

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

**September 2, 2009**

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held a regular board meeting at 7 p.m. on September 2, 2009, at the Education Center, 200 North Monroe Street, Eugene, Oregon. Notice of the meeting was mailed to the media and posted in the Education Center on August 28, 2009, and published in the *Register-Guard* on August 31, 2009.

**ROLL CALL**

**BOARD MEMBERS:**

Craig Smith, Chair  
Beth Gerot, Vice Chair  
Jennifer Geller  
Alicia Hays  
Anne Marie Levis  
Jim Torrey

**STAFF:**

George Russell, Superintendent of Schools  
Barbara Bellamy, Chief of Staff and Communications Director  
Susan Fahey, Chief Financial Officer  
Celia Feres-Johnson, Director of Human Resources  
Carl Hermanns, Assistant Superintendent/Chief Academic Officer  
Laurie Moses, Director of Secondary Services  
Larry Sullivan, Director of Educational Support Services  
Caroline Passerotti, Financial Analysis Manager  
Patrick Hughes, Risk Manager  
Jim Conaghan, Research and Assessment Coordinator

**STUDENT REPRESENTATIVES:**

None

**MEDIA:**

KRVM

**OTHERS**

Paul Duchin, Eugene Education Association Co-President  
Merri Steele, Eugene Education Association Co-President

**CALL TO ORDER AND FLAG SALUTE**

Board Chair Craig Smith called the regular meeting of the School District 4J Board of Directors to order and led those present in the Pledge of Allegiance.

**AGENDA REVIEW**

There were no changes to the agenda.

## INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Superintendent George Russell reminded the board that a back-to-school kickoff event was scheduled for September 3, 2009. He announced that the district had received official notification from the Eugene Emeralds baseball club that it would be vacating Civic Stadium by November 25, 2009. He said the Save Civic Stadium group had requested the board consider granting them a short-term lease if the Emeralds left Civic Stadium. He said there would be a work session scheduled to discuss the district's plans for the facility.

## ITEMS RAISED BY THE AUDIENCE

Mr. Smith determined there was no one wishing to speak.

## COMMENTS BY EMPLOYEE GROUPS

Paul Duchin and Merri Steele, Eugene Education Association Co-Presidents (EEA), welcomed new board members Jennifer Geller and Anne Marie Levis. They reported that EEA would again be giving books away at its Eugene Celebration booth, including Spanish language books, and providing information about tax fairness.

## ITEMS FOR INFORMATION

### Receive Information on the Sources and Uses of Funds Provided Through the American Recovery and Reinvestment Act (ARRA)

On February 17, 2009, the President signed The American Recovery and Reinvestment Act (ARRA) into law. The Act has four guiding principles: 1) Spend funds quickly to save and create jobs; 2) Improve student achievement through school improvement and reform; 3) Ensure transparency, reporting and accountability; and 4) Invest one-time ARRA funds thoughtfully to minimize the "funding cliff."

The ARRA provides funds across many categories including Title I, IDEA (Individuals with Disabilities Education Act), Pell Grants, State Fiscal Stabilization Fund, etc. To date the district has applied for two, but has not been awarded additional ARRA grants. Below is a summary by type and year the district expects to receive.

	2008-2009	2009-2010	2010-2011	Total
<b>State Fiscal Stabilization Fund</b>	\$3,332,826	\$4,561,983	\$1,868,029	\$9,762,838
<b>IDEA</b>	900,000	1,833,922	933,881	3,667,803
<b>Title I</b>	?	2,174,751		2,174,751
<b>TOTAL</b>	\$4,232,826	\$8,570,656	\$2,801,910	\$15,605,392

Susan Fahey, Chief Financial Officer, said the district had applied for, but not received, competitive grants for new buses and kitchen equipment. The district had not yet been notified about the status of its State Energy Program grant application. The district would likely submit additional competitive applications for Investing in Innovation (I3) grants when the application guidelines were issued in the winter.

In response to a question from Mr. Smith, Carl Hermanns, Assistant Superintendent/Chief Academic Officer, said the I3 funds were federal, but administered by the state. He felt the district was well-positioned to be competitive, especially in the area of data technology. He said the district was also considering a Race to the Top grant application in partnership with other districts. He reviewed the information in a document entitled *Use of ARRA funds: IDEA and Title I*, which provided details on the programs and services that had been funded and was distributed in the packet. He summarized that ARRA funding was being used to strategically add FTE across all levels (K-12) and to build capacity throughout the district through emphasis on building-level professional development.

Board Member Jim Torrey asked how the district would use the opportunity to develop baseline data in order to demonstrate how those investments paid dividends and impacted student outcomes and would support sustainable budgeting in the future. Mr. Hermanns replied that the progress monitoring initiative (IIPM) would allow the district to measure progress at the individual student and classroom levels to determine if the intervention strategies were effective.

Board Member Jennifer Geller pointed out that the federal funding helped to mitigate the impact of the district's \$20 million budget shortfall by avoiding any additional cuts, but did not close the gap.

Mr. Hermanns explained that the district had to avoid using title funds to support regular programs that were typically supported by General Fund dollars, a practice known as "supplanting." The title funds had to be used for additional services to benefit struggling students.

Superintendent Russell asked if the \$6 million decrease in ARRA funding from 2009-2010 to 2010-2011 would result in a "funding cliff." Ms. Fahey said the state had "front-loaded" the State Fiscal Stabilization Fund dollars and used less state resources for the current year, then would backfill with state resources in the next fiscal year to avoid a drastic decrease in funding.

### **Receive a Preliminary Report on Oregon State Assessment Results**

Jim Conaghan, Research and Assessment Coordinator, distributed and reviewed the district's Oregon Assessment of Knowledge & Skills (OAKS) results for the period 2006-2009. He said the same assessment tool and achievement standards allowed for three years of comparability and the identification of trends. He noted there had been sustained growth across grades in reading over the three-year period and significant growth in math at the middle school level. There were substantial decreases at the 7<sup>th</sup> and 10<sup>th</sup> grades in writing. He felt that could be explained to some extent by how writing tests were scored and he noted that he expected to see changes to the writing assessment methodology in the future to assure more consistency. He stated that science scores had increased significantly at the 8<sup>th</sup> grade level.

In response to a question from Mr. Torrey, Mr. Conaghan explained that there were trained graders throughout the state and the education service districts (ESDs) managed the process.

A district's assessments were never scored or graded locally; they were sent elsewhere in the state.

Mr. Smith asked if there was any relevance to looking at performance data diagonally. Mr. Conaghan said performance was viewed from that perspective, which he referred to as a non-intact cohort. He said the ideal approach would be to track students in an intact cohort group. He also compared the district's results to those of districts similar in size, ethnicity, ELL and special education populations.

Ms. Geller observed that writing scores across the state were low compared to reading and math scores. Mr. Hermanns said the variability of the test and scoring did contribute to the scoring, but nevertheless the district did have a goal related to systemically improving students' writing skills.

### **Receive a Report on District Planning Process for H1N1 Flu Preparedness**

Barbara Bellamy, Chief of Staff and Communications Director, said the key message at a recent Governor's Summit was to be prepared but flexible, take individual and collective responsibility for prevention and spread of the influenza virus and be ready to communicate any change in direction. She said that public health agencies were now tracking only severe H1N1 cases. Unlike seasonal flu, H1N1 strikes a younger population, which would impact not just students but many employees as well; a vaccine is expected to be available in mid-October and would require two injections. She said the virus was short-lived on surfaces and nothing beyond routine cleaning measures were being recommended. There were no reporting requirements beyond the need to report school closures. Lane County Public Health is coordinating closely with local agencies.

Patrick Hughes, Risk Manager, said the district's response to H1N1 was twofold: Large-scale planning that looked at the worst case scenario and what to do if a majority of students and/or staff were affected. Departments are considering how to continue education under those circumstances and the district is well-placed to respond because of its technology and ability to deliver online services. As part of the second level of response, he said principals had been provided with tool kits based on Centers for Disease Control (CDC) guidelines and information.

Mr. Torrey commented that Royal Caribbean Cruises had useful techniques for preventing the spread of germs.

Board Member Anne Marie Levis asked how the district would communicate with parents, particularly those for whom English was a second language. Ms. Bellamy responded that the tool kit contained sample letters and news articles and students were good messengers to their families. The first line of communication was with students about good hygiene protocols. The district's message was the same as those being broadcast through the media. Mr. Hughes added that the district's emergency rapid-dial system could also be used if circumstances warranted.

Board Member Alicia Hays asked if there would be someone designated at each school to assess the H1N1 situation and what reaction there might be from unions if a staff person was asked to leave school because of illness. Ms. Bellamy said staff was being asked to stay home if they had H1N1 symptoms until they were without a fever for 24 hours without the use of

medication. She said staff was serious about modeling good behavior for students and taking personal and collective responsibility.

Mr. Smith asked if there were emergency credentialing procedures should additional substitute teachers be required. Mr. Hughes said credential requirements would not change, but credentialing could be expedited if it became necessary to expand the pool of substitutes.

Mr. Torrey asked if the district had any responsibility or liability for students or teachers who might be considered at higher risk because of age or health issues. Mr. Hughes said that would be determined on a case-by-case basis, considering the best personal choice for that individual.

## **CONSENT GROUP – ITEMS FOR ACTION**

### **Approve Application for Membership, Special Districts Workers Compensation Program, Replacing SAIF with Special Districts Association of Oregon (SDAO) as the District's Worker's Compensation Carrier**

This Application for Membership is between the district and Special Districts Association of Oregon (SDAO). The application finalizes the district's search for its renewal of required worker's compensation coverage for employees, and signifies the culmination of researching for the best competitive insurance premium rates for the district, while maintaining the best available coverage for district employees. The application describes specific details regarding coverages, and the final premium the district will be responsible for paying. Approval of the application commits the district to having SDAO as its worker's compensation carrier through June 30, 2010. Copies of the application and the SDAO declarations page/premium invoice were included in the board packet.

The superintendent recommended approval of the Application for Membership between the district and Special Districts Association of Oregon.

### **Approve Grant Application: Adams Elementary Solar Initiative**

Staff from Adams Elementary School submitted a grant application to the ARRA State Energy Program (SEP) for \$95,950. The primary purpose of Adams' solar project is to create a school-wide and community-based educational tool for generating renewable energy while reducing the school's own energy footprint. The project has been vetted by the district's engineers as a viable and acceptable addition to Adams' energy management program.

The superintendent recommended approval of the grant application. A copy of the grant description form was included in the board packet.

**MOTION:** Ms. Hays, seconded by Board Vice Chair Beth Gerot, moved to approve the consent items.

**VOTE:** The motion passed unanimously; 6:0.

## ITEMS FOR ACTION

### Adopt the Revised Guiding Beliefs and Values Statement

The board annually reviews and affirms or revises a statement of Guiding Beliefs and Values to articulate the core values that guide the work of the Board of Directors and all 4J staff in achieving the district's mission. Staff reviewed the initial draft of the proposed Guiding Beliefs and Values Statement and made some suggested revisions. The draft with the proposed revisions was included in the board packet and was further reviewed at board leadership on August 31. The superintendent recommended adoption of the Guiding Beliefs and Values Statement.

Ms. Bellamy highlighted the changes related to accountability, support and student growth. She said the intent of targeted professional development was to obtain the most impact from available resources.

Ms. Levis commented that the current wording made it seem as though accountability was an afterthought. She proposed revising the language to switch the positions of the words "support" and "accountability" in the fourth bulleted item under the Staff section of the *Guiding Beliefs and Values* document to read "...and system-wide accountability and support for student growth."

**MOTION:** Mr. Torrey, seconded by Ms. Levis, moved to adopt the Eugene School District 4J Board of Directors' Guiding Beliefs and Values with the language revision proposed by Ms. Levis.

**VOTE:** The motion passed unanimously; 6:0.

### Adopt the Board's Goals and Annual Agenda for 2009-10

School Board Policy BA requires that the board adopt an annual agenda to demonstrate how it will provide "leadership and direction for the district." Staff prepared an initial draft of the proposed 2009-10 Annual Agenda, and Goals for 2010 – 2013. Changes suggested by the board, and in subsequent meetings of Superintendent's Staff and the Instructional Leadership Team, were incorporated into the draft, which was included in the board packet.

Ms. Bellamy indicated that complete language regarding a sustainable budget had not yet been incorporated into the draft. She said staff was discussing how capital and budget planning should incorporate the instructional needs of the district. She asked for suggestions from the board.

Mr. Smith said the concept was to emphasize the sustainability of the budget, independent of the capital issue.

Mr. Torrey remarked that there would be capital issues that would impact the district's ability to maintain a sustainable budget, such as school size being inadequate to support student needs.

Superintendent Russell summarized that the board's intent was to have a separate key result under Goal 2 that addressed a sustainable budget. Board members concurred with his summary.

## **ITEMS FOR ACTION AT A FUTURE MEETING**

### **Request to Support Waiver Request and Modifications to Charter School Contract with The Village School**

The Village School requested a waiver by the Oregon State Board of Education of ORS 338.125, which governs student admission to charter schools. The purpose of the waiver is to permit The Village School to offer priority admission for the children of its current staff. The school requested district approval and support for making the necessary modifications to the charter school contract between the district and the charter school should the waiver be granted. ORS 338.125 requires that public charter schools use an equitable lottery should the number of applications from district residents exceed the capacity of a program, class, grade level or building. Once a charter school has been in operation for one or more years, priority for admission may be given to district residents who were enrolled in the school in the prior year or who have siblings who are presently enrolled in the school and who were enrolled in the school in the prior year. ORS 338.025 permits waiver of this provision. According to Oregon Department of Education staff, this waiver request is among the most common submitted by charter schools.

The district does not offer priority admission to the children of staff for placement in neighborhood schools or alternative schools. However, no material negative effect is anticipated from permitting a district-sponsored charter school to offer this benefit to its employees. Further, in keeping with statutory direction for governing charter schools, the district offers latitude to its charter schools to operate in ways that differ from traditional district practices as long as they meet the requirements of federal and state laws and regulations. Copies of letters from The Village School to the State Board of Education and to the district, as well as draft minutes from The Village School board meeting documenting endorsement of this action were included in the board packet.

Caroline Passerotti, Financial Analysis Manager, reviewed information related to The Village School's request. She said the superintendent would recommend that the district neither support nor oppose the waiver request by The Village School, but agree to make necessary modifications to the charter school contract should the State Board approve their request.

Ms. Geller asked if the board had previously taken a position on a charter school's request for a waiver. Ms. Passerotti said in the past the district had been asked to submit a joint request and that was viewed favorably by the state. She did not think lack of a joint request would place The Village School at a disadvantage as long as the district did not oppose the waiver. She said the recommendation was to take no position on the request since no negative impact was expected.

Ms. Levis asked if the district could permit one of its schools to offer priority admission to the children of current staff. Ms. Passerotti replied that at one time alternative schools were allowed to have privileged enrollments, but 4J had abandoned that practice. She noted that charter schools operated differently from regular public schools, which is part of the intent of charter school law.

Ms. Levis expressed concern about setting a precedent for privileged or priority admissions.

## **Approve Revisions to Board Policy EFA, Local Wellness Program**

The 2007 Legislature set standards for food and beverages sold in schools (House Bill 2650). The district's wellness policy, EFA Local Wellness Program adopted in 2006, already reflected most of those requirements. The new legislation, however, defined the "regular and extended school day" to include all before- and after-school activities sponsored by the district, except for activities at which adults are a significant part of an audience, such as a carnival, a play or a band or choir concert. The proposed revisions to Board Policy EFA - Local Wellness Program add a reference to the definition of the school day and other requirements that are now in Oregon Revised Statute 336.423. A copy of the proposed policy revision was included in the board packet.

Ms. Bellamy highlighted the proposed wellness policy changes that defined regular and extended school days. She noted that the policy was already well-aligned with the state's requirements and in some areas, went further in terms of requiring healthy food options.

## **COMMENTS AND COMMITTEE REPORTS BY INDIVIDUAL BOARD MEMBERS**

Ms. Geller applauded schools for their efforts to assist students to make transitions and feel a part of the school community.

Mr. Torrey appreciated the board's examination of its beliefs and goals.

Ms. Levis commented that she had been lobbied on the subject of saving Civic Stadium.

Ms. Hays welcomed back teachers and she looked forward to visiting schools.

Ms. Gerot reported on her attendance at a National School Board Association retreat, a CFEE Fellows meeting and participation in a Food Services kick-off event.

Mr. Smith thanked staff for the professional development materials included in the board's packet.

## **ADJOURN**

Mr. Smith adjourned the meeting at 8:37 p.m.

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George Russell  
Superintendent

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Craig Smith  
Board Chair

*(Recorded by Lynn Taylor)*

Following the adjournment of the regular board meeting, the board reconvened in executive session.

**EXECUTIVE SESSION:** Under provisions of ORS 192.610 – 192.690, Open Meeting Laws, the Board of Directors conducted an Executive Session for the following purpose: To conduct

deliberations with persons designated by the governing body to carry on labor negotiations pursuant to ORS 192.660 (2) (d).

**Attachments to Official Minutes:**

1. Use of AARA Funds: IDEA and Title I
2. Oregon Assessment of Knowledge and Skills 2006-09
3. Special Districts Association of Oregon (SDAO) Workers' Compensation Program Materials
4. Grant Application Form: Adams Elementary Solar Initiative
5. Board Guiding Beliefs and Values Statement
6. Draft Board Goals and Annual Agenda for 2009-10
7. Correspondence from The Village School and Draft Minutes from a Village School Board Meeting Regarding Waiver Request
8. Draft Board Policy EFA – Local Wellness Program