6:00 p.m.  EXECUTIVE SESSION: Under provisions of ORS 192.610 – 192.690, Open Meeting Laws, the Board of Directors will conduct 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 (1) (d).

(Dinner will be served)

7:00 p.m.  REGULAR BOARD MEETING

TO:  Board of Directors

FROM:  George Russell
       Superintendent of Schools

RE:  Reports and Recommendations

VII.  ITEMS FOR INFORMATION

1.  Receive an Update on the District’s Limited Exclusive Cold Beverage Services Contract with Coca-Cola Bottling Company  (Staff: Caroline Passerotti)

   In January 2001, the district entered into limited exclusive contracts with Coca-Cola Bottling Company of Oregon and Pepsi-Cola Bottling Co. of Eugene to provide beverage vending services for each of the district’s four high schools. Based on projected sales of 40,000 cases over an eight-year period, each vendor provided an up-front payment of $160,000 to construct bleachers for the four new high school athletic fields. Additionally, each paid a 25% commission on the sales of beverages to high schools; annual commissions were expected to average between $8,000 and $15,000 per high school. It was considered that these partnerships would provide the district with resources needed to purchase bleachers for the new athletic fields, provide high quality school and community playing fields, and allow continued support of other high school programs in a time of declining resources.

   The contracts provided for a five-year review of case sales and permitted an extension of term should sales fall below projected levels, if mutually agreed upon by the district and the vendor. As requested by the board, the contract also included a “buy-out” provision which allowed the district to terminate contracts early with the reimbursement of a pro rata amount of the up-front payment.

   In addition, the contracts allowed for the placement of twelve vending machines (six per vendor) in each school, to be operable at all times and days. The machines were to provide a variety of beverage options, including, but not limited to, carbonated and
non-carbonated soft drinks, 100% juice and fruit juice drinks, teas, isotonic and “sports” beverages and bottled water.

On May 3, 2006, the district board adopted a Wellness Policy, as required by the federal government for school districts wishing to receive funds through the National School Lunch Program. The policy prohibited the sale of Foods of Minimal Nutritional Value, as defined by the U.S. Department of Agriculture, and required that vending machines accessible to students on school campuses include only nutritious food options meeting the Healthy Snacks guidelines. The Healthy Snacks guidelines restricted beverage offerings, limited the hours machines could be operational, and required signage on the machines to depict only items permitted to be sold under the policy and guidelines. High schools were given three years to comply with beverage requirements.

In a spirit of cooperation and partnership, both companies have fully complied with the Wellness Policy and Healthy Snacks guidelines. However, while case sales were substantially lower than anticipated at the time contracts were signed, they have been even lower with the reduced number of product offerings and limited hours of vending machine operation required by the Wellness Policy.

Over the past several months, district staff has met with representatives from Coca-Cola and Pepsi-Cola to 1) acknowledge the changing climate of nutrition standards in schools, 2) obtain formal agreement by the vendors to comply with the provisions of the Wellness Policy, 3) recognize that beverages sales will not reach the levels projected at the time the contracts were signed and 4) seek a fair and mutually agreeable remedy.

In August, Coca-Cola requested an extension of its contract with the district. As permitted in the original contract and under OAR 137-047-0800(1)(d), an addendum to contract was developed to extend the term by three and one half years, from January 2009 until June 30, 2012, and include additional provisions, by which Coca-Cola:

- Agrees to comply with the district’s Wellness Policy and administrative rules;
- Relieves the district of the original 40,000 case volume sales commitment and payback of any portion of the $160,000 up-front money;
- Establishes the ability to apply a new pricing structure to beverages purchased outside of vending machines and cafeterias (i.e., concessions); and
- Establishes the ability to remove vending machines that do not meet corporate national sales standards from each high school.

Discussions with Pepsi-Cola are continuing.

A copy of the Second Addendum to Limited Exclusive Cold Beverage Services contract with Coca-Cola, signed September 7, is provided in your board packet.

2. **Receive an Update of the Shaping 4J’s Future Planning Process** (Staff: Barb Bellamy)

Shaping 4J’s Future is a strategic planning process to answer questions about how and where the district will provide instructional programs to best serve students, in light of declining enrollment and changing student demographics and needs. The process started in Fall 2006 and has involved small groups of staff and community members that have considered district enrollment trends, best practices and other data and have discussed ways to configure schools and services that support the
board's goals of increasing student achievement, closing the achievement gap, and providing equal opportunities for all students to succeed.

In October, the district will begin Phase 3, gathering input from our broader community and staff on a number of policy options. These policy options generally regard school size, enrollment management approaches, and initiatives such as all-day kindergarten, that would impact school facilities.

A Shaping 4J's Future newsletter and survey will be the primary means of providing information about the policy options and gathering input. The input process will start in mid-October and conclude on November 9. Staff will discuss the time line and information and outreach activities in more detail at this meeting.

3. **Receive an Enrollment Report** (Staff: Dennis Urso and Tom Henry)

   Evaluation Specialist Dennis Urso will be present at your October 3 meeting to provide you with up-to-date information on district enrollment and respond to your questions. At the meeting, Mr. Urso will provide you with a copy of the September 28 enrollment report and the figures that will be used to make enrollment projections for 2008-09.

4. **Receive a Preliminary Report on Oregon State Assessment Results** (Staff: Tom Henry and Yvonne Curtis)

   State test scores for the 2006-07 school year have recently been released. Yvonne Curtis will report on our district results and talk about the different types of student achievement reports we receive from the state each year. She will also highlight areas where we are making progress, identify areas for improvement, and discuss some of the district initiatives to improve achievement for all students.

VIII. **ITEMS FOR ACTION AT THIS MEETING**

1. **Approve Three Memorandums of Agreement with EEA for the 2007-08 School Year** (Staff: Ted Heid)

   District and Eugene Education Association representatives have tentative agreement on three memorandums of agreement (MOA) for the 2007-08 school year. The EEA has ratified the MOAs and the superintendent recommends board approval of these three MOAs.

   Two of the MOAs address teacher working conditions related to the new K-8 Arts and Technology Academy at Jefferson School. The district has had elementary schools (kindergarten through fifth grade) and middle schools (sixth, seventh and eighth grades) for many years and over the years, the district and EEA have agreed to contract terms for elementary teachers and other terms for middle school teachers. The purpose of the first MOA is to describe how specific contract sections intended for elementary or middle school teachers apply to the K-8 grade teachers at the Academy. The second MOA addresses the impact of the modified school year calendar being used by the Academy. The Academy modified calendar has longer winter and spring breaks and thus, a later ending for the school year. The second MOA describes the district's commitment to address the impact of this different schedule on Academy teachers and particularly, teachers who are assigned to the Academy and other school(s) on the regular school year calendar.
The third MOA is the district and EEA’s tentative agreement on terms for compensating high school teachers responsible for implementing a pilot Credit Based On Proficiency (CBOP) program. The Oregon Department of Education allows school districts to provide students an opportunity to earn graduation credit based on demonstration of proficiency in a subject area according to specified standards. This one year pilot will allow up to twenty students per high school to earn CBOP credit. The program will be evaluated this year for continued implementation.

The superintendent recommends approval of the three memorandums. Copies of the memorandums are included in the board packet.

IX. CONSENT GROUP - ITEMS FOR ACTION

1. **Approve Grant Application: North Eugene High School Smaller Learning Communities Project** (Staff: Laurie Moses)

Staff from North Eugene High School submitted a $1,249,997 five-year grant application to the US Department of Education. After planning and implementing Smaller Learning Communities (SLC’s) for ten years, North Eugene has a basic SLC infrastructure in place that now includes 9th and 10th graders. Staff support is at 98% and all stakeholders are on board. What is now needed is threefold: (1) Expand SLC’s so that every student will be in a small learning community; (2) Implement Oregon’s new graduation requirements and higher achievement goals for all students; and (3) Put in place effective research-based strategies and supports so that all students can succeed.

The goals of the project are: (1) Personalized learning communities; (2) Rigorous curriculum; (3) Supports for success for all students; and (4) Ongoing professional development, which supports the first three. Long-term outcomes will be more students meeting state standards and prepared for higher education, fewer dropouts, a safer school, and more students in post-secondary education or employment after graduation.

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

2. **Approve Personnel Items** (Staff: Wally Bryant)

The superintendent recommends approval of the personnel items included in the 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 (1) (a)

X. ITEMS FOR ACTION AT A FUTURE MEETING

1. **Make a Decision Regarding the Location of Two New Synthetic Surface Athletic Fields** (Staff: Jon Lauch)

On June 7, 2006 the Board awarded a contract for the synthetic turf athletic fields to be installed at Cal Young and Madison Middle Schools. The City of Eugene agreed to pay for the installation of the lighting system and agreed to include an approximate 50-50 sharing of the total costs for these fields and an additional two (4J) fields in a
November 2006 city parks and open space bond measure. On September 6, 2006 the Board approved a resolution supporting the city (parks) bond measure and the continued partnership between the city and district for the synthetic turf athletic fields. The city (parks) bond was approved by the voters, providing half the funding for the new fields as well as providing 50 percent of the funding for the replacement of the four existing high school fields which are now seven years old.

Since the goal has been to locate each of the new middle school fields in separate high school regions, one field will be located at the Arts and Technology Academy at Jefferson (since Kennedy is adjacent to Churchill High School which already has a synthetic surface field) and the other field will be located at either Roosevelt or Spencer Butte. Decisions will need to be made regarding the siting of the fields both with respect to location in the region (eg. Roosevelt or Spencer Butte) and regarding the location on each respective site. Factors such as impact to adjacent neighbors, access, available parking, impact on existing athletic facilities, and costs need to be considered.

In September, community meetings were conducted at the three school sites. Architects presented a variety of field siting options for consideration and for public input.

At this meeting, PIVOT Architecture will give a presentation of the field siting options that were reviewed at the community meetings, along with a de-brief of public comment received.

The superintendent will be making a recommendation regarding two preferred locations, considering the factors listed above. You are currently scheduled to take action on October 17 to make final decisions regarding the location of the two additional fields.

XI. Comments and Committee Reports by Individual Board Members

XII. Adjourn

CALENDAR FOR BOARD MEMBERS

OCTOBER
Friday, October 5 	 City Club - Shaping 4J's Future (George speaking) 11:50 a.m.-1:15 p.m.
Thursday, October 18 	 Eugene Education Fund Gala @LCC Building 19, 5:30 p.m.