Media
		John Hyland Construction	Mary Walston	Threadbare Print House
		Emberex	Merriman Wealth Management	Van Flandern Design
		Lane Community College	Revolution Design Group	XS Media
		Moss Adams	Robertson Sherwood Architects PC	Yogi/East West Tea
		PacificSource	Stand for Children	
		PeaceHealth		
		Trifoia		
		University of Oregon		
				

How You Can Get Involved:

- **Donate!**
- **Spread the word! Tell others about EEF.**
- **Encourage schools to use EEF to assist with their fundraisers.**
- **Follow EEF on Facebook and Instagram.**
- **Visit our website: eeflane.org**



Happy Teacher Appreciation Week!







ITEM FOR INFORMATION

Date of Meeting

May 5, 2021

Title

Receive Update on COVID-19 School Operations & Planning

Presenter

Cydney Vandercar, Superintendent

Background

Eugene School District 4J's return-to-learning plan, which aims to support students' well-being and academic progress while protecting students and staff from the spread of COVID-19, has been established in alignment with state requirements issued by Governor Kate Brown, Oregon Department of Education and Oregon Health Authority.

4J students have returned to on-site learning via a hybrid model, while some students have remained online in a comprehensive distance learning model.

The district is continuing to provide free meals for all 4J students and other youth up to 18. Free meals are provided to students in schools and meal boxes or meal bags are available for others. This is made possible by a federal program funding meals for all students without needing to qualify. The federal government has now extended the free meals for all students through June 2022. All 4J students will continue to eat for free next school year.

Our local COVID case rates are rising again and Lane County is back to a High Risk designation. This will not make us go back to distance learning districtwide, but it may have impacts for some activities. We need our community to keep paying attention and following health and safety protocols to help slow the spread. We will see some individual students or groups shift to distance learning if they need to quarantine due to a COVID-19 exposure or outbreak, but our school system as a whole we expect to stay steady through the rest of the spring, with students learning on-site in the hybrid model.

The district is looking ahead to summer programs. The district offers summer school programs for selected students every year, and we are looking to expand services this summer after a year of distance learning.

This district is also planning for the fall, and planning for that to be a return to in-person learning five days a week. While there is still a lot we don't know about next school year, what the state guidance for schools and our local community health situation will be, we are aiming for a return to more regular school schedules in the fall.

It's likely that the school day inside our buildings will still look a little different, not entirely back to the "normal" of the past. Our schools will follow all of the health and safety requirements from the Oregon Department of Education and Oregon Health Authority. This could include protocols such as physical distancing of less than 6 feet, and wearing face coverings at school—we don't know yet what the guidance will be several months from now, but we are prepared to adjust to changes.

We will continue to offer an online option for families who prefer all online learning to meet their student's and family's needs, but our resources will need to be focused in our brick-and-mortar school programs and we do not expect to be able to also provide an online program tied to each individual school like the Same School Online option like we created during this exceptional year.

The district is helping to control the spread of COVID by helping our community get vaccinated. All 4J staff have already had the opportunity to be fully vaccinated. Now that vaccines are available for everyone age 16 and up, 4J is partnering with healthcare providers to share vaccine opportunities for our students who are at least sixteen years old. There is hope that younger ages of students will become eligible for vaccines as more clinical trials are completed and approvals are given for each age group. The district will continue to work with providers to provide access to vaccines to our students as they become eligible.

The district will continue to have many unusual costs related to the pandemic in the coming year, and we are grateful to have support from new federal and state one-time funding targeted to help schools support students' needs, including the ESSER funds (that stands for Elementary and Secondary Schools Emergency Relief Fund).

Staff will provide an update on the district's return to on-site learning for the 2020-21 school year; plans for summer programs and returning to in-person learning five days a week in the fall.



ITEM FOR INFORMATION

Date of Meeting

May 05, 2021

Title

Update on State Testing in Spring 2021

Presenters

Eric Anderson, Director of Curriculum; Oscar Loureiro, Director of Research and Planning; Brooke Wagner, Director of PreK–8 Education; Jeff Johnson, Director of PreK–8 Education; Andy Dey, Director of High Schools

Background Information

Oregon requested a waiver of all summative state testing this spring, but a full waiver was denied. Instead, the U.S. Department of Education approved a waiver for Oregon to greatly reduce the amount of testing conducted this year.

The number of statewide summative assessments Oregon schools will administer this spring is reduced by nearly half, and the length of each test is significantly shortened. ODE estimates that the planned tests will take on average about 1–1 ½ hours total for students in grades 3–6 and 2–2 ½ hours total for students in grades 7, 8 and 11.

For high school students, Oregon's graduation requirements for essential skills in reading, writing and math (which most students meet through the state tests) have been suspended for the Classes of 2020, 2021 and 2022.

4J's state testing plan for spring 2021 is designed to meet the state and federal mandates and not risk the loss of federal funding, minimize the impact on teacher time and student learning, and provide options for families. 4J schools will administer state tests on a Wednesday in May (depending on cohort), outside of onsite or online synchronous class time. A makeup day will be offered for students who can't attend the testing day or want more time on Wednesday, June 9 for middle and high school students and Friday June 11 for elementary. Tests will be proctored by guest teachers and classified employees.

Students will complete tests onsite at school. School meals and school bus transportation will be provided.

Families have three options for their students in grades 3–8 and 11 (there are no summative state assessments for students in other grades):

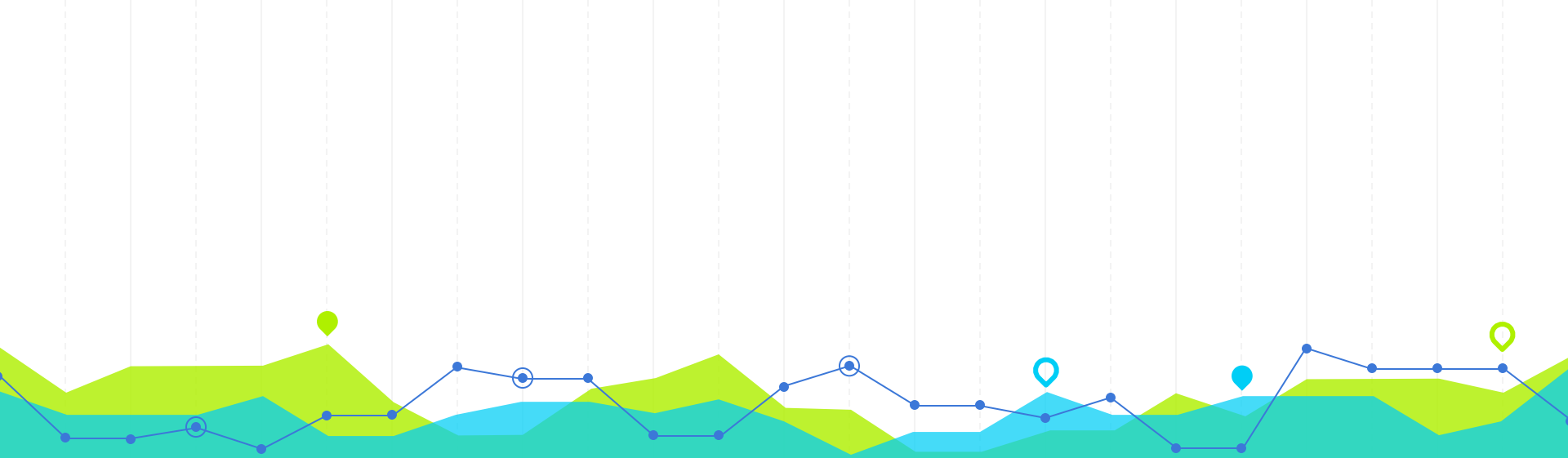
- Complete state tests as scheduled
- Opt in to complete additional tests for the other subjects normally tested at their grade level
- Opt out and not complete state tests this year.

Families have been notified of this plan and asked to respond by [Friday, April 30](#) with their choice for their students, to allow the district to plan for transportation, nutrition and testing

supports. Families who do not respond by the [April 30](#) date can opt out of testing using the state's opt-out form.

The board heard this plan on April 21, and took the extra step of approving a motion to direct that the annual state testing of math, language arts and science this year will be conducted in a manner that takes no time away from in-person or synchronous online instructional hours.

Staff will provide an update on the state testing plan and participation for the 2020-21 school year.



State Testing Spring 2021

Eugene School District 4J
School Board Meeting May 5, 2021

GOALS OF 4J'S STATE TESTING PLAN FOR 2021

**Comply With
State & Federal
Requirements**

**Minimize Impact
on Instruction**

**Maximize
Family Choice**



Minimize Impact on Instruction: Fewer, Shorter Tests

Grade	Tests given in 2021 <i>Parents may opt out</i>	Tests waived in 2021 <i>Parents may opt in</i>
K	—	—
1	—	—
2	—	—
3	Language Arts	Math
4	Math	Language Arts
5	Science	Math & Language Arts
6	Language Arts	Math
7	Math & Language Arts	—
8	Math & Science	Language Arts
9	—	—
10	—	—
11	Math & Language Arts *	Science
12	—	—

* Essential Skills graduation requirements waived for the Class of 2020, 2021, 2022

Minimize Impact on Instruction: Fewer, Shorter Tests

Tests Shortened by ~70%, Multiple-Choice Only	Average Expected Testing Time
Math	60 minutes
Language Arts	75 minutes
Science	80 minutes

Minimize Impact on Instruction: Avoid Live Class Time

State Testing Day

Tests administered outside of synchronous instruction time for participating students

Wednesday, May 19

Cohort A (Mon/Tues) & Same School Online

Wednesday, May 26

Cohort B (Thu/Fri) & Same School Online

Elementary: 1–4 p.m. • Middle: 9 a.m.–12 p.m. • High (grade 11): 1–4 p.m.

Makeup Day

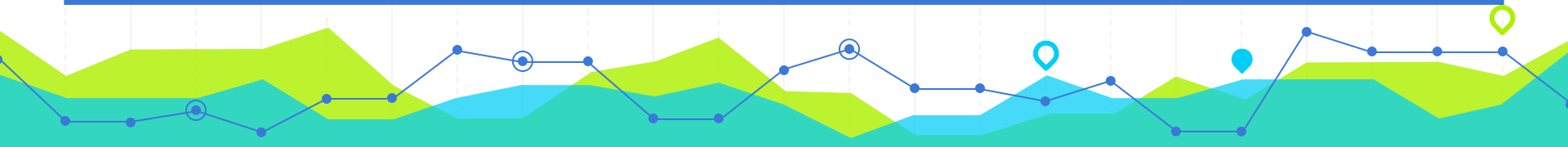
Second day for students who missed the testing day or want more time + Testing day for EOA

Wednesday, June 9

Middle & High School

Friday, June 11

Elementary School (*scheduled no-school day*)



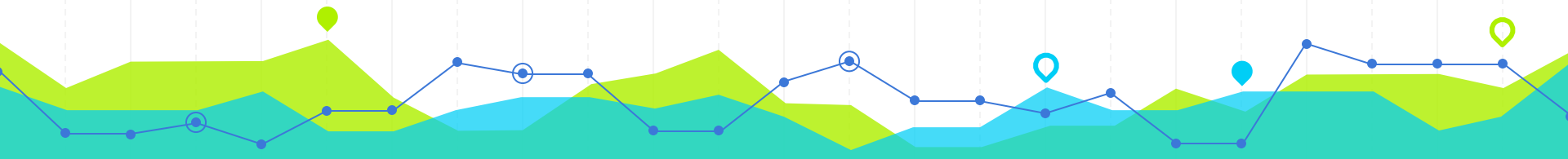
Maximize Family Choice

Three options for students

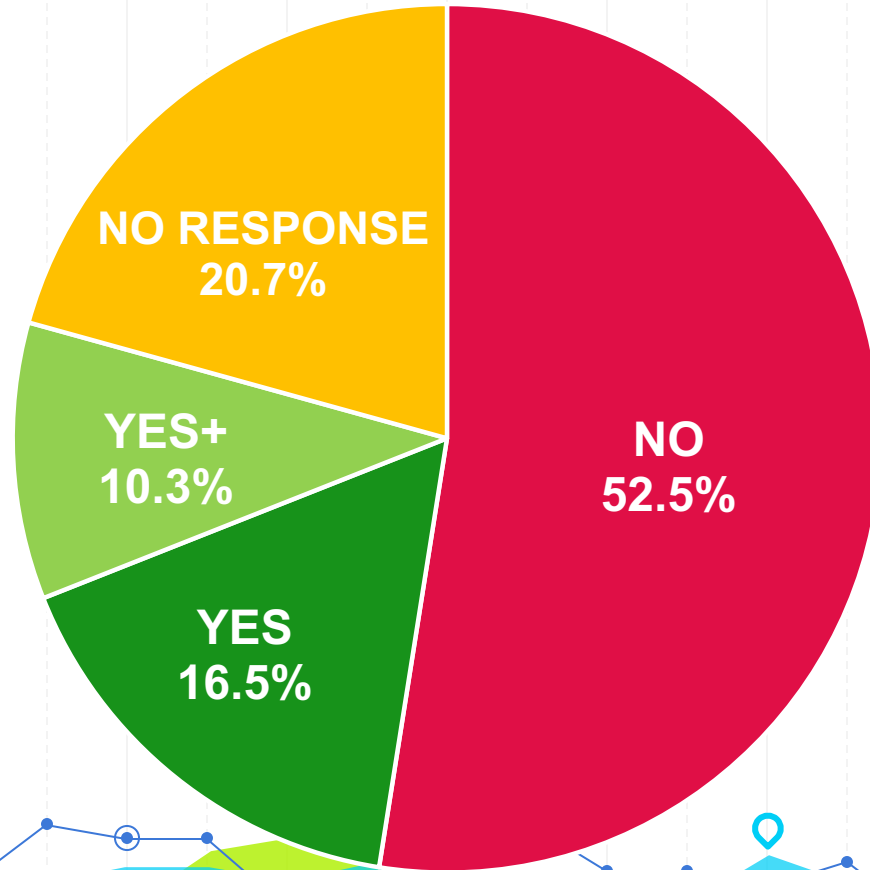
- **Complete** state tests as scheduled
- **Opt in** to complete additional tests for other subjects
- **Opt out** and not complete state tests this year

Parents asked to respond by April 30

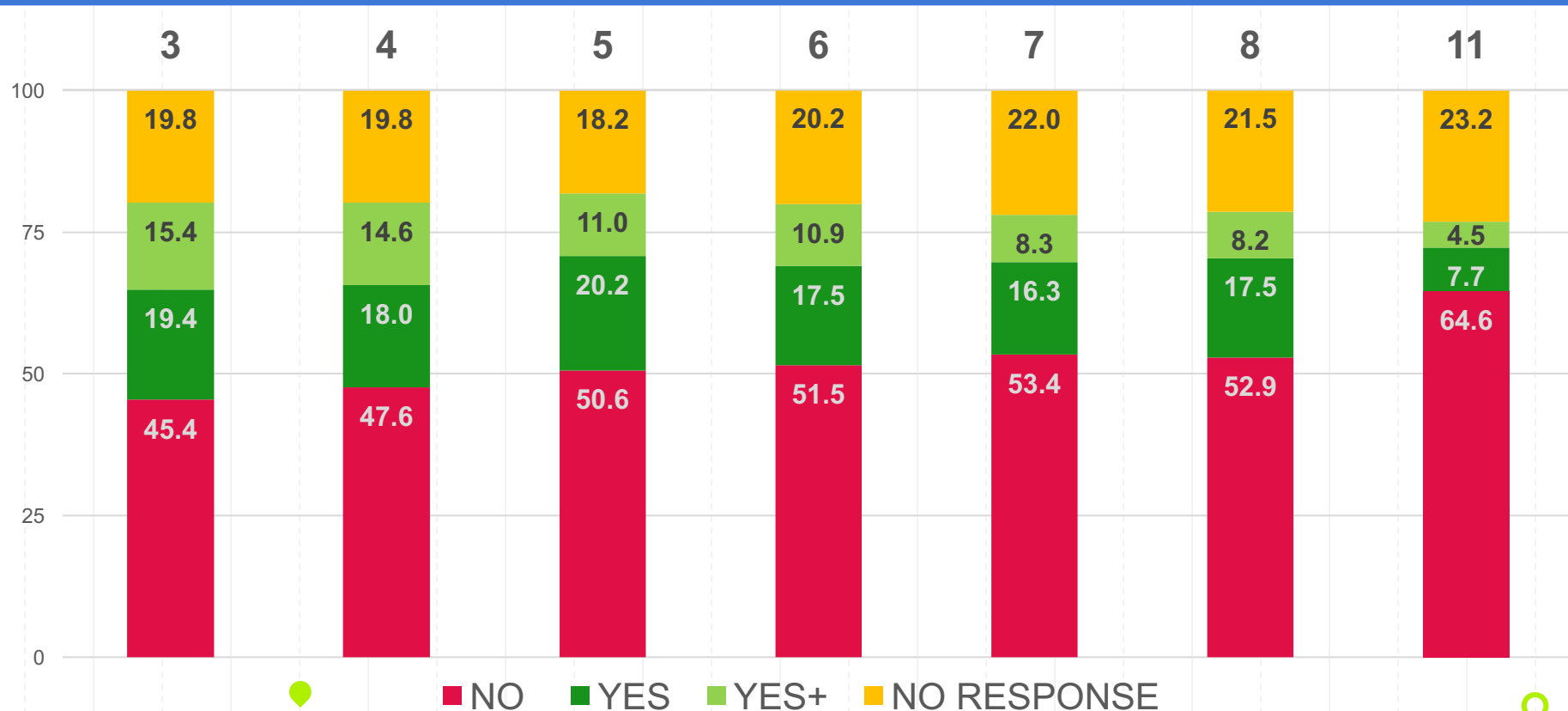
- **Communication:** Email, text, phone • English and Spanish
- **After April 30**, parents may opt out of testing using the state form

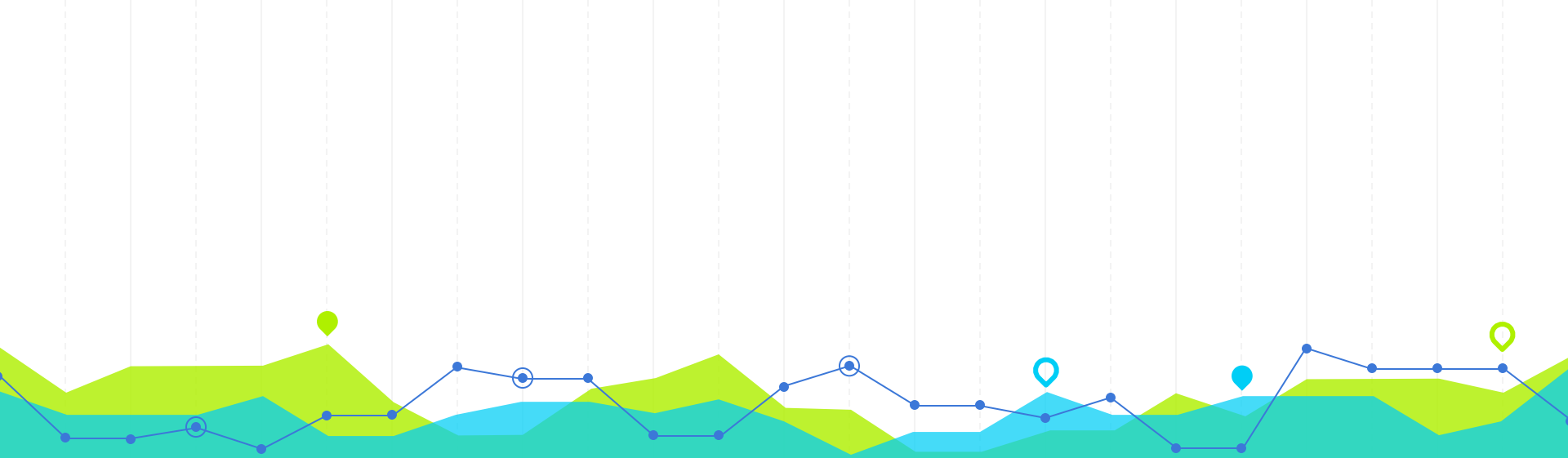


Parents' Choice: Overall Participation



Parents' Choice: Participation By Grade Level





Questions & Discussion

State Testing
Spring 2021



ITEM FOR ACTION (Second Read)

Date of Meeting

May 5, 2021

Title

Approve Readoption of Board Policies on Sexual Harassment

GBN/JBA	Sexual Harassment – Staff (<i>readoption of new; deletion of old</i>)
JBA/GBN	Sexual Harassment – Students (<i>readoption of new; deletion of old</i>)

Presenter

Christine Nesbit, General Counsel

Background

The Board has committed to adopting new policies in response to identified need and to maintaining updated board policies that comply with law and are consistent with best practices.

The district has had sexual harassment policies in place for decades, and as applicable state and federal law continues to evolve, it is necessary to make policy updates. Due to the extent of changes to the law and to the text of the proposed policy, staff recommend that the board approve the deletion of existing policies on sexual harassment, and readopt new policies on sexual harassment.

The policies proposed are organized into two main parts: Oregon law and Title IX. Although the chapter letters are different (GBN/JBA and JBA/GBN) to assist users in locating the district's sexual harassment policies, the text of the policies is identical.

The proposed policies reflect changes to Oregon law's definition of sexual harassment and new procedural requirements under Oregon law, such as supportive measures and required written notices. Oregon law, and also the proposed policy if approved, protect students who report sexual harassment and witnesses participating in a related investigation from discipline for violations of the district's drug and alcohol policies that occurred in connection with the alleged violation or uncovered as part of the investigation (unless the person gave the other person alcohol or drugs without their knowledge for the purpose of making the other person incapacitated and vulnerable to the prohibited conduct).

In summer 2020, the US Department of Education adopted detailed regulations about Title IX sexual harassment, including a definition of sexual harassment, when the

regulation would apply, and the required district response to reports of sexual harassment. These changes are reflected in the proposed district policies. As the new federal regulations also contain extensive procedural requirements for Title IX sexual harassment formal grievance procedures, the proposed policy directs the Superintendent to ensure that district administrative regulations are comply with federal law.

Options and Alternatives

The board may, as to any of the proposed policies: approve the policy revisions as proposed; direct staff to make changes in response to board, staff or public comment; not approve the policy revisions and require additional research or stakeholder engagement; or not approve the policy revisions.

Failing to bring certain policies up to date would mean they no longer reflect current law and could pose risk for the district.

Approving policy updates to reflect legal changes or best practices supports the district's mission and reduces risk to the district.

Budget/Resource Implications:

None.

Recommendation

The superintendent recommends that the board approve deletion of existing policies GBN/JBA and JBA/GBN Sexual Harassment and readoption of proposed new GBN/JBA and JBA/GBN.

Eugene School District 4J

Code: GBN/JBA
Adopted: 12/18/96
Revised/Readopted: 12/11/02; 8/15/18
Orig. Code: GBN

Sexual Harassment

The Board is committed to the elimination of sexual harassment in district schools and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students, staff members, or third parties on or immediately adjacent to district property, at any district-sponsored activity, on any district-provided transportation or at any official district bus stop by other students, staff members, Board members or third parties. "Third parties" include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events. "District" includes: district facilities; district premises and nondistrict property if the student or staff member is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events, where students are under the jurisdiction of the district; or where the staff member is engaged in district business. The prohibition also includes off duty conduct which is incompatible with district job responsibilities. The policy also applies to off campus conduct that causes or threatens to cause a substantial and material disruption at school or other district property, or interferes with the rights of students or employees to be free from a hostile educational or employment environment taking into consideration the totality of the circumstances.

Sexual harassment of students, employees or third parties shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as a factor in educational decisions affecting a student or employment or assignment of employees; or
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform job responsibilities; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, whether the individual viewed the environment as hostile; whether it was reasonable to view the environment as hostile; the nature of the conduct; the frequency, duration and severity of the conduct; the age and sex of the complainant; whether the alleged harasser was in a position of power over the student or employee subjected to the harassment; the number of individuals involved; the age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students, employees or third parties.

Examples of sexual harassment may include, but not be limited to:

1. Verbal comments, such as unwelcome sexual advances, requests for sexual favors, derogatory remarks, talking about one's sexuality in front of others, spreading rumors about or rating others as to appearance, sexual activity or performance, obscene jokes, gender-based stereotyping, remarks based on a person's gender nonconformity with gender stereotypes;
2. Nonverbal conduct, such as graffiti, display or distribution of sexually explicit drawings, pictures or written materials, text messages, or notes; and/or
3. Physical conduct such as unwanted physical contact, sexual touching, fondling, sexual assault, and other forms of sexual violence.

All complaints about behavior that may violate this policy shall be promptly investigated and addressed in accordance with this policy and the additional complaint procedures developed by the Superintendent.

Any student who has knowledge of conduct in violation of this policy or feels they are a victim of sexual harassment is strongly encouraged to report immediately their concerns to the school administrator. Students may also report concerns to a teacher, counselor or other school employee, who will promptly notify the appropriate district official. Students may also report concerns to the Title IX Coordinator or Superintendent, who has overall responsibility for all investigations.

Any district employee, volunteer or other third party who has knowledge of conduct in violation of this policy or feels they are a victim of sexual harassment must immediately report their concerns to their administrator. Reports may also be made to a Human Resources administrator, the Assistant Superintendent of Administrative Services, or the Superintendent, who has overall responsibility for all investigations.

Upon receipt of a complaint by a student, student's parents, employee or third party alleging behavior that may violate this policy, the district shall provide written notice of rights as required by Oregon Revised Statute (ORS) 342.704(4) to the complainant.

The student and/or the student's parents, the staff member or the third party who initiated the complaint shall be notified that the investigation has been concluded and as to whether a violation of this policy was found to have occurred to the extent allowable under state and federal confidentiality laws.

The initiation of a complaint in good faith about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of a student complainant or any terms or conditions of employment or work environment of the employee complainant or any terms or conditions of employment or of work or educational environment of a third-party complainant. There shall be no retaliation by the district against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

It is the intent of the Board that appropriate corrective action will be taken by the district to stop the sexual harassment, prevent its recurrence and address its negative effects in the educational or employment setting. Students who violate this policy shall be subject to discipline up to and including expulsion, counseling, sexual harassment awareness training, and/or transfer to another school as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action.

Employees who violate this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the appropriate district official.

Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.

The superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, employees and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available.

This policy as well as the complaint procedure will be made available upon request to all students, parents of students, staff members and third parties, posted on the district's website and published in student/parent and staff handbooks. The district's policy shall be posted on a sign in all grade 6 through 12 schools. Posted signs shall be at least 8-1/2 inches by 11 inches in size. The written notice of rights required by ORS 342.704 will be made available on the district website.

The superintendent will establish procedures implementing this policy.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)

[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)

[ORS 659A.030](#)
[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

Eugene School District 4J

Code: JBA/GBN
Adopted: 12/18/96
Revised/ readopted: 12/11/02; 8/15/18; 05/XX/21
Orig. Code: GBN

Sexual Harassment

The district is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the district. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties¹ are subject to this policy. Any person may report sexual harassment.

The district processes complaints or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and Title IX, 34 C.F.R. Part 106. Individual reports and complaints may require both of these procedures, and may involve additional policies or procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions of sexual harassment in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously to the extent consistent with Title IX. The district may also need to use other applicable policies, rules and procedures.²

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment includes:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with an employee's ability to perform their job; or
 - c. Creates an intimidating, offensive or hostile environment.
3. Assault when sexual contact occurs without the person's consent because the person is under the influence of drugs or alcohol, is unconscious, or is pressured through physical force, coercion or explicit or implied threats.

¹ "Third party" means a person who is: 1) on or immediately adjacent to school grounds or district property; 2) at a school-sponsored activity or program; or 3) off school grounds or district property if a student or a school or district staff member acts toward the person in a manner that creates a hostile environment for the person while on school or district property, or at a school- or district-sponsored activity.

² Other potentially applicable policies include but are not limited to: Nondiscrimination (Board policy AC), Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy JHFF/GBNAA).

Sexual harassment does not include conduct that is necessary because of a job duty of a district employee or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent. It also does not include a person finding another person, or another person's actions, offensive because of that other person's sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, unwelcome physical contact such as touching, grabbing, or patting; displaying or sharing sexually explicit drawings, pictures, videos, texts and written materials; making sexual comments, gestures or obscene jokes; bullying based on sexual identity or characteristics; touching oneself sexually; talking about one's sexual behaviors in front of others; asking about another's sexual history; or spreading rumors about or rating others as to appearance, sexual activity or performance.

Oregon Procedures

The administrator of each school, and director of each department, is the compliance coordinator for that school or department, and is responsible for accepting and managing complaints of sexual harassment and reporting to district officials. District officials designated to coordinate the district's efforts to comply with Oregon laws prohibiting sexual harassment are, for students, the Title IX Coordinator, and for employees, the Human Resources Director.

Reporting and Response

Individuals are strongly encouraged to immediately report conduct they believe is in violation of this policy to the school administrator or department director. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the school administrator or other appropriate district official.

Any staff member who receives direct or indirect notice that this policy may have been violated shall immediately report the information to the school administrator or department director. Reports may also be made to the Title IX Coordinator at titleixcoordinator@4j.lane.edu, the Human Resources Director, or the Superintendent.

The compliance coordinator (with coordination involving the district Title IX Coordinator, Human Resources Director or reporting staff member as appropriate) will take interim measures necessary to ensure the impacted person is protected and to promote a nonhostile environment. This includes providing resources for support measures to the impacted person and taking any actions necessary to remove potential future impact on the impacted person. No such actions may retaliate against that person or the person who reported to the district official.

When a student, employee or third party files a complaint under this policy, the district shall provide written notice of rights meeting the requirements of ORS 342.704(5) to: the reporting person(s) if appropriate; any impacted person who is not a reporting person; the reported person(s); and where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated using procedures developed by the Superintendent. In determining whether district policy has been violated, the district will use the preponderance of evidence standard, meaning that the evidence shows that it is more likely than not that the conduct occurred.

Notification as to whether a policy violation was substantiated, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation concluded as required by ORS 742.704(5). Due to the nature of sexual harassment, a complaint will be held in confidence insofar as possible. The district will only release sexual harassment complaint information to appropriate individuals in order to investigate the complaint, take corrective action and comply with law.

Actions Following Investigation

If harassment in violation of this policy is found to have occurred, the district will take appropriate and effective remedial action to address and stop sexual harassment, prevent its recurrence and address its negative consequences. This may include but is not limited to: restorative actions for the target of harassment; discipline of staff and students who engaged in sexual harassment; removal of third parties who engaged in sexual harassment or notification to their employer or school; trainings and education; and increased notifications regarding district policies and resources.

If investigation does not substantiate a violation of this policy, but of another rule, policy or code of conduct, the district may take action in accordance with those terms.

Appeal

If a complainant or respondent is dissatisfied with the district's action or inaction in resolving a complaint, they may appeal by filing a formal complaint with the superintendent's office, using the complaint form available on the district website or from the superintendent's office. These procedures shall not preclude the application of available disciplinary grievance procedures in a collective bargaining agreement.

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or any terms or conditions of employment or of work or educational environment of a school or district staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Any individual who experiences retaliation is encouraged to make a report to the school administrator or department director, or the alternate personnel identified in the Reporting and Response section above.

TITLE IX (FEDERAL) DEFINITIONS AND PROCEDURES

Title IX of the 1972 Educational Amendments of the Civil Rights Act of 1964 states in part that, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." The district is committed to providing educational and employment opportunities that are free from discrimination based on sex, and promptly investigating reported violations.

Title IX Definitions

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity;
3. "Sexual assault, dating violence, domestic violence or stalking."³

This definition applies only to sex discrimination occurring against a person in the United States. A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

"Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs. (34 C.F.R. § 106.44(a)).

Title IX Procedures

The Superintendent shall ensure the development and publication of a regulation setting forth the district's formal Title IX grievance process, which shall comply with legal requirements. The grievance procedures shall provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy.

Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The report can be made at any time. The person designated as the district Title IX Coordinator and contact information shall be set forth in the regulation implementing this policy. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this policy and accompanying regulation. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.⁴ The district shall treat complainants and respondents equitably by providing supportive measures⁵ to a complainant and by following a grievance procedure meeting the requirements of 34 CFR § 106.45 prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant

³ See 20 USC § 1092(f)(6)(A)(v) (sexual assault); 34 USC § 12291(a)(10) (dating violence); 34 USC § 12291(a)(8) (domestic violence); and 34 USC § 12991(a)(30) (stalking).

⁴ The response cannot be deliberately indifferent meaning clearly unreasonable in light of the known circumstances. (34 C.F.R. § 106.44(a)).

⁵ Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. (34 C.F.R. § 106.44(a)). The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (34 C.F.R. § 99.30(a)).

of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.⁶ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the investigation and grievance process.

Notice

The district shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional associations representing district employees of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

Inquiries about the application to Title IX and its requirements may be referred to the district Title IX Coordinator.⁷

Commented [MOU1]:

No Retaliation

Neither the district or any person may retaliate against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation. Complaints of retaliation may be filed using these procedures.

Confidentiality

The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the purposes of this policy and 34 CFR part 106, including the conduct of any investigation, hearing or judicial proceeding arising thereunder.

Publication

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX Coordinator shall be prominently published in the student and parent handbooks and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign

⁶ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (34 C.F.R. § 106.44(c)).

⁷ Inquires may also be made to the Office of Civil Rights of the United Stated Department of Education.

that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)

[ORS 342.850](#)
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Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

Eugene School District 4J

Code: JBA/GBN
Adopted: 12/18/96
Revised/Readopted: 12/11/02; 8/15/18
Orig. Code: GBN

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1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as a factor in educational decisions affecting a student or employment or assignment of employees; or
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform job responsibilities; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, whether the individual viewed the environment as hostile; whether it was reasonable to view the environment as hostile; the nature of the conduct; the frequency, duration and severity of the conduct; the age and sex of the complainant; whether the alleged harasser was in a position of power over the student or employee subjected to the harassment; the number of individuals involved; the age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students, employees or third parties.

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2. Nonverbal conduct, such as graffiti, display or distribution of sexually explicit drawings, pictures or written materials, text messages, or notes; and/or
3. Physical conduct such as unwanted physical contact, sexual touching, fondling, sexual assault, and other forms of sexual violence.

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It is the intent of the Board that appropriate corrective action will be taken by the district to stop the sexual harassment, prevent its recurrence and address its negative effects in the educational or employment setting. Students who violate this policy shall be subject to discipline up to and including expulsion, counseling, sexual harassment awareness training, and/or transfer to another school as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action.

Employees who violate this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the appropriate district official.

Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.

The superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, employees and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available.

This policy as well as the complaint procedure will be made available upon request to all students, parents of students, staff members and third parties, posted on the district's website and published in student/parent and staff handbooks. The district's policy shall be posted on a sign in all grade 6 through 12 schools. Posted signs shall be at least 8-1/2 inches by 11 inches in size. The written notice of rights required by ORS 342.704 will be made available on the district website.

The superintendent will establish procedures implementing this policy.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)

[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)

[ORS 659A.030](#)
[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

Eugene School District 4J

Code: JBA/GBN
Adopted: 12/18/96
Revised/ readopted: 12/11/02; 8/15/18; 05/XX/21
Orig. Code: GBN

Sexual Harassment

The district is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the district. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties¹ are subject to this policy. Any person may report sexual harassment.

The district processes complaints or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and Title IX, 34 C.F.R. Part 106. Individual reports and complaints may require both of these procedures, and may involve additional policies or procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions of sexual harassment in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously to the extent consistent with Title IX. The district may also need to use other applicable policies, rules and procedures.²

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment includes:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with an employee's ability to perform their job; or
 - c. Creates an intimidating, offensive or hostile environment.
3. Assault when sexual contact occurs without the person's consent because the person is under the influence of drugs or alcohol, is unconscious, or is pressured through physical force, coercion or explicit or implied threats.

¹ "Third party" means a person who is: 1) on or immediately adjacent to school grounds or district property; 2) at a school-sponsored activity or program; or 3) off school grounds or district property if a student or a school or district staff member acts toward the person in a manner that creates a hostile environment for the person while on school or district property, or at a school- or district-sponsored activity.

² Other potentially applicable policies include but are not limited to: Nondiscrimination (Board policy AC), Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy JHFF/GBNAA).

Sexual harassment does not include conduct that is necessary because of a job duty of a district employee or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent. It also does not include a person finding another person, or another person's actions, offensive because of that other person's sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, unwelcome physical contact such as touching, grabbing, or patting; displaying or sharing sexually explicit drawings, pictures, videos, texts and written materials; making sexual comments, gestures or obscene jokes; bullying based on sexual identity or characteristics; touching oneself sexually; talking about one's sexual behaviors in front of others; asking about another's sexual history; or spreading rumors about or rating others as to appearance, sexual activity or performance.

Oregon Procedures

The administrator of each school, and director of each department, is the compliance coordinator for that school or department, and is responsible for accepting and managing complaints of sexual harassment and reporting to district officials. District officials designated to coordinate the district's efforts to comply with Oregon laws prohibiting sexual harassment are, for students, the Title IX Coordinator, and for employees, the Human Resources Director.

Reporting and Response

Individuals are strongly encouraged to immediately report conduct they believe is in violation of this policy to the school administrator or department director. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the school administrator or other appropriate district official.

Any staff member who receives direct or indirect notice that this policy may have been violated shall immediately report the information to the school administrator or department director. Reports may also be made to the Title IX Coordinator at titleixcoordinator@4j.lane.edu, the Human Resources Director, or the Superintendent.

The compliance coordinator (with coordination involving the district Title IX Coordinator, Human Resources Director or reporting staff member as appropriate) will take interim measures necessary to ensure the impacted person is protected and to promote a nonhostile environment. This includes providing resources for support measures to the impacted person and taking any actions necessary to remove potential future impact on the impacted person. No such actions may retaliate against that person or the person who reported to the district official.

When a student, employee or third party files a complaint under this policy, the district shall provide written notice of rights meeting the requirements of ORS 342.704(5) to: the reporting person(s) if appropriate; any impacted person who is not a reporting person; the reported person(s); and where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated using procedures developed by the Superintendent. In determining whether district policy has been violated, the district will use the preponderance of evidence standard, meaning that the evidence shows that it is more likely than not that the conduct occurred.

Notification as to whether a policy violation was substantiated, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation concluded as required by ORS 742.704(5). Due to the nature of sexual harassment, a complaint will be held in confidence insofar as possible. The district will only release sexual harassment complaint information to appropriate individuals in order to investigate the complaint, take corrective action and comply with law.

Actions Following Investigation

If harassment in violation of this policy is found to have occurred, the district will take appropriate and effective remedial action to address and stop sexual harassment, prevent its recurrence and address its negative consequences. This may include but is not limited to: restorative actions for the target of harassment; discipline of staff and students who engaged in sexual harassment; removal of third parties who engaged in sexual harassment or notification to their employer or school; trainings and education; and increased notifications regarding district policies and resources.

If investigation does not substantiate a violation of this policy, but of another rule, policy or code of conduct, the district may take action in accordance with those terms.

Appeal

If a complainant or respondent is dissatisfied with the district's action or inaction in resolving a complaint, they may appeal by filing a formal complaint with the superintendent's office, using the complaint form available on the district website or from the superintendent's office. These procedures shall not preclude the application of available disciplinary grievance procedures in a collective bargaining agreement.

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or any terms or conditions of employment or of work or educational environment of a school or district staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Any individual who experiences retaliation is encouraged to make a report to the school administrator or department director, or the alternate personnel identified in the Reporting and Response section above.

TITLE IX (FEDERAL) DEFINITIONS AND PROCEDURES

Title IX of the 1972 Educational Amendments of the Civil Rights Act of 1964 states in part that, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." The district is committed to providing educational and employment opportunities that are free from discrimination based on sex, and promptly investigating reported violations.

Title IX Definitions

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity;
3. "Sexual assault, dating violence, domestic violence or stalking."³

This definition applies only to sex discrimination occurring against a person in the United States. A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

"Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs. (34 C.F.R. § 106.44(a)).

Title IX Procedures

The Superintendent shall ensure the development and publication of a regulation setting forth the district's formal Title IX grievance process, which shall comply with legal requirements. The grievance procedures shall provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy.

Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The report can be made at any time. The person designated as the district Title IX Coordinator and contact information shall be set forth in the regulation implementing this policy. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this policy and accompanying regulation. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.⁴ The district shall treat complainants and respondents equitably by providing supportive measures⁵ to a complainant and by following a grievance procedure meeting the requirements of 34 CFR § 106.45 prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant

³ See 20 USC § 1092(f)(6)(A)(v) (sexual assault); 34 USC § 12291(a)(10) (dating violence); 34 USC § 12291(a)(8) (domestic violence); and 34 USC § 12991(a)(30) (stalking).

⁴ The response cannot be deliberately indifferent meaning clearly unreasonable in light of the known circumstances. (34 C.F.R. § 106.44(a)).

⁵ Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. (34 C.F.R. § 106.44(a)). The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (34 C.F.R. § 99.30(a)).

of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.⁶ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the investigation and grievance process.

Notice

The district shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional associations representing district employees of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

Inquiries about the application to Title IX and its requirements may be referred to the district Title IX Coordinator.⁷

Commented [MOU1]:

No Retaliation

Neither the district or any person may retaliate against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation. Complaints of retaliation may be filed using these procedures.

Confidentiality

The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the purposes of this policy and 34 CFR part 106, including the conduct of any investigation, hearing or judicial proceeding arising thereunder.

Publication

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX Coordinator shall be prominently published in the student and parent handbooks and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign

⁶ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (34 C.F.R. § 106.44(c)).

⁷ Inquires may also be made to the Office of Civil Rights of the United Stated Department of Education.

that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)

[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)

[ORS 659A.030](#)
[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

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Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).



ITEM FOR ACTION AT A FUTURE MEETING (First Read)

Date

May 5, 2021

Title

Consider for Approval Board Guiding Beliefs & Values for 2020–21

Presenter

Mary Walston, Chair

Background

The board annually reviews and affirms or revises the Board Guiding Beliefs & Values.

Discussion:

The revised Guiding Beliefs & Values have been included in the board packet for review and discussion.

Recommendation

The superintendent recommends the approval of the revised Guiding Beliefs & Values.

**Eugene School District 4J
Board of Directors
Guiding Beliefs and Values**

- | |
|---|
| <ul style="list-style-type: none">• Do what's best for all 4J students• Continue to learn and grow• Respect and care about each other |
|---|

In order to meet the district mission statement above, the board has adopted the following guiding beliefs and values:

Students

- We believe that all children can learn.
- We believe that all students deserve to be and feel safe and welcome at school.
- We believe that our students' education and welfare are our most important commitments.
- We believe that a student's success in school should be independent of factors such as race, ethnicity, socioeconomic status, disability, gender, gender identity, sexual orientation, native language, and religion.
- We believe that public schools should foster development beyond academics such as character, creativity, resourcefulness, citizenship, respect for diverse cultures, environmental stewardship, an understanding of workplace expectations, and a lifelong love of learning.

Staff

- We value highly qualified, caring and diverse staff that reflects our student population and believe they are the key to meeting our goals for students.
- We believe in collaborating with staff in deciding what is best for our schools and our students, recognizing that not everyone may agree.
- We believe that it is essential for staff and board members to hold high expectations of all students, that these expectations are critical to student success, and that we must hold ourselves and each other accountable for the achievement of all students.
- We believe that high-quality instruction is integral to student success and best achieved by providing strong instructional leadership, targeted professional development, and system-wide accountability and support for student growth.

Community

- We believe that the board and staff make a difference in learning for our children by developing relationships and effectively engaging our families, community and local, state and federal governments on social, political and economic challenges and inequities.
- We value public support for our schools and believe that the board plays a critical role in generating and sustaining community partnerships and ongoing financial and other support.

Leadership

- We believe it is our duty to provide safe learning environments and meaningful, equitable and highly effective instruction, to support all students to thrive socially, emotionally and academically, and to reduce the disparity of outcomes for historically underserved students.
- We believe it is critical for the board and staff to plan and direct resources consistent with our beliefs and values.
- We value continual learning for all—board, staff and students—and believe that it is essential to student success in school.