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

August 6, 2008

The Board of Directors of School District No. 4J, Lane County, Eugene, Oregon, held a regular board meeting at 7 p.m. on August 6, 2008, 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 1, 2008, and published in The Register-Guard on August 4, 2008.

ROLL CALL

BOARD MEMBERS:
Charles Martinez, Jr., Chair
Beth Gerot
Craig Smith
Alicia Hays
Jim Torrey
Yvette Webber-Davis

STAFF:
George Russell, Superintendent of Schools and District Clerk
Tom Henry, Deputy Superintendent and Chief Academic Officer
Barbara Bellamy, Chief of Staff and Communications Director
Susan Fahey, Chief Financial Officer
Caroline Passerotti, Financial Analysis Manager
Carl Hermanns, Assistant Superintendent/Chief Operating Officer
Celia Feres-Johnson, Director of Human Resources

MEDIA:
KRVM

CALL TO ORDER, ROLL CALL, AND FLAG SALUTE

Board Chair Charles Martinez called the meeting of the School District 4J Board of Directors to order at 7:00 p.m. He noted that Eric Forrest would be absent, and that Jim Torrey would be arriving later in the meeting. Dr. Martinez led those present in the Pledge of Allegiance.

AGENDA REVIEW

Superintendent George Russell noted that board members and staff had no changes to make to the agenda, but that his report would run a bit longer than usual.

INTRODUCTION OF GUESTS AND SUPERINTENDENT'S REPORT

Superintendent Russell commented he had just come from a Eugene Chamber of Commerce event where they were celebrating local companies and organizations, including the 4J School District which has been a Chamber member for more than twenty years.
Superintendent Russell noted he had recently spent a week in St. Louis at an American Association of School Administrators (AASA) conference as one of the two superintendents selected by colleagues to represent them at the national level on the AASA governing board.

Superintendent Russell noted he had also recently attended the National Superintendents’ Roundtable meeting in Seattle. He further commented that during the conference he had the opportunity to meet with Boeing and Microsoft executives.

Superintendent Russell introduced Carl Hermanns, the district’s new Assistant Superintendent for Management Services and Chief Operating Officer, and Celia Feres-Johnson, the district’s new Director of Human Resources.

Superintendent Russell noted Dr. Feres-Johnson’s recent memorandum indicating that the position of Associate Director of Human Resources had been filled by Christine Nesbit, replacing Ted Heid, and that an additional human resources recruiting position was due to be filled in the near future.

Dr. Feres-Johnson thanked Superintendent Russell and commented that she was happy to be joining 4J. She also commented that Ms. Nesbit would be starting her position on September 3, 2008.

Dr. Feres-Johnson, responding to a question from Board Member Alicia Hay, confirmed that between herself and Jeralynn Beghetto, Human Resources Administrator, that they had the skill set necessary to adequately manage training and development issues and that no further hiring in that regard would be necessary.

Mr. Hermanns noted it was great to be back on the operations side of the superintendent’s office at the district.

Superintendent Russell, responding to Mr. Hermann’s request for an update on organizational changes, referred to the district organization chart from this year’s budget document and noted Mr. Hermann’s responsibilities would be over the non-instructional parts of the district. He then reminded the board that the core team comprised of the Superintendent, the Assistant Superintendent/Chief Operating Officer, the Deputy Superintendent/Chief Academic Officer, and the Chief of Staff/Director of Communications would be meeting weekly. He further noted that the directors, core team, and board would comprise the executive leadership team for the district.

Board Member Jim Torrey arrived at the meeting at 7:11 p.m.

Barb Bellamy, Chief of Staff and Communications Director, commented on the amended ballot measure, noting the word “renew” which had been added to the ballot title.

Ms. Bellamy noted the city had produced a local voter pamphlet and that the district had participated in the creation and financing of proponent and opponent statements to be supplemental to that pamphlet. She said the board would appoint two people to write the proponent’s argument and then the city would advertise for anyone who would like to serve on the opponent’s committee. She noted that to date, no one had responded and that no official opponent’s argument had yet been generated in response to the district’s ballot measure.

Ms. Bellamy stated September 9, 2008 was the deadline for any opposing argument materials to be submitted for the local voter pamphlet.
Tom Henry, Deputy Superintendent/Chief Academic Officer, reported on yearly progress, noting that his report had been generated in order to demonstrate compliance with the standards mandated by the No Child Left Behind (NCLB) Act.

Mr. Henry noted that the district had maintained its rating status even though the standards for public education had been raised while the rest of the state had dropped significantly.

Mr. Henry commented that, although the district’s ratings were above average when compared with the rest of the state, four middle schools and three high schools did not meet their goals with respect to NCLB. He stated the primary problems in those schools were in the areas of English Language Proficiency (ELP), students with disabilities at the secondary level, and Hispanic and economically disadvantaged math students.

Mr. Henry remarked that, while the district’s ratings were above the state averages, the gaps and deficiencies of the district were in the same areas as the rest of the state. He said this indicated that there was still much work to be done. He also noted it was very hard to plan for instructional improvements, but that the upcoming Oregon State Assessment results coming out on August 15 would be helpful in that regard.

Superintendent Russell commented that the Elementary Secondary Education Act (ESEA) and No Child Left Behind Act were up for re-authorization in Congress and that one topic of discussion he had encountered with the AASA was what position the AASA would take. He commented that Paul Houston, who had been the executive director with the AASA for many years, had retired on July 1, and that they had hired Dan Domenech to replace him. He was encouraged that Mr. Domenech was bringing a fresh perspective, and that Mr. Domenech had implemented a program known as “All Children Will Learn” to focus on the problems facing public education.

Superintendent Russell elaborated on his discussions at the AASA conference saying one point of discussion was regarding how to reframe the ESEA and NCLB. He said the AASA had proposed a systemic plan to improve schools rather than a disjointed collection of unrelated programs funded with federal monies. He commented this proposal was based on two key assumptions: 1) That money makes a difference; and 2) That serving the total child will improve educational outcomes. He stated that the topics addressed in the AASA proposal would encompass higher state standards, accountability, learning measurement, research support, professional improvement, and health and human services.

Superintendent Russell then read aloud the proposed resolution regarding the reauthorization of ESEA and NCLB.

Board Member Beth Gerot commented that the AASA information relayed by Superintendent Russell was very exciting in that it mirrored many of the discussions the board was having both in the local community and at the state level.

Superintendent Russell, responding to a question from Ms. Gerot, confirmed that Mr. Domenech and AASA were planning to speak with members of the National School Boards Association (NSBA) and National Education Association (NEA) with regard to the AASA proposal.

Superintendent Russell commented he was bringing forth his AASA findings as an information item only at this point, with the possibility that he might bring the issue back at a future board meeting.
Mr. Torrey said he was supportive of the resolution, but he saw a disparity of educational programs in relation to low-income housing availability as a potential unintended consequence of the resolution.

Mr. Henry, responding to Mr. Torrey’s concern about which federal programs currently being used by the district might be affected by the AASA resolution, said that the district only employed Title II funds to address issues of professional development within the district.

Dr. Martinez said he was highly supportive of the section of the resolution pertaining to ESEA accountability systems, but was worried it might be applied as a sort of justifiable cop-out saying the district would only want to hold itself accountable to an extent commensurate with the level of support provided by the federal government. He summarized his position saying it felt to him to be a way of not really holding the district accountable.

Superintendent Russell responded by saying Dr. Martinez’s concerns were not part of his discussions with the AASA, but those discussions revolved more around how state and federal governments performed their respective roles to ensure accountability.

Superintendent Russell suspected there probably were some people at the AASA conference who shared Dr. Martinez’s concerns.

Dr. Martinez felt Superintendent Russell’s presentation had focused significantly on poverty status. He further noted that the resolution being discussed referenced minority status, of which he was very supportive. He asked how the focus on poverty status in Superintendent Russell’s presentation had become translated into a focus on minority status in the resultant resolution. Superintendent Russell replied that there was an initial focus on poverty because ESEA had started out as an anti-poverty program during its inception. He further replied that NCLB had identified many of the minority sub-groups that had been considered in drafting the resolution.

Board Member Craig Smith asked if there had been any discussion of federal standards. Superintendent Russell replied that there had indeed been such discussion, but that very few people were in favor of the federal government setting standards on the matter.

Ms. Gerot noted she had had similar discussions of federal standards at a Pacific Region meeting of the NSBA.

Ms. Gerot asked if it would be useful to incorporate any language addressing growth models with respect to accountability systems in the resolution. Dr. Martinez clarified her comments by saying such language would need to specify individual student growth trajectories rather than a national growth model.

Mr. Torrey asked if there were any best practice growth models upon which to apply the accountability systems being discussed. He said that the district needed to be prepared to push back in the fall against anyone questioning the accountability practices of the district.

Superintendent Russell commented that he had heard of a couple of proposals on growth models being submitted by the state and the Oregon Department of Education (ODE) to the federal government.

Mr. Henry said neither the state nor ODE had received approval of their growth model proposals. He addressed Mr. Torrey’s comments saying there are indeed best practice growth models out there, and that the state could come up with a growth model the federal government
would approve. He stated that the district already had a way to measure growth in their data warehouse where they could pull up students and show what kind of progress they had been making over the past several years, both on internal assessments and Oregon state assessments. He said the only reason that growth models had not been previously utilized was that the district had been repeatedly told that state officials would be applying their own system of growth models and that the district did not want to potentially interfere with that process.

Ms. Hays asked how many of the 93 disconnected ESEA programs referenced in the resolution were currently being used by the district. Mr. Henry replied that the district was receiving seven title programs and a whole host of sub-grants that came with those title programs.

Ms. Hays asked if there was general agreement on the nature of the resolution, or if there were any disputed sticking points. Superintendent Russell commented he had estimated a consensus of perhaps 80-90% among his colleagues.

Mr. Henry commented that the district had lost a great deal of flexibility when the ESEA and NCLB programs had begun to be segmented and portioned off. He said that the district had previously been able to transfer funds between programs and set priorities themselves. He commented it would be necessary to strike a balance between the flexibility provided with the previous processes and the accountability provided by the current ones.

Mr. Smith asked if there had ever been an example where Congress had attempted to develop an integrated legislative policy.

COMMENTS BY STUDENT REPRESENTATIVES

No student representatives were present for the meeting.

ITEMS RAISED BY THE AUDIENCE

No audience members were present for the meeting.

COMMENTS BY EMPLOYEE GROUPS

No comments were offered by employee group representatives.

ITEMS FOR INFORMATION

Report on Initiatives that Qualified for November Ballot and Impact on K-12 Schools

Barb Bellamy noted that numbers had been assigned to various ballot measures which had previously been brought to the board’s attention. She noted the proposed state constitutional amendments concerning voting eligibility for school board elections and public agencies being allowed to take property tax measures to voters, both of which have been put on the ballot as Measures 54 and 56, respectively.

Ms. Bellamy said there were three new measures that had recently garnered enough signatures to be placed on the November ballot, Measures 58, 59 and 60. She noted she did not have much new information to add to her previous comments to the board on the measures, but that
fiscal impact and other explanatory statements which would go into voter pamphlets would be on the Secretary of State’s website within the next few weeks.

Ms. Bellamy commented that Measure 59 regarding federal income tax deduction limits was similar to other measures that had been initiated by Bill Sizemore in past elections. She said the negative impact on the district should the measure pass would be between $15-16 million for the 2010-2011 school year, a figure which would be the equivalent of approximately 160-170 full time teaching positions.

Superintendent Russell asked if the impact of a passed Measure 59 would essentially wipe out the district’s Local Option Levy if that levy passed in the future. Susan Fahey, Chief Financial Officer, confirmed that it would.

Ms. Bellamy commented on Measure 58 regarding non-English language instruction limitations. She commented the measure did not apply to English speaking students learning a foreign language. She further commented that her discussions with the board indicated a consensus that the measure ran counter to best practices. She did not have any information on how the measure would affect a school like the dual Spanish immersion school if it were to pass.

Ms. Bellamy elaborated on Measure 58, saying it was clearly targeted to limit the amount of time anyone whose native language was not English could receive instruction in any other language.

Ms. Gerot commented that current research showed it takes approximately five to seven years for a non-English speaking student to learn the English language fluently enough to receive adequate instruction in English, and that the current measure was completely contrary to that research.

Ms. Bellamy commented on Measure 60 regarding merit pay for Oregon teachers, saying such a measure would go into effect with new teacher contracts and contract extensions.

Ms. Bellamy commented on Measure 64 regarding the use of public resources for political purposes, saying the measure had been initiated by Bill Sizemore in past elections as with Measure 59.

Ms. Bellamy summarized Measures 61, 62 and 63, regarding mandatory prison sentences, lottery proceeds and building permit requirements, respectively. She added she did not know what the fiscal impact statements from those measures would say, but that they would certainly impact state funding in some way.

Superintendent Russell commented that it would be an interesting ballot in November.

ITEMS FOR ACTION AT THIS MEETING

Organize the Board of Directors for the 2008-2009 School Year

Elect Board Officers

  MOTION: Ms. Gerot, seconded by Board Member Yvette Webber-Davis, nominated Charles Martinez as the Chair of the 4J School District Board of Directors.

  VOTE: Dr. Martinez was elected unanimously, 6:0.
MOTION: Ms. Gerot, seconded by Board Member Craig Smith, nominated Yvette Webber-Davis as the Vice-Chair of the 4J School District Board of Directors.

VOTE: Dr. Webber-Davis was elected unanimously, 6:0.

Authorize the Chair and Vice Chair to Sign for the District During the 2008-2009 Fiscal Year

MOTION: Mr. Smith, seconded by Ms. Hays, moved to authorize the Chair and Vice Chair to sign for 4J School District during the 2008-2009 fiscal year.

VOTE: The motion passed unanimously, 6:0.

CONSENT GROUP – ITEMS FOR ACTION

Approve Revised 2008-09 Arts and Technology Academy Calendar

The 2008-09 Arts and Technology Academy calendar approved by the board on May 7, 2008 contained an error on the dates for spring vacation. The corrected calendar indicating that spring break is from March 23 to April 3, 2009 was included in the board packet. The superintendent recommended approval of the revised calendar.

Approve Ratification of CIP Contract Awards

On September 18, 2002, the Board of Directors affirmed the 1993 district policy for delegating contract award authority for Bond Funded CIP contracts of $500,000 or less to the superintendent, or designee, subject to subsequent ratification by the board. The designee is Jon Lauch, Director of Facilities and Transportation. Contracts in excess of $500,000 will continue to require board approval. The purpose of the board item is to summarize all CIP contract award activity requiring a formal bid or formal competitive selection and for the board to ratify those awards that have been made by authorized staff since the last ratification.

The summary sheet included the board packet identified all contracts that have been awarded as of the status date indicated in accordance with delegated authority. The summary also identified who awarded the project and will indicate board ratification data of said award as applicable.

The CIP management staff will continue to provide the board with Contract Award Status updates for ratification, pursuant to School Board Policy DI (Capital Improvement Contracts Financed by Bond Levy Funds-previously Policy 6610.5)

The superintendent recommended ratification of awards for CIP GO Bond funded projects as indicated on the summary sheet.

Approve Resolution for Bus Financing

On July 16, 2008 the district issued a solicitation for financing to purchase one 84-passenger wheelchair accessible and three 84-passenger rear engine buses. The price of the buses, after trade-ins, is $472,302. Respondents were requested to submit interest rates for five and ten-year periods.
Intermediate Solicitation Documents were issued to twenty-five companies. Responses were received from SunTrust Equipment Finance & Leasing Corp, Atlanta, Georgia; Comerica Leasing Corporation, Costa Mesa, California; Midwest Leasing, Inc, Gunnison, Colorado; Wells Fargo Brokerages Services LLC, Gunnison, Colorado; and Traxis Financial Group (Blue Bird Financial Services), New Haven, Connecticut. “No Bid” responses were received from Chase Equipment Leasing, Inc, Salt Lake City, Utah; CalFirst Bank, Irvine, California; First Southwest Leasing Company, Dallas, Texas; and Koch Financial Corporation, Scottsdale, Arizona. Purchasing and transportation staff reviewed the responses.

The following interest rates and total payments for each option were offered:

<table>
<thead>
<tr>
<th>Company</th>
<th>Five-year</th>
<th>Ten-year</th>
<th>Total Payments Five-year</th>
<th>Total Payments Ten-year</th>
<th>Special Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>SunTrust</td>
<td>3.959%</td>
<td>4.437%</td>
<td>$528,306.70</td>
<td>$593,092.50</td>
<td>Early Payment Penalty</td>
</tr>
<tr>
<td>SunTrust</td>
<td>4.109%</td>
<td>4.587%</td>
<td>$530,474.90</td>
<td>$597,412.90</td>
<td>No Penalty</td>
</tr>
<tr>
<td>Comerica</td>
<td>4.11%</td>
<td>4.55%</td>
<td>$530,582.35</td>
<td>$596,477.30</td>
<td></td>
</tr>
<tr>
<td>Traxis</td>
<td>5.63%</td>
<td>6.39%</td>
<td>$552,470.60</td>
<td>$650,282.20</td>
<td></td>
</tr>
<tr>
<td>Midwest</td>
<td>3.87%</td>
<td>4.4%</td>
<td>$530,802.05</td>
<td>$596,270.80</td>
<td>Additional Fee $3542</td>
</tr>
<tr>
<td>Wells Fargo</td>
<td>4.14%</td>
<td>4.710%</td>
<td>$530,782.95</td>
<td>$600,807.90</td>
<td>Early Payment Penalty</td>
</tr>
</tbody>
</table>

The ten-year financing option aligns with the district’s ten-year replacement cycle and the state’s bus replacement funding period. The district will receive 70% reimbursement of the interest cost from the state and does not anticipate the need to make early payment on this lease.

SunTrust has requested board approval of the financing by resolution, a copy of which was included in the board packet.

The superintendent recommended approval of the resolution authorizing the financing for the purchase of four buses through SunTrust Equipment Finance & Leasing Corp at a total interest cost of $120,665.50 for ten years.

**Approve Board Meeting Minutes**

The superintendent recommended approval of the minutes from the January 16, January 30, February 13, March 5, March 12, March 19, April 2, April 16, May 7, May 21, and June 4, 2008 regular board meetings and work sessions. Copies of the minutes were included in the board packet.

**Approve Personnel Items**

The superintendent recommended approval of the personnel items included in the board packet. These cover employment, resignations, and other routine personnel matters. The board may adjourn to executive session for matters dealing with employment if it desires to do so. ORS 192.660 (2) (a).

**MOTION:** Mr. Smith, seconded by Mr. Torrey, moved to approve the consent items.

**VOTE:** The motion passed unanimously, 6:0.
ITEMS FOR ACTION AT A FUTURE MEETING

Approve Revisions to Board Policy JO and New Board Policies IGBAB/JO, JOA and JOB Regarding Education Records/Records of Students with Disabilities

Board policies JO - Educational Records and IGBAB - Records of Students with Disabilities, have been revised and combined into one double-coded policy to address the required revisions within the Special Education and educational records state and federal requirements. Districts were required to adopt either the Oregon School Boards Association (OSBA) or Oregon Department of Education (ODE) version of this double-coded student records policy by April 15, 2008. As the OSBA version was not available in April, the district temporarily adopted Section 8: Student Education Records, Access and Confidentiality of the ODE policy and Procedures for Special Education. The OSBA version is now available and Education Support Services is recommending adoption of the OSBA version of the required records policies.

Mr. Henry reiterated that the policies before the board were ones that the district was required to adopt and were also the policies recommended by the Oregon School Boards Association (OSBA).

Copies of the revised board policies were included in the board packet. The superintendent will recommend approval of the revised board policies.

Approve Resolution Opposing State Ballot Measure Regarding English as a Second Language (ESL) Instruction – Initiative 19

The Oregon School Boards Association has prepared a resolution opposing Initiative 19, a measure on the November 4, 2008 election ballot. The measure requires that no public school student receive instruction in a language other than English for more than two years, except for classes teaching foreign language to English-speaking students. Instruction for non-English speaking students in a language other than English is limited to 1 year for students in kindergarten through grade 4, 1.5 years for students in grades 5-8, and 2 years for students in grades 9-12. After that, students must be taught exclusively in English.

The OSBA resolution states that "current, district-specified courses being taught to assist non-English speaking students who are unable to benefit from classes taught in English would effectively be eliminated" and therefore, "strongly opposes Initiative Petition 19 because it severely reduces our authority and ability to meet the unique needs of our students who must learn English - while also learning academic skills." A copy of the resolution was included in the board packet.

Dr. Martinez asked if the resolution generated by the OSBA regarding Initiative 19 would be changed at all now that it was known as Measure 58. Ms. Gerot indicated that the language of the proposed resolution would remain the same.

Approve Resolution Opposing Federal Income Tax Deduction – Initiative 3

The Oregon School Boards Association has prepared a resolution opposing Initiative 3, a measure on the November 4, 2008 election ballot that would increase the amount of federal incomes taxes that can be deducted from an individual taxpayer's Oregon taxable income.
The OSBA resolution states that "the state relies on personal income taxes for almost 90% of all state revenues, making public services, including public education, highly sensitive to any changes in personal income tax collections. The changes proposed in Initiative Petition 3 are estimated by the Legislative Revenue Office to result in a $1.244 billion loss of state revenue in the 2009-11 biennium and a $2.268 billion reduction in the 2011-13 biennium." The OSBA resolution further states that "such a dramatic reduction and instability in state revenues would likely result in a direct reduction in revenues for public education" and therefore, "strongly opposes the passage of Initiative Petition 3 and its efforts to destabilize and dramatically reduce revenues available for public services". A copy of the resolution was included in the board packet.

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

Mr. Torrey commented that it was a nice day.

Ms. Hays said there was a lunch meeting scheduled for August 14 to discuss the local option levy at Countryside Pizza.

Ms. Gerot indicated that Tom Herrmann and Jim Anderson had agreed to be the co-chairs for the Local Option Levy.

Ms. Gerot said she and Superintendent Russell had recently attended the Minority Student Achievement Network (MSAN) Conference in Madison, Wisconsin and that it was a highly beneficial experience.

Ms. Gerot said she did not have much to comment on regarding the Executive Educator Leadership Program (ExEL) at Harvard University, but she had recently attended an ExEL conference in Boston.

Ms. Gerot felt the work of the district with both MSAN and the ExEL program had begun to coalesce into a coherent alignment that might be very beneficial to the district.

Ms. Gerot commented she had recently attended the NSBA Pacific Region meeting in Vancouver, B.C., and that she would be attending an upcoming educational equity seminar on behalf of the OSBA in Pacific Grove.

Dr. Martinez reminded the board of emails he had sent regarding the upcoming OSBA, NSBA, and MSAN conferences in November 2008, April 2009, and June 2009, respectively. He indicated that it was important for the board to show their support at those conferences whenever possible and encouraged them to do so.

Dr. Martinez said that he would be sending an email to the board regarding Superintendent Russell’s evaluation by Friday, August 8, 2008.

Dr. Martinez commented on the University of Oregon’s College of Education, which had undergone a variety of curricular re-focusing processes recently. He reminded the board that a summer course led by Assistant Professor Edward Olivos would be taught regarding immigration issues.
ADJOURN

Dr. Martinez adjourned the regular meeting at 8:36 p.m.

________________________    __________________________
George Russell             Charles Martinez, Jr.
District Clerk             Board Chair

(Recorded by Wade Hicks)

Attachments to Official Minutes:
1. Overview of State Ballot Measures Affecting Public Education – November 4, 2008 Election
2. Resolution Authorizing Chair and Vice Chair to Sign as Legally Elected and Qualified Officers
3. Revised 2008-09 Arts and Technology Academy Calendar
4. CIP Contract Award Status Summary
5. Resolution Authorizing Financing of Buses
6. Personnel Action Items