

#### LEBANON COMMUNITY SCHOOL DISTRICT SCHOOL BOARD MEETING MARCH 11, 2021, 6:00 PM

Santiam Travel Station

750 S. Third Street, Lebanon, OR 97355

## **DISTRICT GOALS: Improve Student Achievement, K-3 Literacy, On-Time Graduation**

#### **MEETING AGENDA**

#### 1. WELCOME

- A. Call to Order
- B. Flag Salute

#### 2. PUBLIC COMMENTS/PUBLIC POOL NAMING COMMENTS

This is a time for citizens to address the Board. Public comments will need to be submitted to ruth.hopkins@lebanon.k12.or.us by 4:00 PM on March 11, 2021.

3. 2019-20 AUDIT REPORT Action: Informational

4. MAINTENANCE BOND DISCUSSION, pg. 3 Action: Informational

5. COVID-19 OPERATIONAL UPDATE Action: Informational

6. AWARD RFP FOR CONSTRUCTION MANAGER, pg. 9 Action: Approval Requested

7. PURCHASE OF KEES STREET PROPERTY, pg. 11 Action: Approval Requested

8. NAMING OF THE LEBANON COMMUNITY POOL Action: Approval Requested

9. SUPERINTENDENT'S RECOMMENDATIONS FOR RENEWAL AND NONRENEWAL

**Action: Approval Requested** 

10. CONSENT AGENDA Action: Approval Requested

A. February 11, 2021 Meeting Minutes, pg. 15

B. Policies – Second Reading, pg. 29:

CODE	TITLE
BDC	Executive Sessions
IICC	Volunteers
JECA	Admission of Resident Students
LBE	Public Charter Schools
LBE-AR	Public Charter Schools - NEW
LBEA	Resident Student Denial for Virtual Public Charter School Attendance

#### C. Hiring:

NAME	POSITION	FTE	START DATE
Steve Woodcock	Special Education Director	1.0	TBD
Susanne Stefani	District Communications and Online Learning Director	1.0	3/22/21

**Action: Informational** 

**Action: Informational** 

#### 11. DEPARTMENT REPORTS

- A. Operations
- B. Human Resource
- C. Finance, pg. 48

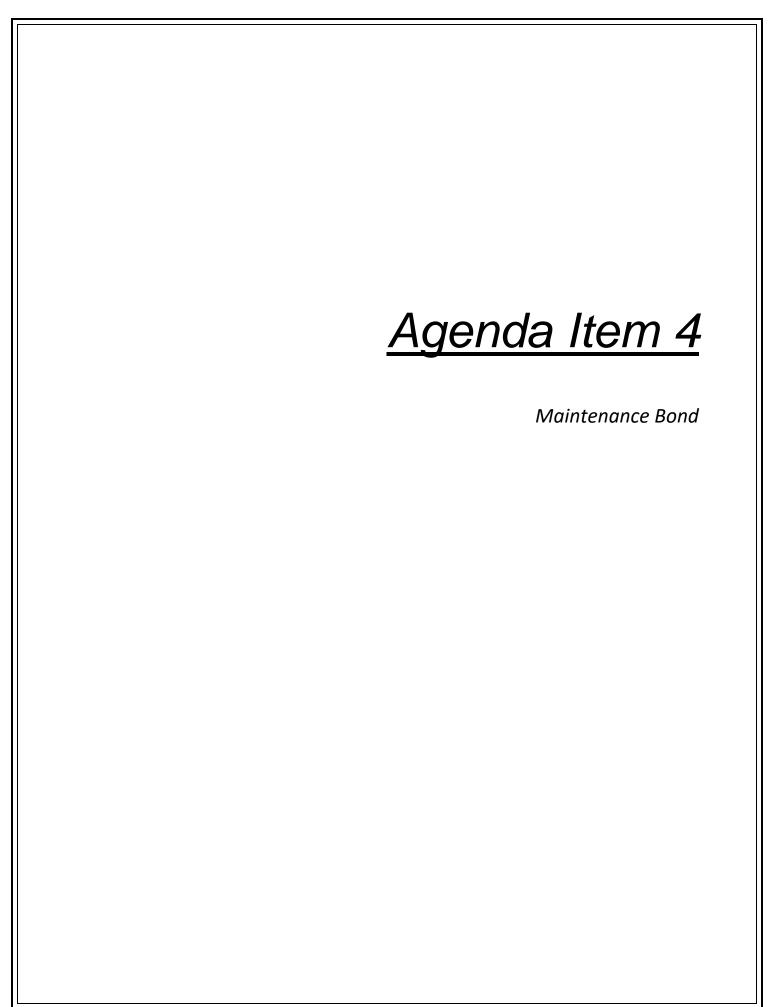
#### 12. COMMUNICATION

- A. Board
- B. Superintendent

#### 13. ADJOURNMENT

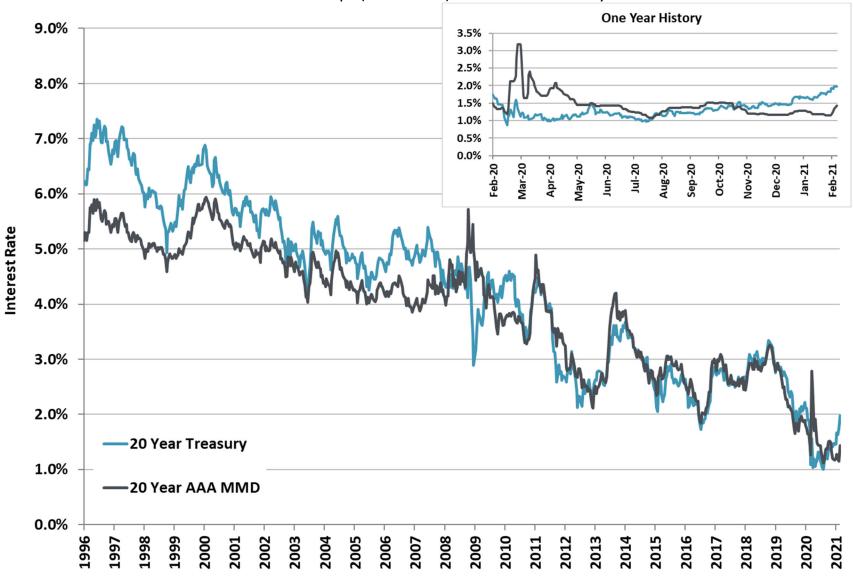
Upcoming meeting dates:

April 8, 2021 – Regular Meeting at 6:00 PM May 13, 2021 – Regular Meeting at 6:00 PM



#### **HISTORICAL INTEREST RATES**

20 Year Tax-Exempt (AAA MMD) vs. 20 Year Treasury Rates



# **Draft Proposed Bond Projects**

C	AS		G	NA			PIO	
Kitchen	\$	50,000.00	Roof Repair	\$	205,000.00	Hvac	\$	200,000.00
Security	\$	50,000.00	Kitchen	\$	50,000.00	Security	\$	50,000.00
Site Based	\$	100,000.00	Security	\$	50,000.00	Site Based	\$	100,000.00
Flooring	\$	200,000.00	Site Based	\$	100,000.00			
Boiler	ТВ	D					\$	350,000.00
	\$	400,000.00		\$	405,000.00			
R	RV		н	CR		ı	.AC	
Hvac	\$	200,000.00	Hvac	\$	30,000.00	Roof repair	\$	475,000.00
Security	\$	50,000.00	Kitchen	\$	30,000.00	Hvac/Boiler	\$	50,000.00
Site Based	\$	100,000.00	Security	\$	50,000.00	Kitchen	\$	75,000.00
			Site Based	\$	100,000.00	Security	\$	50,000.00
			Paint	\$	30,000.00	Site Based	\$	60,000.00
			Field Improvemen	\$	15,000.00	Paint	\$	30,000.00
	\$	350,000.00		\$	255,000.00		\$	740,000.00
70	Dak		DO\Ra	Isto	n Ac	Land Lab	Voca	ational
Roof Replacemen	\$	857,000.00	Roof	\$	25,000.00	Site improvement	\$	50,000.00
Security	\$	50,000.00				Road	\$	100,000.00
Site Based	\$	200,000.00				SS Building	\$	50,000.00
4 CR	\$	1,500,000.00	Site Based	\$	10,000.00			
Paint	\$	50,000.00	Paint	\$	25,000.00			
	\$	2,657,000.00	•	\$	60,000.00	•	\$	200,000.00
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	HS	1 200 000 00		aint د		District		
Roof Rep	\$	1,300,000.00	Kitchen	\$	3,000.00	Pool Upgrade	\$	2,500,000.00
Roof Rep Hvac	\$	450,000.00	Kitchen Security	\$	3,000.00 10,000.00	Pool Upgrade Turf Repalcement	\$ \$	2,500,000.00 500,000.00
Roof Rep Hvac Kitchen	\$ \$	450,000.00 300,000.00	Kitchen	\$	3,000.00	Pool Upgrade Turf Repalcement Track lining	\$ \$ \$	2,500,000.00 500,000.00 50,000.00
Roof Rep Hvac Kitchen Security	\$ \$ \$	450,000.00 300,000.00 100,000.00	Kitchen Security	\$	3,000.00 10,000.00	Pool Upgrade Turf Repalcement Track lining SB Lighting	\$ \$ \$	2,500,000.00 500,000.00 50,000.00 100,000.00
Roof Rep Hvac Kitchen Security Site Based	\$ \$ \$	450,000.00 300,000.00 100,000.00 200,000.00	Kitchen Security	\$ \$	3,000.00 10,000.00 20,000.00	Pool Upgrade Turf Repalcement Track lining	\$ \$ \$	2,500,000.00 500,000.00 50,000.00
Roof Rep Hvac Kitchen Security Site Based Paint	\$ \$ \$ \$	450,000.00 300,000.00 100,000.00 200,000.00 100,000.00	Kitchen Security	\$	3,000.00 10,000.00	Pool Upgrade Turf Repalcement Track lining SB Lighting BB lighting	\$ \$ \$	2,500,000.00 500,000.00 50,000.00 100,000.00 150,000.00
Roof Rep Hvac Kitchen Security Site Based Paint ADA Bathrooms\A	\$ \$ \$ \$ \$	450,000.00 300,000.00 100,000.00 200,000.00 100,000.00	Kitchen Security	\$ \$	3,000.00 10,000.00 20,000.00	Pool Upgrade Turf Repalcement Track lining SB Lighting	\$ \$ \$ \$ TBD	2,500,000.00 500,000.00 50,000.00 100,000.00 150,000.00
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Roof Rep Hvac Kitchen Security Site Based Paint ADA Bathrooms\A Showers\LR	\$ \$ \$ \$ \$	450,000.00 300,000.00 100,000.00 200,000.00 100,000.00 400,000.00 <b>2,950,000.00</b>	Kitchen Security Site Based	\$ \$ <b>\$</b>	3,000.00 10,000.00 20,000.00 33,000.00	Pool Upgrade Turf Repalcement Track lining SB Lighting BB lighting Stadium Reno	\$ \$ \$ \$ TBD	2,500,000.00 500,000.00 50,000.00 100,000.00 150,000.00 3,300,000.00
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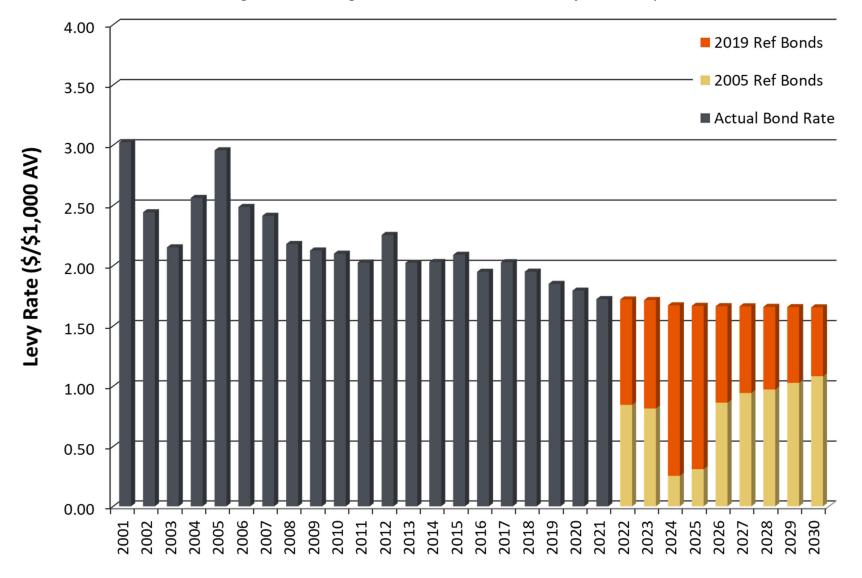
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# LEBANON COMMUNITY SCHOOL DISTRICT No. 9

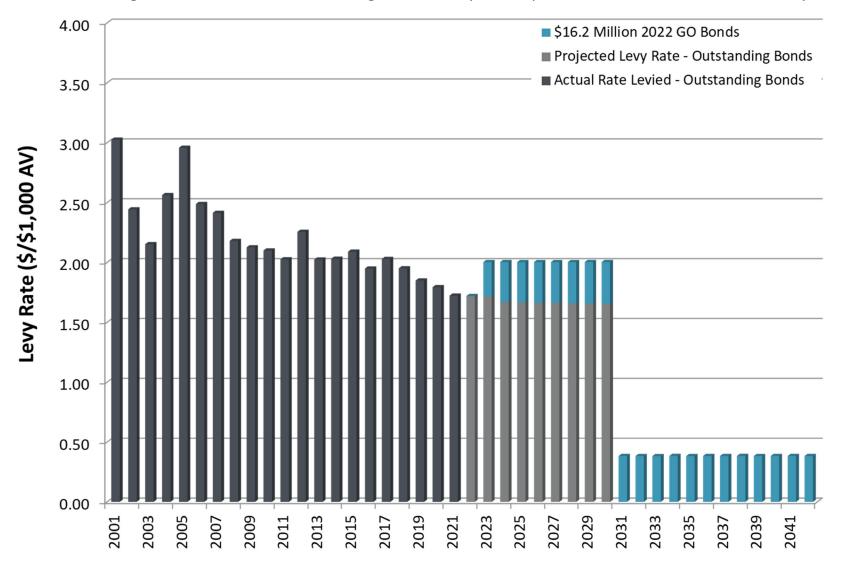
Outstanding General Obligation Bonds – Actual and Projected Levy Rates



**Fiscal Year Ended June 30** 

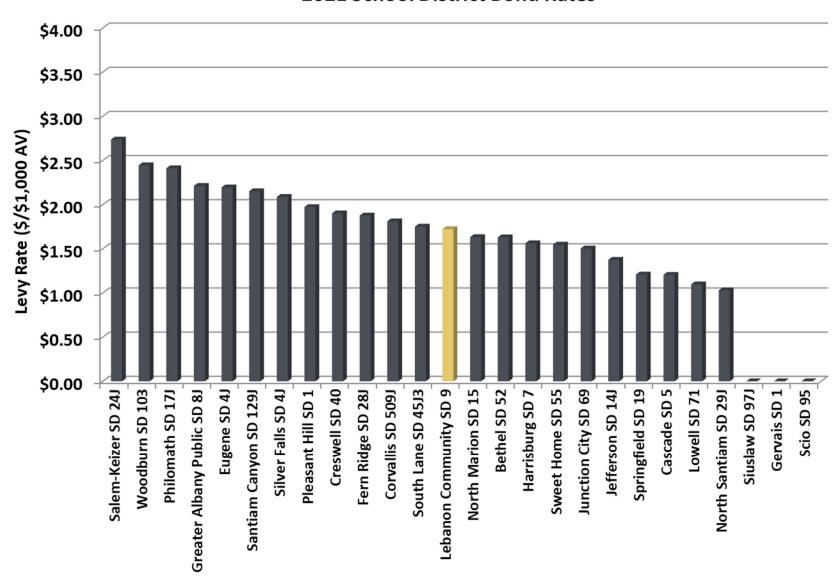
#### LEBANON COMMUNITY SCHOOL DISTRICT No. 9

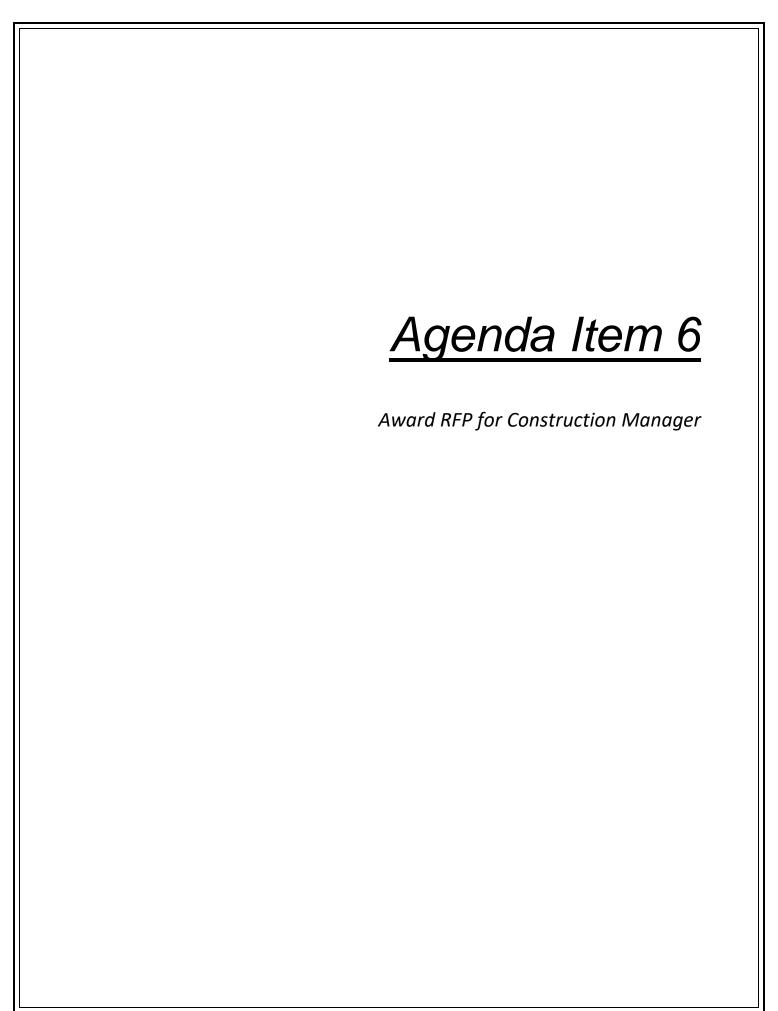
General Obligation Bonds, Series 2022 – Target \$2.00 Levy Rate Upfront – Current Interest Bonds Only



**Fiscal Year Ended June 30** 

## **2021 School District Bond Rates**







March 3, 2021

William Lewis, Business Director Lebanon Community Schools 485 South 5<sup>th</sup> Street Lebanon, Oregon 97355

Re: Recommendation for Award of Contract for Construction Manager | General Contractor

Dear Will,

The District received three Construction Manager | General Contractor (CM|GC) RFP responses, one from Andy Medcalf Construction Company, one from First Cascade Corporation and one from Gerding Builders LLC. After careful review and consideration, the District scoring committee and HMK Company recommend that the District enter into a CM|GC contract with Gerding Builders, LLC.

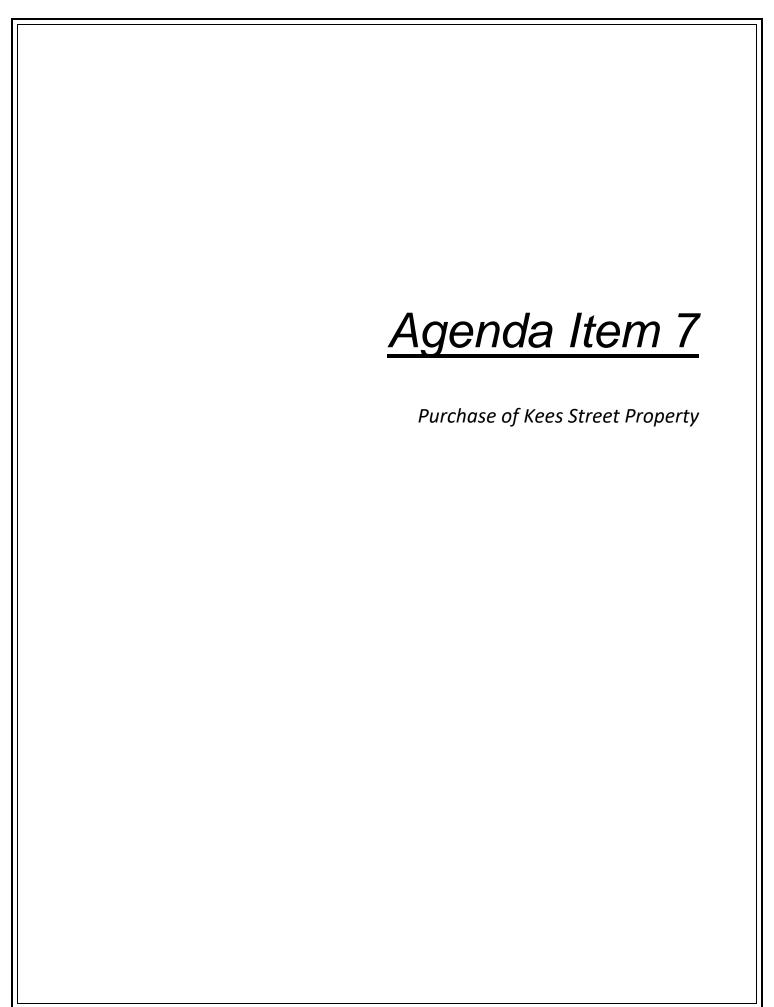
Gerding Builders is a contractor of good reputation that has the committed resources to provide the required services for the project. Their proposed CM|GC fee of 3.70% is extremely fair. Within the RFP response Gerding Builders has assembled a thoughtful and comprehensive local contractor and vendor plan that we believe will facilitate significant local participation.

We are asking that the School Board take action to award the CM|GC Contract for Capital Bond Projects to Gerding Builders, LLC. This request will enable Gerding Builders to immediately engage with the project team as we look at the various design and construction options for the project. We request that the board authorize a Pre-Construction Services contract in the amount not to exceed amount of \$25,000.00 at the March 11, 2021 Board Meeting.

As a point of reference, once the project has been bid and a Guaranteed Maximum Price (GMP) has been determined a recommendation to award a GMP Amendment for the Project will be brought to the Board for acceptance and authorization.

Sincerely.

David McKay, Principal in Charge HMK Company







# YOUR OFFER HAS BEEN ACCEPTED!

IF YOU HAVE A NEED THAT IS NOT BEING MET AT ANY TIME DURING THE TRANSACTION, PLEASE CONTACT LAURA GILLOTT @ 541.990.7785

541.451.2211 - TEAMGILLOTT.COM







I am Abigail Vinton , the transaction coordinator for Mary Ann Honeyman with the Gillott Home Team. I am pleased to say that it is my job to make sure that all tasks and deadlines associated with losing this transaction are completed in a timely and professional manner.
Below is a summary of your transaction and an overview of your next steps:
Sales price: \$251,000.00
Date of mutual acceptance: 02/08/2021
Closing date: 03/12/2021
Possession: 02/26/2021
Buyer closing costs paid by Seller: \$0
Proof of Funds Due: 2/17/2021
Title and Escrow
1. Escrow company handling this transaction: <u>Ticor Title/Carrie Royer - Escrow Officer</u>
Phone Number: 541-258-2813 Address: 52 East Airport Road Lebanon, OR 97355

#### 2. Preliminary Title Report

This document is time sensitive and requires immediate review.

The title company will be sending you the preliminary title report within the first two weeks. Please read your copy, and if you have any questions or concerns, please contact us as soon as possible.

#### 3. Promissory Note

Your earnest money needs to be made out to your title company and is due by: 02/12/2021

Your check will be cashed and funds will be held in a client's trust account until closing. At that time, those funds will be applied towards your closing costs.

#### 4. Contract

A copy of the purchase agreement has been emailed to your lender. I have also attached a copy for your records. Please touch base with your lender for your next steps with the loan process.

#### 5. Inspections & Negotiations

All inspections and negotiations need to be completed by: All inspections waived

Your next step is to schedule your home inspection. Please let me know if you need any help with this. I can provide you a list of local inspectors. Keep in mind that all inspections, reviews of reports, and negotiations are to be completed by our deadline.

#### 6. Appraisal

Your lender is responsible for ordering the appraisal. Once ordered, the appraisal request goes to an appraisal company who then submits orders to a pool of appraisers out of which one will accept your order and give us a due date. The appraiser will then make contact with the listing agent or seller for an appointment to view the property. Depending on your loan type, the appraiser will determine the value and note any conditions for lending purposes.

IF THIS IS A CASH TRANSACTION, PLEASE DISREGARD THIS SECTION.

#### 7. Closing Date

Our target closing date is: 3/12/2021

Keep in mind that your closing date can become a **moving target** depending on inspections, lender conditions, and other layers of the home buying process. More often than not it is necessary to adjust the closing date. This then leads to challenges with moving plans. My goal is to make this as sooth of a transition as possible. If you are residing in a rental now and need to give notice to vacate, we highly encourage you to do so **after** your transaction has closed.

#### 8. Signing Appointment

The escrow company will require <u>PHOTO ID</u>. If additional funds from you are needed, it will need to be in the form of a CASHIERS CHECK.

Your escrow office will be calling you to let you know the exact amount needed.

#### 9. Keys, Possession, and Utilities

Closing is deemed the day the property records with county and your loan is funded.

Most often the buyer signs at least one to two days prior to the actual close date. Loan documents will need to go back to the lender for review and approval before they will release funds for closing. Banks and escrow are not open on Saturday and Sunday, so closing can only occur on weekdays from 8am to 5pm. They day you sign closing documents is a good time to contact utility companies. We can provide you with a list of contacts for your area.

#### 10. Follow Up Documents and Signatures

Please keep an eye on your email daily as we move forward.

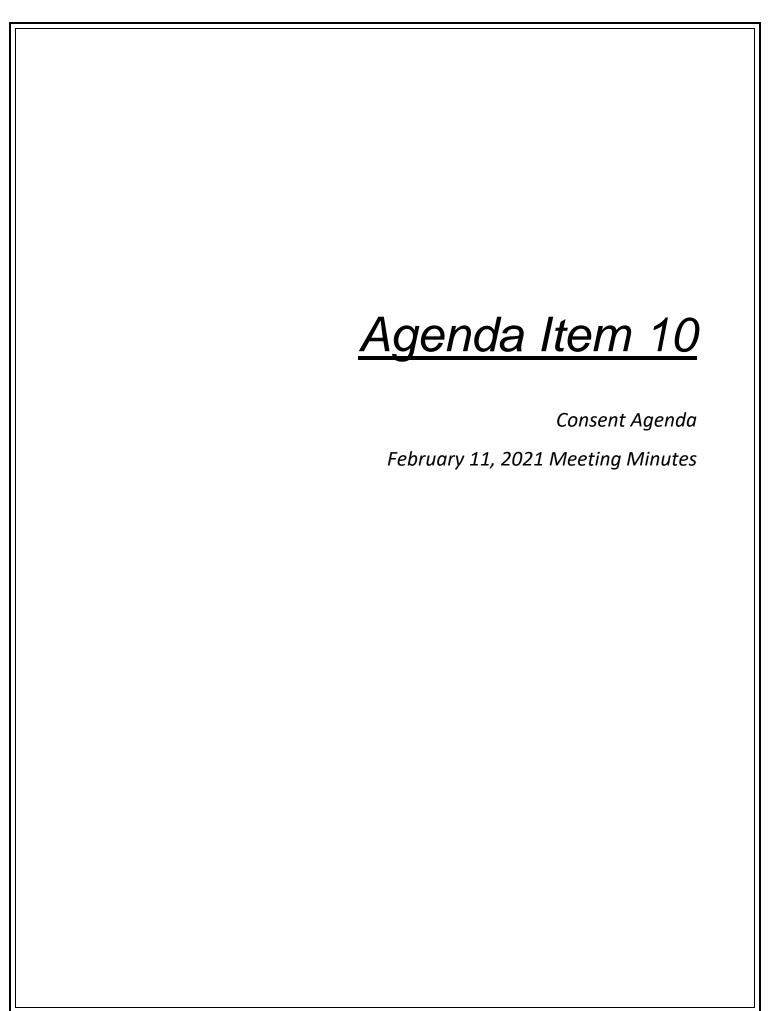
Follow up disclosures, addendums, and documents that need your review and signature will be sent via Dotloop / Docusign for electronic signatures unless other arrangements have been made.

#### 11. Questions and Concerns

When you have any questions, please feel free to contact me. I am happy to help!

These steps above are meant to be a quick reference for you and it would be a good idea to print and hang on the fridge until closing. We are looking forward to a successful closing!

Abigail Vinton Cell: 541-401-8849 Office #: 541-451-2211 My Email: abigail@lauragillott.com





**BOARD MEETING** FEBRUARY 11, 2021, 6:00 PM

Santiam Travel Station

750 S. Third Street, Lebanon, OR 97355

LEBANON COMMUNITY SCHOOL DISTRICT

#### **MEETING MINUTES**

#### **BOARD MEMBERS PRESENT:**

Tom Oliver, Chair Mike Martin, Vice Chair Richard Borden Tammy Schilling (via phone)

Absent: Todd Gestrin

#### **EXECUTIVE STAFF PRESENT:**

Bo Yates, Superintendent Jennifer Meckley, Assistant Superintendent William Lewis, Business Director Tami Volz, Director of School Improvement

The meeting minutes were recorded by Executive Secretary Ruth Hopkins.

#### 1. WELCOME AND CALL TO ORDER

Board Chair Tom Oliver called the meeting to order at 6:02 PM and led the Pledge of Allegiance.

#### 2. AUDIENCE COMMENTS/COMMENTS FOR NAMING THE POOL

Chair Oliver acknowledged that there were three public comments that have been submitted and they have been posted to the district website and are included with these minutes. Those comments were in regard to the change of date for the school re-opening.

There were no comments submitted in regards to naming the pool after Jan Nadig.

Kraig Hoene, LHS Athletic Director and Assistant Principal, provided an update on OSAA athletics. Our county had been downgraded to high risk, so starting on Friday, February 12, coaches can start running drills inside. Several schools in our league are in Marion and Benton Counties, which are still at extreme risk, so our league is not able to compete with them. So far it is South Albany, West Albany and Lebanon that can have competitions inside. Depending on the next update from the governor, football should be able to have competitions. Cross-country, volleyball and soccer officially start on February 22<sup>nd</sup>. On April 5<sup>th</sup> the usual spring sports begin practices and on May 10<sup>th</sup>, the winter sports will start practices and will go until the end of June, so for about three weeks after school is out. Currently, Oregon is one of four states in the country that have not done any competitions so far. The data that the governor's office is getting is that the amount of students who are contracting COVID who are doing athletics is lower than the average percentage for that age group. Our district is moving forward with athletics and will be following the state guidelines.

The question was asked if there was going to be any financial assistance for testing athletes. The response was that we have not heard and that the district is waiting on guidance from OHA on what that process will be.

#### 3. ALTERNATIVE CONTRACTING METHOD

William Lewis provided the information on the CMGC, construction manager general contractor, for the LHS seismic upgrade project. He introduced David McKay from HMK, who is the principal contractor for the district on the seismic project. McKay explained that the public contracting method only allows one type of contracting method, which is the hard bid method that says we have to take the low bid option. If we want to do an alternative method, then the district needs to adopt the resolution. McKay feels this is the best method to use to be able to complete the project this summer.

The question was asked to clarify that this method releases the district from the low bid option and allows the district to have more value engineering. McKay answered that this method will allow the district to have more competition in the process and to actively recruit local contractors, which allows them to leave the money in the local community. The process is opened up to bidding, not just confined to the lower bid. This process is fully open book and all bids will be presented to the district.

HMK handles the RFP (request for proposal) process for the district from the start to the finish. They will bring their expertise and act for the district, but they do not have signatory authority. William Lewis added that they need the Board's approval to the bid method change tonight, and then anything over \$250,000 would require Board approval.

Upon motion made by Member Richard Borden, duly seconded by Vice Chair Mike Martin, the Board voted unanimously to adopt the alternative contracting method as presented.

#### 4. CIA UPDATE

Tami Volz presented the curriculum, instruction and assessment data for the Board that is included in the board packet and provided online. She also presented the district enrollment and attendance data that is attached to these minutes. The chart indicates a decrease in student enrollment for the 2020-21 school year.

She then reviewed the STAR assessment data for the district. The chart indicates minimal growth for fall to winter of this school year. The data indicates that 45.6% of grade 2-5 students are at or above the national 50<sup>th</sup> percentile for reading and 32.3% of grade 6-8 students are at or above the national 50<sup>th</sup> percentile for reading. For math, 42.5% of grade 2-5 students are at or above the national 50<sup>th</sup> percentile, and 40.3% of grade 6-8 students are at or above the national 50<sup>th</sup> percentile.

(There was a discussion around spring testing and summer school plans for this year.)

Tami then reviewed the semester one grade information for the middle school students and the high school students. For the students who are listed as "no grade", there are individual teachers who are working with them and are allowing them more time to complete assignments and get a passing grade.

(There was further discussion around the graphs and what grades are represented).

The question was asked about the students who are not attending school and who would make the decision to pass them to the next grade level. It was answered that it would have to be on a case-by-case basis and that we would probably need to do an assessment to see where they are at.

The information provided in the semester one grade graph includes the students who are not attending. Chair Oliver asked to see the numbers with the students who are not attending to not be included in the information for next month. Tami Volz will provide that information at the March Board meeting.

Superintendent Yates added that there has been some discussion of having two high school graduations this summer, one at the start and one at the end, to allow students to earn credit in summer school and enable them to graduate at the end of the summer. He added that he was very concerned with the high school students because they have less time to obtain credits to graduate. The district is looking at every option we can put out there to help those students.

#### 5. LEBANON ONLINE

Assistant Superintendent Meckley shared that Lebanon Online is a K-8 school with about 400 students currently. This is for students who would like to remain online into next year. The high school model is still being worked on, but will be a part of this as well. The district needs to apply for a school number with the state to allow the district to have this as its own school and have the data tracked to it as a school. By having the data tracked, it will show up on state report cards and allow parents who are interested in this model to have the ability to really look at the data regarding the school.

Superintendent Yates added that there is a large number of homeschool students in Lebanon that we can attract and hopefully offer more to them. There are two groups that are being looked at, which are homeschool families and the families who just want an online program. He feels we are able to offer more and provide a better, more flexible education.

(There was an extensive discussion regarding the change in the date for returning to in-person instruction and around public comments that have been provided.)

Upon motion made by Vice Chair Mike Martin, duly seconded by Member Richard Borden, the Board voted unanimously to approve applying for a state number for Lebanon Online.

#### 6. CONSENT AGENDA

A. January 14, 2021 Meeting Minutes

Upon motion made by Vice Chair Mike Martin, duly seconded by Member Richard Borden, the Board voted unanimously to approve the January 14, 2021 meeting minutes as presented.

B. January 28, 2021 Meeting Minutes

Upon motion made by Member Richard Borden, duly seconded by Vice Chair Mike Martin, the Board voted unanimously to approve the January 28, 2021 meeting minutes as presented.

#### C. Policies – First Reading

Upon motion made by Vice Chair Mike Martin, duly seconded by Member Richard Borden, the Board voted unanimously to move Policies LBE, LBEA, BDC, IICC, and JECA to second reading as presented.

#### D. Policies – Second Reading

Upon motion made by Member Richard Borden, duly seconded by Vice Chair Mike Martin, the Board voted unanimously to approve Policies GCBDA/GDBDA-AR(1), GCBDA/GDBDA-AR(2), GCBDA/GDBDA-AR(4), IJ, IKFB, JB and JFCM for adoption as presented.

#### E. Hiring

Upon motion made by Member Richard Borden duly seconded by Vice Chair Mike Martin, the Board voted unanimously to approve the hiring of Brittany Brownell, Traci Ford, Katie Kosmowski, Kayla Marshall, Tina Paul, Debra Price, and Crystal Zeller as presented, and to approve the leave of absence for Brandon Conn as presented.

#### 9. DEPARTMENT REPORTS

#### A. Operations

Superintendent Yates mentioned the district pursuing a bond for maintenance of our school buildings and some refurbishment of the swimming pool. In the Governor's projected budget, the money for the matching funds has been included. He feels that we should go out for the bond to help make the needed repairs and take advantage of the matching funds from the State. His plan for using the bond funds is for repairs needed to the swimming pool, the extra classrooms needed at Seven Oak and for general maintenance needs for schools in the district.

Chair Oliver summarized the reasoning behind going out for a bond and stated that the question is if we want to explore going out for a bond, seeing was is involved, clearly defining the needs and the path of what it takes to get there.

Vice Chair Martin asked for a line item budget on everything that is involved. He also feels that it is in the community's best interest to work together with the Aquatic District on the pool repairs.

Superintendent Yates will check with the Aquatic District to see if they have a budget drawn up for the pool repairs that are needed and try to have something to provide for the next meeting. The Aquatic District budget is only operational and does not budget for repairs. Superintendent Yates mentioned that we can apply for the matching grant every six years and that he will work on a timeline for needs.

Chair Oliver added that we should look at possibly some construction excise tax funding for repairs as well.

Superintendent Yates mentioned that we have already done the long term plan for the district and know what the needs are for each building, so he can provide a list for bond funds.

The consensus is that the Board in in agreement of having further conversation regarding pursuing a bond.

#### B. Human Resources

Superintendent Yates provided the update for human resources. He shared that Jan Sansom is retiring, so the district is looking for a new Special Education Director. We are also looking at hiring someone to run Lebanon Online and do some communication for the district. He added that they will not hire if they cannot find the right person. Vice Chair Mike Martin asked for a job description and Superintendent Yates said he will provide that. Assistant Superintendent Meckley added that one of the requirements for the SSA is to maintain a robust community engagement and this person would be in charge of keeping that going as well, through surveys, forums and community engagements.

#### C. Finance

William Lewis shared the financial reports that are include in the Board packet and are available online. He will have the auditors available at the March meeting and available for the Board to ask questions of. He then shared about the property that the LHS construction class would like to purchase. They need to have \$251,000 up front, which is about what is available in the construction account. The property is located off of Kees Street and Stoltz Hill Road. It currently has an old home on it that will need to be demolished. The estimated cost for the development of the property is \$250-300K, but it could go up to \$400K to develop the property to build. The estimates come from a comprehensive assessment that Udell Engineering and Land Surveying has completed on the property. There are about 12 lots that could be developed, so there is a potential for a nice profit on the project. Educationally, it is a significant opportunity for students to learn the development process from scratch. This could provide affordable housing for young families in our community.

With the \$250K in the construction account that is currently available, there will need to be some transfers from the general fund to cover the cost of the development of the property. They will be 5,500 sq. ft. lots. The bidding is open now, so the district will need to move forward now. He needs Board approval to move forward with the bidding on the property. Currently, the district has the high bid, but the offer is contingent on Board approval for the sale to go through.

Vice Chair Martin asked where the money would be transferred from. William Lewis clarified that it would come from the general fund and there would need to be from \$250-400K that would need to be transferred to cover the costs of development of the property. This could be a sustainable project over the next 10 to 12 years.

The Board consensus was that William Lewis can proceed with the purchase of the property for the LHS construction class. He will provide more information on the project at the next Board meeting.

#### 9. COMMUNICATION

#### A. Board

Vice Chair Mike Martin asked about prep days for teachers regarding the in-person start days of March 8<sup>th</sup> for K-8, and March 16<sup>th</sup> for LHS. Superintendent Yates explained that on Wednesdays when students are doing asynchronous work, they would have prep time. They have three days provided to prep for in-person instruction. The high school and middle school are on a hybrid schedule with multiple cohorts. We meet the metrics for grades K-8, but the high school is not able to go without the hybrid.

(Whereupon, there was a discussion around the vaccines and availability dates.)

#### B. Superintendent

Superintendent Yates apologized to all the parents who had their kids ready to go back to school in February, and then the plan changed to March. He feels that we have something concrete and we will move forward with it. He appreciates the Board's support while going through the changes.

(Whereupon, there was some discussion regarding the change in the timeline for returning to inperson instruction.)

Superintendent Yates then presented Board Appreciation gifts to the Board members that were made by the LHS welding class students.

#### 10. ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 8:15 PM.

 Tom Oliver, Chair
 Bo Yates, Superintendent



DATE: February 10, 2021

TO: Board of Directors

FROM: Becky West

RE: Public Comment to the Board

Dear Bo Yates & Board,

I am sure by now you have heard that there are many parents who are disappointed and frustrated with the decision made to push back school by three more weeks. I understand that since this decision has already been made there is no changing the decision.

The peaceful protest members that are here tonight want to make sure that our true message is heard. Although we are frustrated with the decision of when to go back to school, we are more frustrated with the lack of communication between the board and parents. Our purpose here tonight is to ask for better communication and transparency from the board. As parents we want to be included in our children's education. We have been vocal because we are invested in our children and their education. We want to have a voice and that voice be heard.

Moving forward I hope that we are able to find better ways to work together. Also, I would like to thank Bo Yates for the apology letter that he sent this last week. It was very appreciated.

Thank you for your time, Becky West

Page 22



DATE: February 11, 2021

TO: Board of Directors

FROM: David Schroeder

RE: Public Comment to the Board

It is the feeling of myself, and other parents in the community, that Todd Gestrin broke two of the standards on the Board Member Standards of Conduct on February 7, 2021 during a Facebook exchange with parents and community members. Standards can be found

here: http://lebanon.k12.or.us/media/2020/04/BBF.pdf

- 20 Use social media, websites, or other electronic communication judiciously, respectfully, and in a manner that does not violate Oregon's Public Meetings Laws;
- 21 When posting online or to social media, Board members will treat and refer to other Board members, staff, students and the public with respect, and will not post confidential information about students, staff or district business;

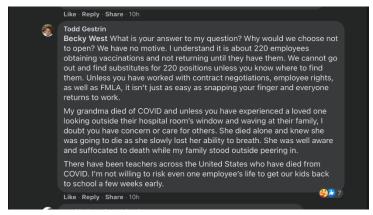
We have asked Todd Gestrin to apologize for his comments made to these individuals, and as of today, February 10, 2021, he has refused to apologize.

These actions create an environment in which parents will hesitate to speak up in fear of retaliation.

The posts made are included below with reference to the quotes we feel were disrespectful to the public.

#### Example 1 -

 The statement "I doubt you have concern or care for others". This is in response to questions being asked as to why school opening was delayed as other school districts have already opened.



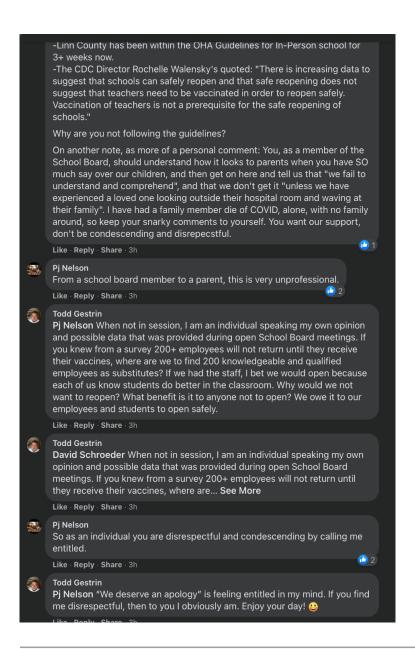


#### Example 2 -

• When multiple community members pointed out Todd's behavior as condescending, disrespectful, and unprofessional. His response was "'We deserve an apology' is feeling entitled



in my mind. If you find me disrespectful, then to you I obviously am. Enjoy your day



www.lebanon.k12.or.us



DATE: February 11, 2021

TO: Board of Directors

FROM: Jaclyn Robertson

RE: Public Comment to the Board

Lebanon School Board and Bo Yates-

Please read this email in tonight's board meeting. I am reaching out to you all to please consider overturning Bo's decision to hold off on our children going back to school on the 16th.

It has been just shy of ONE YEAR!! I have sat back patiently waiting for you all to make the right decision for the students and parents within our school district. After the newsletter release it was made loud and clear that bringing our children back to school is not going to be a priority. I do not feel our children's well-being was thought of, because if it was they would be in school already. Just like the rest of the United States.

The take away from last weeks letter is: our teachers are more important than anyone else in the state. They deserve to have all of their needs met above all others. It is also saying they are more important than the other surrounding school districts that have gone back to school without all vaccinations, all health care workers that have actually been dealing with COVID directly, every single fast food worker, grocery store worker, etc.

Has anyone talked to a child in the school district and asked them what they wanted? If you had asked them, you would know they WANT to be in school. They are desperately seeking the social interaction, in person instruction, and time away from the computer screen.

Please know that I am not an uninvolved parent just not wanting to teach my own children. I spent almost every single day at my children's school before covid. Countless hours fundraising to help all of the teachers and students, volunteered at every event, and whole heartedly cared for all of the students at our school. I have seen first hand the less fortunate children being loved on, supported, fed, and cared for while in school. What is happening to those children this last year? Have they even been thought of? School is their safe spot, without school where do they go?

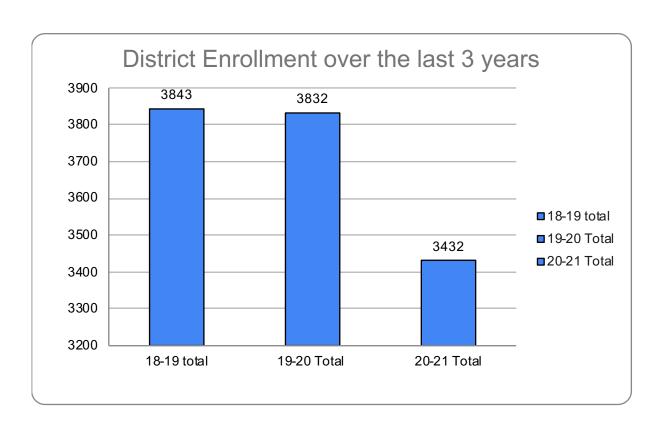
To say that this news release was a disappointment is an understatement. There are MANY of us parents that have the same feeling. There are many of us now trying to decided if keeping our children within the district is even the best thing for them anymore. The longer you all continue to deprive our kids of in person schooling the easier it is for us parents to pull together and start our own coop, homeschool, or even start sending our children to private school.

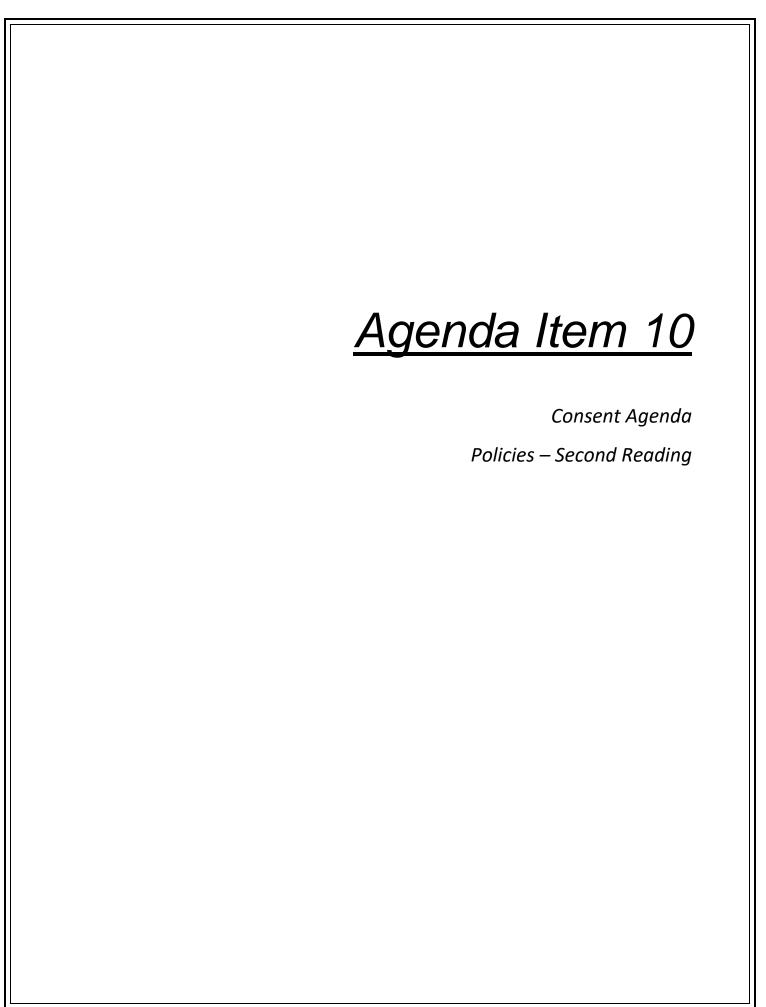


Children have been going back to school for small group instruction, with all safety protocols in place and they have been successful. I beg you all to stand up and fight for ALL of our children and send them back to school now and not later.

Jaclyn Robertson

#### **Elementary K-6 Data** As of the end of the Semester 1 Avg. Attendance Avg. attendance Avg. attendance Rate18-19 rate19-20 rate 20-21 Enrollment Totals 18-19 Enrollment Totals 19-20 Enrollment Totals 20-21 Supports for students Supports 89.99 313 279 Cascades 94.48 93.85 342 290 85.6 Green Acres 93.12 92.53 324 88.44 299 245 328 Hamilton Creek 93.54 93.41 238 217 88.3 Lacomb 94.22 92.79 230 89.26 356 320 Pioneer 94.89 93.85 368 91.52 418 330 Riverview 94.57 93.23 426 1997 1997 1966 1681 Avg. Attendance Avg. attendance Rate18-19 rate19-20 rate 20-21 Enrollment Enrollment Totals 20-21 Enrollment Totals 18-19 Totals 19-20 # of failures Supports Seven Oak 6 93.67 92.86 82.16 135 130 103 7 93.1 92.42 80.07 258 247 207 8 238 91.78 92.13 79.02 198 264 548 80.01 651 Total 92.79 92.38 591 Supports Avg. Attendance Avg. attendance Avg. attendance Rate18-19 rate19-20 rate 20-21 Enrollment Enrollment Enrollment LHS Totals 18-19 Totals 19-20 Totals 20-21 # of failures Supports **Graduation Rate** 92.51 90.56 315 308 334 9 70.22 10 91.23 89.46 70.63 288 311 297 341 286 11 88.82 88.87 70.59 275 12 85.93 82.98 70.95 311 321 286 Credit Assurance Plan, Wed School noon - 2:45pm, CTE enrichment, CDL instruction 70.58 1255 1215 1203 Total 89.65 87.86 10 - 11:15am [1] 18-19 total 3843 19-20 Total 3832 20-21 Total 3432





# **OSBA Model Sample Policy**

Code: BDC

Adopted:

#### **Executive Sessions**

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of a students and matters pertaining to or examination of the confidential medical records of athe student, including that student's educational program.

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

The Board may hold an executive session:

- 1. To consider the employment of a public officer, employee, staff member or individual agent. (ORS 192.660(2)(a))
- 2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
- 3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))
- 4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))
- 5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))
- 6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
- 7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))
- 8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))
- 9. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))

10. To discuss matters pertaining to or examination of the confidential medical records of a student; including that student's educational program. (ORS 332.061(1)(b))

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

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

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

Minutes shall be kept for all executive sessions.

Content discussed in executive sessions is confidential.

#### **END OF POLICY**

#### Legal Reference(s):

ORS 192.610-660 192.710 ORS 332.045 ORS 332.061

House Bill 2514 (2019)

# **OSBA Model Sample Policy**

Code: IICC

Adopted:

#### Volunteers \*

Community patrons who voluntarily contribute their time and talents to the improvement and enrichment of the public schools' instructional and other programs are valuable assets. The Board encourages constructive participation of groups and individuals in the school to perform appropriate tasks during and after school hours under the direction and supervision of professional personnel.

A volunteer authorized by the district for service into a position that allows direct, unsupervised contact with students shall undergo an in-state criminal records check. A volunteer allowed to have direct, unsupervised contact with students, in a position identified by the district as requiring a fingerprint-based criminal records check, shall undergo a state and national criminal records check based on fingerprints. (See Board policy GCDA/GDDA – Criminal Records Checks and Fingerprinting and its accompanying administrative regulation.) A volunteer that will not likely have direct, unsupervised contact with students will be required to undergo an in-state criminal records check.

A volunteer who knowingly makes a false statement, as determined by the district, on a district volunteer application form will be denied the ability to volunteer in the district.

Any electronic communications with students by a volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, volunteers shall use district e-mail using mailing lists and/or other internet messaging to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a volunteer for the district is strongly discouraged.

Nonexempt employees<sup>1</sup> may be permitted to volunteer to perform services for the district provided the volunteer activities do not involve the same or similar type of services<sup>2</sup> as the employee's regularly assigned duties. In the event a nonexempt employee volunteers to perform services for the district that are the same or similar as the employee's regularly assigned duties, the Board recognizes that under the Fair Labor Standards Act (FLSA), overtime or compensatory time must be provided.

The administration is responsible for the recruitment, use, coordination and training of volunteers. These assignments will be carried out as directed or delegated by the superintendent. Every effort should be made to use volunteer resources in a manner which will ensure maximum contribution to the welfare and educational growth of students.

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Volunteers \* – IICC

<sup>&</sup>lt;sup>1</sup> [There are three types of FLSA exemptions: those for executive, administrative and professional employees. Generally, employees who are exempt under the executive, administrative or professional exceptions must primarily perform executive, administrative or professional duties at least 50 percent of the employee's time.]

<sup>&</sup>lt;sup>2</sup> [Instructional assistant duties are generally viewed to be the same type of service, supervising and instructing students, as coaching.]

#### **END OF POLICY**

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

ORS Chapter 243 ORS 326.607

ORS 332.107 OAR 581-021-0510 – 021-0512 Senate Bill 155 (2019)

Fair Labor Standards Act of 1938, 29 U.S.C. §§ 206-207 (2012).

2-2

# **OSBA Model Sample Policy**

Code: JECA

Adopted:

#### Admission of Resident Students\*\*

### Resident students may be admitted under the following conditions:

- 1. A school-age student who lives within the district attendance area between the ages of 5 and 19 shall be allowed to attend school without paying tuition.
- 2. A student who turns 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
- 3. The Board may admit an otherwise eligible student who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if <a href="he/she">he/she</a> the student is shown to be in need of additional education in order to receive a diploma or a modified diploma. This student may attend school without paying tuition for the remainder of the school year.
- 4. The Board shall admit an otherwise eligible student who has not yet attained age 21 prior to the beginning of the current school year if the student is receiving special education services and:
  - a. Has not yet received a regular high school diploma; or
  - b. Has received a modified diploma, an extended diploma or an alternative certificate.

A student with disabilities shall be considered a resident in which the child's parent or guardian resides under criteria identified in Oregon Revised Statute (ORS) 339.134.

A student with disabilities voluntarily placed outside the home by his/her parent or guardian may continue to attend the school the student was attending prior to the placement as a district resident, when the student's parent or guardian and school staff can demonstrate it is in the student's best interest.

- 4.5. Students whose parent or guardian voluntarily placed the child outside the child's home with a public or private agency and who is living in a licensed, certified or approved substitute care program, and whose residency is established pursuant to Oregon Revised Statute (ORS) 339.134.
- 8.6. Students who are military children<sup>1</sup> are considered resident of the district, if the district is the district of military residence<sup>2</sup> for the military child. Parents of military students must provide proof of residency within 10 days after the date of military transfer or pending transfer indicated on the official military order.

<sup>&</sup>lt;sup>1</sup> "Military child" means a child who is in a military family covered by the Interstate Compact on Educational Opportunity for Military Children, as determined under rules adopted by the State Board of Education.

<sup>&</sup>lt;sup>2</sup> "School district of military residence" means the school district in which 1) the family of a military child intends to reside as the result of a military transfer; or 2) if the school district in which the family intends to reside is unknown, the school district in which the military installation identified in the official military order is located.

- 9.7. The Board will deny regular school admission to a student who has become a resident student and who is under expulsion from another district for reasons other than a weapons policy violation.
- 10.8. The Board shall deny, for at least one calendar year from the date of the expulsion, regular school admission to a student who has become a resident student and who is under expulsion from another district for a weapons policy violation.
- 11.9. The Board may, based on district criteria, provide alternative programs of instruction to a student expelled for a weapons policy violation.

#### **END OF POLICY**

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

ORS 109.056	ORS 339.133
ORS 327.006	ORS 339.134
ORS 339.115	<u>ORS 433</u> .267



# **OSBA Model Sample Policy**

Code: LBE Adopted:

#### **Public Charter Schools\*\***

The district recognizes that public charter schools offer an opportunity to create new, innovative and more flexible ways of educating students in an atmosphere of learning experiences based on current research and development. Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to one or more of the following goals:

- 1. Increase student learning and achievement;
- Increase choices of learning opportunities for students;
- 2. Better meet individual student academic needs and interests;
- 2. Build stronger working relationships among educators, parents and other community members;
- Encourage the use of different and innovative learning methods;
- 2. Provide opportunities in small learning environments for flexibility and innovation;
- 2. Create new professional opportunities for teachers;
- 2. Establish additional forms of accountability for schools; and
- 2. Create innovative measurement tools.

Public charter schools may be established as a new public school or a virtual public school, from an one or more existing public schools in the district or a portion of the school, or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonpublic sectarian school or religious institution, or encompass all the schools in the district unless the district is composed of only one school.

The Board will not approve any public charter school proposal when it is deemed that its value is outweighed by any direct identifiable, significant and adverse impact on the quality of the public education of students residing in the district.

Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to the following goals:

- 1. Increase student learning and achievement;
- 2. Increase choices of learning opportunities for students;
- 3. Better meet individual student academic needs and interests;
- 4. Build stronger working relationships among educators, parents and other community members;

HR<del>2/28/19</del>11/06/20 | PHLF

Public Charter Schools\*\* – LBE

- 5. Encourage the use of different and innovative learning methods;
- 6. Provide opportunities in small learning environments for flexibility and innovation;
- 7. Create new professional opportunities for teachers;
- 8. Establish additional forms of accountability for schools; and
- 9. Create innovative measurement tools.

To meet the eligibility criteria for Board approval, a An applicant must submit a complete public charter school proposal must that meets the requirements of Oregon law, Board policy, and regulation, and includes other information required by the district in the application process. Upon request of the Board, the public charter school applicant must furnish in a timely manner any other information the Board deems relevant and necessary to conduct a complete and good faith evaluation of the public charter school proposal.

The public charter school employer will be determined with each proposal. If the district is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the district is not the sponsor of the public charter school, the district shall not be the employer and will not collectively bargain with public charter school employees.

The district will determine if it has any unused vacant or underutilized unused buildings and make a list of such buildings. Buildings may be made available for public charter school use, subject to Board approval and Board policy. Approved use may be limited to instructional purposes only. Appropriate use fees will be determined by the Board. Public charter school use outside the district's instructional day will be subject to Board policy KG - Community Use of District Facilities and accompanying administrative regulation.

Public charter school students in grades K-8 may participate in their resident district's activities that are offered before or after regular school hours. Public charter school students in grades 9-12 may participate in their resident district's available activities that are sanctioned by the Oregon School Activities Association (OSAA) when the requirements found in Oregon law are met.

The district will not provide instructional materials, lesson plans, or curriculum guides for use in a public charter school.

The district will [annually [by October 1]] [semiannually [by October 1 and April 1]] [by [December 1]]<sup>1</sup>, calculate the number of students residing in the district who are enrolled in a virtual public charter school. When the percentage is more than three percent, the district may choose to not approve additional students for enrollment to any virtual public charter school, subject to the requirements in Oregon Administrative Rule (OAR) 581-026-0305(2).

The district is only required to use data that is reasonably available to the district including but not limited to the following for such calculation:

HR<del>2/28/19</del>11/06/20 PHLF

Public Charter Schools\*\* - LBE

<sup>&</sup>lt;sup>3</sup>-[Per OAR 581-026-0305(7)(a) the district must choose annual, semi-annual, or other date used for calculation; dates are provided as a recommendation only.]

- 1. The number of students residing in the district enrolled in the schools within the district;
- 2. The number of students residing in the district enrolled in public charter schools located in the district;
- 3. The number of students residing in the district enrolled in virtual public charter schools;
- 4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
- 5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a school district to not approve a student for enrollment to a virtual public charter school to the State Board of Education.

The superintendent will develop administrative regulations for public charter schools to include, but not limited to, the proposal process, review, and appeal procedures, and charter agreement provisions, and program evaluation, renewal, and termination.

#### **END OF POLICY**

#### Legal Reference(s):

ORS 327.077	ORS 339.141	
ORS 327.109	ORS 339.147	OAR 581-026-0005 - 05150710
ORS 332.107	ORS 339.450	OAR 581-026-0700
ORS 338	ORS 339.460	OAR 581 026 0710

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2012).

# **OSBA Model Sample Policy**

Code: LBE-AR

Revised/Reviewed:

Note: Content denoted with { } are for information to guide decision making to choose content kept in this administrative regulation for implementation, and should be deleted after final language is selected.

### **Public Charter Schools**

#### 1. Definitions

a. "Applicant" means any person or group that develops and submits a written proposal for a public charter school to the district.

- b. "Public charter school" means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between the district and an applicant.
- c. "Virtual public charter school" means a public charter school that provides online courses, but does not primarily serve students in a physical location as described in Oregon Administrative Rule (OAR) 581-026-0300.
- d. "Remote and necessary school district" means a school district that offers kindergarten through grade 12 and has: (a) an average daily membership (ADM), as defined in Oregon Revised Statute (ORS) 327.006, in the prior fiscal year of less than 110; and (b) a school that is located, by the nearest traveled road, more than 20 miles from the nearest school or from a city with a population of more than 5,000.
- e. "Sponsor" means the district or Board.

# 2. Proposal Process

- a. An applicant will issue a written statement of its intent to submit a proposal not less than 30 days prior to the submission date outlined below.
- b. An applicant shall submit a complete proposal for sponsorship of a public charter school by the Board, including items outlined in ORS 338.045,[ and any additional requirements as are required in the Board's application for sponsorship,] to the district office {\}[no less than 180 days prior to the proposed starting date of the proposed public charter school] [by [October 15] during the hours the district office is open to the public for a start date in a subsequent school year] [by [insert district's identified date]]. The applicant shall also submit a copy of the same proposal to the State Board of Education.
- c. The district will complete the review process as outlined in Section 3 below.
- d. As part of the proposal, each member of the proposed public charter school's governing body must provide an acknowledgment of understanding of the standards of conduct and the liabilities of a director of a nonprofit organization, as described in ORS Chapter 65, if the public charter school is organized as required by ORS 338.035(2)(a)(B) and (C).

HR11/06/20 LF

<sup>&</sup>lt;sup>1</sup> {The date shall be at least 180 days prior to the date that the public charter school would begin operating and give a reasonable period of time for the school district board to complete the approval process and the public charter school to begin operating by the beginning of the desired school year. Choose one of the proposed options or make other edits.}

# 3. Proposal Review Process

- a. Within 30 business days of receipt of a proposal, the district will notify the applicant as to the completeness of the proposal.
  - (1) If the Board determines the proposal is incomplete, the district will identify the specific elements of the proposal that are not complete and provide the applicant with a reasonable opportunity, as determined by the Board, to complete the proposal.
  - (2) If after given a reasonable opportunity the applicant does not complete the required elements, the Board may disapprove<sup>2</sup> the proposal.
  - (3) An applicant, that has had a proposal disapproved pursuant to section (2) may appeal the Board's decision to the State Board of Education within 30 days of the disapproval.
  - (4) A good faith disapproval is not a denial for purposes of requesting a review by the State Board of Education under ORS 338.075.
- b. Within 60 days after the receipt of a completed proposal, or a final order issued by the Superintendent of Public Instruction remanding the proposal to the Board for consideration following a decision on an appeal, the Board shall hold a public hearing on the provisions of the public charter school proposal.
- c. The Board must evaluate a proposal in good faith using the following criteria:
  - (1) The demonstrated sustainable support for the proposed charter school by teachers, parents, students and other community members, including comments received at the public hearing;
  - (2) The demonstrated financial stability of the proposed public charter school including the demonstrated ability of the school to have a sound financial management system that
  - (3) is in place at the time the school begins operating and meets requirements of ORS 338.095(1);
  - (4) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs;
  - (5) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs to students identified as academically low achieving;
  - (6) The adequacy of the information provided as required in the proposal criteria;
  - (7) Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact<sup>3</sup> on the quality of the public education of students residing in the district in which the public charter school will be located.
  - (8) Whether there are arrangements for any necessary special education and related services for students with disabilities;
  - (9) Whether there are alternative arrangements for students, teachers and other school employees who choose not to attend or who choose not to be employed by the public charter school: and

HR11/06/20 LF

<sup>&</sup>lt;sup>2</sup> The term "disapprove" is used for a proposal that is rejected due to being incomplete. See ORS 338.055(1)(c).

<sup>&</sup>lt;sup>3</sup> A determination of whether an impact is directly identifiable, significant and adverse may include, but is not limited to student enrollment, student-teacher ratios, staff with requisite licensure or endorsement, student learning and performance, specialty programs, financial considerations, and maintenance capabilities.

- (10) The prior history, if any, of the applicant in operating a public charter school or in providing educational services.
- d. The Board must either approve or deny the proposal within 30 days of the public hearing. Written notice of the Board's action shall be sent to the applicant by the district.
  - (1) If approved, the applicant shall also submit a copy of the approval to the State Board of Education.
  - (2) If denied, the notice must include the reasons for the denial with suggested remedial measures. The Board shall provide a reasonable opportunity for the applicant to amend and resubmit the proposal. The Board must either approve or deny the resubmitted proposal within 30 days of receipt. The Board may, with good cause, request an extension in the approval process timelines from the State Board of Education.
- e. If the Board denies the resubmitted proposal, the process ends. An applicant whose resubmitted proposal is not approved by the Board may request a review of that decision to the State Board of Education within 30 days of the disapproval.

## 4. Terms of the Charter Agreement

- a. Upon the approval of a proposal by the Board, the applicant, in cooperation with the district, must prepare and execute a written charter agreement, subject to Board approval, which shall act as the legal authorization for the establishment of the public charter school.
- b. The charter agreement shall be legally binding and must be in effect for a period of not more than five years but may be renewed by the Board.
- c. The Board and the public charter school may amend a charter agreement through joint agreement.
- d. The agreement shall incorporate the elements of the approved proposal, will address the requirements outlined in OAR 581-026-0100(2) and any additional requirements that may apply to the public charter school including, but not limited to, the following:
  - (1) Pregnant and parenting students (ORS 336.640);
  - (2) English language learners (ORS 336.079);
  - (3) Student conduct (ORS 339.250);
  - (4) Alcohol and drug abuse policy and plan (ORS 336.222);
  - (5) Oregon Report Card (ORS 329.115);
  - (6) Employment status of public charter school employees pursuant to ORS 338.135;
  - (7) Student enrollment, application procedures and whether the public charter school will admit nonresident students and on what basis pursuant to ORS 338.125.
  - (8) Transportation of students shall comply with ORS 338.145;
  - (9) The plan for performance bonding or insuring the public charter school sufficient to protect the public charter school and the district from loss and liability and comply with Oregon law. Documentation shall be submitted prior to agreement approval.
- e. If the district and the public charter school enter a cooperative agreement with other school districts for the purpose of forming a partnership to provide educational services, then the agreement must be incorporated into the charter of the public charter school.
- 5. Public Charter School Operation

- a. The public charter school shall operate at all times in accordance with the laws and rules governing public charter school operation in the state of Oregon, including but not limited to ORS Chapter 338 and applicable OAR Chapter 581 Division 22, and the charter agreement.
- b. Upon application by the public charter school, the State Board of Education may grant a waiver of certain public charter school law provisions if the waiver promotes the development of programs by providers, enhances the equitable access by underserved families to the public education of their choice, extends the equitable access to public support by all students or permits high quality programs of unusual cost. This waiver request must specify the reasons the public charter school is seeking the waiver and further requires the public charter school to notify the sponsor if a waiver is being considered.

# 6. Virtual Public Charter School Operation

In addition to the other requirements for a public charter school, a virtual public charter school must comply with additional requirements pursuant to ORS 338.120.

### 7. Charter Agreement Review

- a. The public charter school shall report at least annually on the performance of the school and its students to ODE and the district.
- b. The public charter school shall be audited annually in accordance with the Municipal Audit Law. After the audit, the public charter school shall forward a copy of the annual audit to ODE and the following to the sponsoring district:
  - (1) A copy of the annual audit;
  - (2) Any statements from the public charter school that show the results of operations and transactions affecting the financial status of the public charter school during the preceding annual audit period for the school; and
  - (3) A balance sheet containing a summary of the assets and liabilities of the public charter school as of the closing date of the preceding annual audit period for the school.
- c. The district may request at any time an acknowledgment from each member of the public charter school board that the member understands the standards of conduct and liabilities of a director of a nonprofit organization, as those standards and liabilities are described in ORS Chapter 65.
- d. The public charter school shall submit to the district [quarterly] financial statements that reflect the school's financial operations. The report shall include, but not be limited to, revenues, expenditures, loans and investments.

#### 8. Authorizing Duties

- a. [The district shall designate a liaison {4} to the public charter school for ease of communication between the district and the public charter school.]
- b. The district shall ensure at all times that both the public charter school and the district are in compliance with the charter agreement, as per ORS 338.065(2).
- c. The district shall conduct:

<sup>&</sup>lt;sup>4</sup> {This designated staff member may be the superintendent or other designee.}

- (1) A comprehensive annual visit to the public charter school and written evaluation of the charter school's program, which should include an audit of the public charter school's academic, financial, and operational performance.
- (2) A review of public charter school staff credentials to ensure that public charter school staff are properly licensed and/or registered with TSPC.
- (3) A collection and review of all deliverables specified in the agreement.
- (4) A review of data to ensure the public charter school is making progress on reasonable, measurable written goals for academic, financial, and operational performance.
- (5) A review to ensure the public charter school is providing appropriate services to students who qualify, e.g., English learner supports.

# 9. Complaints Heard by the Charter School Board

A final decision reached by the public charter school board for a complaint that alleges a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - OAR 581-021-0570 (Restraint or Seclusion), ORS 659.850 (Discrimination), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), is recognized as the final decision regarding this complaint<sup>5</sup> by the Board of Sand Ridge Charter School. A final decision may be appealed to the Oregon Department of Education under OAR 581-002-0003 - 581-002-0005.

#### 10. Charter School Renewal

- a. The first renewal of a charter agreement shall be for the same time period as the initial charter. Subsequent renewals of a charter agreement shall be for a minimum of five years but may not exceed 10 years.
- b. The Board and the public charter school shall follow the timeline listed below, unless a different timeline has been agreed upon by the Board and the public charter school:
  - (1) The public charter school board shall submit a written renewal request to the Board for consideration at least 180 days prior to the expiration of the charter agreement;
  - (2) Within 45 days after receiving a written renewal request from a public charter school, the Board shall hold a public hearing regarding the renewal request;
  - (3) Within 30 days after the public hearing, the Board shall approve the charter renewal or state in writing the reasons for denying charter renewal;
  - (4) If the Board approves the charter renewal, the district and the public charter school shall negotiate a new charter agreement within 90 days unless the district and the public charter school agree to an extension of the time period. Notwithstanding the time period specified in the charter agreement, an expiring charter agreement shall remain in effect until a new charter agreement is negotiated;
  - (5) If the Board does not renew the charter agreement, the public charter school board may address the reasons stated for denial of the renewal and any remedial measures suggested by the district and submit a revised request for renewal to the Board;
  - (6) If the Board does not renew the charter agreement based on the revised request for renewal the public charter school may appeal the Board's decision to the State Board of Education for a review of whether the Board used the process required by Oregon law in denying the charter agreement renewal pursuant to ORS 338.065(6).

HR11/06/20 LF

<sup>&</sup>lt;sup>5</sup> The public charter school board is given this authority by the district Board as established by [the charter agreement] [Board policy] [resolution].

(7) The Board shall base the charter agreement renewal decision on a good faith evaluation pursuant to ORS 338.065(8) and shall base the renewal evaluation described primarily on a review of the public charter school's annual performance reports, annual audit of accounts and annual site visit and review as required by ORS 338.095 and any other information mutually agreed upon by the public charter school board and the Board.

For purposes of this section, the phrase "good faith evaluation" means an evaluation of all criteria required by ORS 338.065 resulting in a conclusion that a reasonable person would come to who is informed of the law and the facts before that person.

#### 11. Charter School Termination

- a. The public charter school may be terminated by the Board for any of the following reasons:
  - (1) Failure to meet the terms of an approved charter agreement or any requirement of ORS Chapter 338 unless waived by the State Board of Education.
  - (2) Failure to meet the requirements for student performance as outlined in the charter agreement.
  - (3) Failure to correct a violation of federal or state law that is described in ORS 338.115.
  - (4) Failure to maintain insurance as described in the charter.
  - (5) Failure to maintain financial stability.
  - (6) Failure to maintain, for one or more consecutive years, a sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter under ORS 338.065.
  - (7) Failure to maintain the health and safety of the students.
- b. If a public charter school is terminated by the Board for any reason listed in sections a.(1) through a.(6) above, the following shall occur:
  - (1) The Board shall give the public charter school board, at least 60 days prior to the proposed effective date of termination, written notification of its decision which shall state the grounds for termination.
  - (2) If the grounds for termination include failure to maintain financial stability or failure to maintain a sound financial management system, the Board and the public charter school may agree to develop a plan to correct deficiencies. The plan to correct deficiencies will follow a process outlined in ORS 338.105.
  - (3) The public charter school may request a hearing with the Board in relation to a termination or a plan to correct deficiencies. The request must be made in writing and delivered to the business address of the district.
  - (4) Following a hearing, a decision reached by the Board to terminate may be appealed by the public charter school to the State Board of Education.
- c. The Board may terminate a charter immediately and close the public charter school for endangering the health or safety of the students enrolled in the public charter school under ORS 338.105(4):
  - (1) A public charter school board may request, in writing and delivered to the business address of the district, a hearing with the Board.
  - (2) Within 10 days of receiving the request for a hearing, the Board must hold a hearing on the termination.

- (3) If the Board acts to terminate the charter following the hearing, the public charter school may appeal the decision reached by the Board to the State Board of Education.
- (4) The public charter school will remain closed during the appeal process at the discretion of the Board unless the State Board of Education orders the Board not to terminate and to re-open the public charter school.
- d. If the charter agreement is terminated or a public charter school is closed or dissolved by the governing body of the public charter school, it shall be done only at the end of a semester and the public charter school board shall notify the district at least 180 days' prior to the proposed effective date of the termination, closure or dissolution. [Such notice must be made in writing and be delivered to the business address of the district.]
- e. If a charter agreement is terminated or a public charter school is dissolved, assets that were obtained with grant funds will be dispersed according to the terms of the grant. If the grant is absent any reference to ownership or distribution of assets of a terminated, closed or dissolved public charter school, all assets will be given to the State Board of Education for disposal.

# **OSBA Model Sample Policy**

Code: LBEA Adopted:

### Resident Student Denial for Virtual Public Charter School Attendance\*\*

{This policy is required if the district plans to deny a student the right parent notice of enrollment to attend a virtual public charter school. Before adopting, first verify if the district has this language already in policy LBE.}

The district will semiannually, calculate the percentage of the number of students residing in the district, who are enrolled in a virtual public charter school not sponsored by the district. When the established percentage is more than three percent, the district will not approve additional students enrollment to a virtual public charter school, subject to the requirements in Oregon Administrative Rule (OAR) 581-026-0305(2).

The district may send a notice of approval or disapproval to a parent<sup>1</sup> of a student who has sent a notice to the district of intent to enroll the student in a virtual public charter school not sponsored by the district (*See* OAR 581-026-0305(3)). The district may respond with an approval or disapproval to a parent within eight business days {<sup>2</sup>} of receipt of the notice from the parent.

The district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

- 1. The number of students residing in the district enrolled in the schools within the district;
- 2. The number of students residing in the district enrolled in public charter schools located in the district;
- 3. The number of students residing in the district enrolled in virtual public charter schools;
- 4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
- 5. The number of students who reside in the district enrolled in private schools located within the school district.

<sup>&</sup>lt;sup>1</sup> "Parent" means parent, legal guardian or person in "parental relationship" as defined in Oregon Revised Statute (ORS) 339.133.

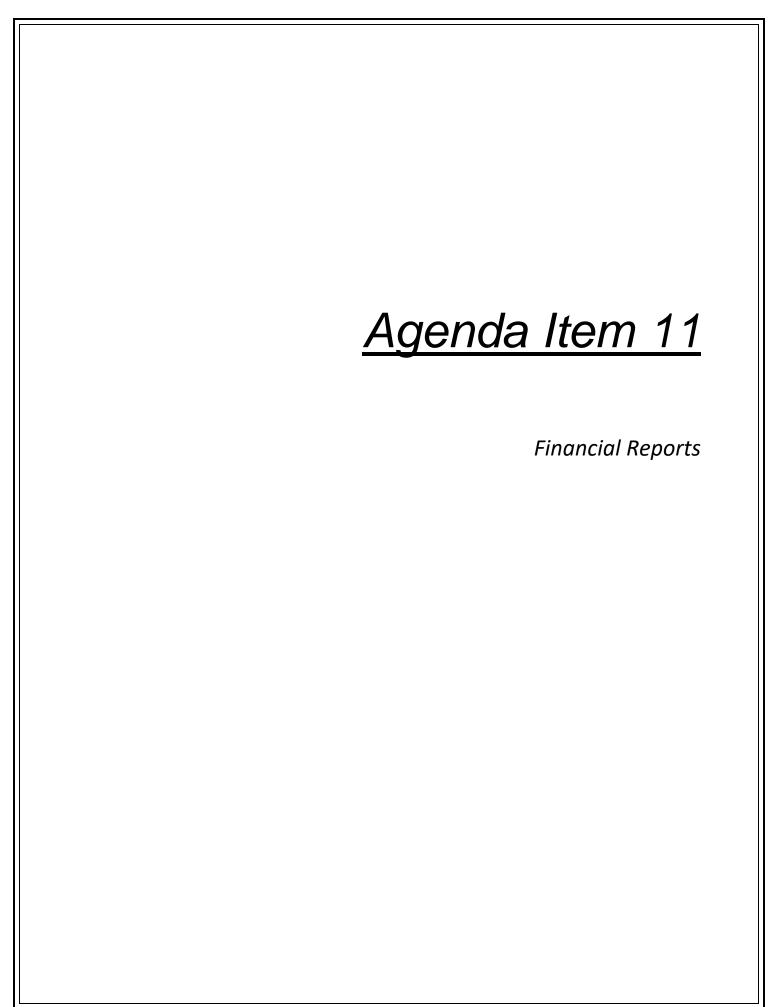
<sup>&</sup>lt;sup>22</sup> {If a parent does not receive a notice of approval or disapproval from the district within 14 days of sending the notice of intent to enroll to the district, the student shall be deemed approved for enrollment by the district.}

A parent may appeal a decision of a district to not approve a student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

# **END OF POLICY**

# **Legal Reference(s):**

ORS 332.107 ORS 338.125 OAR 581-002-0040 OAR 581-026-0310



# BOARD MEMORANDUM



**To:** The Honorable Chair and Members

Lebanon Community School District Board of Directors

From: William H. Lewis III, Business Director

Date: March 4, 2021 Meeting Date: March 11, 2021

**Re:** Financial Report and Fiscal Updates

# **Financial Report**

The 2020-2021 Financial Board Report included in this packet reflects all revenues and expenditures for 2015-2019 and the budgeted YTD expenditures, plus encumbered amounts for 2020-2021 as of 3/04/21.

**Audit Update-**Pauly Rogers and Company P.C. will present the 2019-20 financial statements and audit results. The final information is not a part of the board packet and will be given to the board separately.

**SRGP Construction Update**-The district completed an RFP process for a Construction Manager General Contractor (CM|GC) for the LHS seismic upgrade project. The district had three reputable builders respond to our process. The district utilized four staff members and one HMK staff member to review the contract specifications and vote on the three responses in each category.

The district recommends awarding the CM|GC contract to Gerding Builder, LLC. I have attached a letter with the formal recommendation from the district's construction management firm HMK for reference.

**Property Purchase-**The district recommends final approval of the purchase of the property at 800 Kees Street, Lebanon for \$251,000.00. The goal behind this project is to provide opportunities for the LHS Construction class to develop the land, construct housing, and expand our community in a meaningful and positive way.

# 2020-2021 General Fund Expenditure Report

Obj	Description	16/17 Actual	17/18 Actual	18/19 Project	19/20 Budget	20/21   Budget	3-03-21 YTD	3-03-21 Encumb	3-03-21 Balance
111	Certified salaries	10,161,648	10,831,007	12,299,845	12,665,056	12,540,564	6,015,872	5,745,641	779,051
112	Classified salaries	4,545,055	4,757,666	5,617,686	6,227,931	6,008,791	3,083,076	2,479,748	445,968
113	Administrative salaries	1,648,330	1,614,127	1,782,092	1,873,807	1,863,955	1,244,945	644,519	(25,509)
114	Managerial - classified	178,755	187,797	249,120	154,577	289,051	189,103	98,361	1,588
116	Retirement stipends	51,134	35,621	19,904	91,904	133,413	61,275	60,000	12,138
119	Confidential salaries	84,504	131,698	159,789	162,808	284,898	188,386	83,383	13,129
121	Certified subs	432,293	446,157	43,660	2,000	0	0	0	0
122	Classified subs	155,004	150,074	42,523	1,500	23,975	0	0	23,975
123	Temp certified	73,949	133,971	162,287	82,264	45,425	0	0	45,425
124	Temp classified	0	0	23,111	8,000	21,658	5,547	0	16,111
127	Student helpers salaries	7,895	6,544	4,413	21,000	16,654	7,550	0	9,103
132	Compensation time	25,767	37,764	77,738	52,300	44,207	41,269	0	2,938
133	Extra duty	324,897	286,017	350,933	279,579	128,295	54,489	0	73,806
134	Classified extra hrs	185,048	192,566	200,393	208,000	0	0	0	0
135	Vacation Payoff	6,938	12,246	14,017	29,817	24,292	326	0	23,967
136	Mentor teacher pay	609	0	0	0	0	0	0	0
137	Personal Leave Payout	0	0	0	0	0	0	0	0
138	Department Head Extra Duty	1,613	1,556	788	6,000	30,000	0	0	30,000
142	Taxable Meal Reimbursement	903	1,503	2,073	0	809	10	0	799
143	Cell Phone Stipend				0	1,080	720	360	0
145	Travel Stipend				0	11,400	0	0	11,400
150	Club Advisor			34,950	29,650	120,904	90,174	81,426	(50,696)
	Total Salaries	17,884,343	18,826,313	21,136,091	21,896,193	21,680,883	10,994,483	9,193,436	1,492,963
210	PERS	4,187,401	4,442,519	5,780,868	7,398,130	7,286,664	3,604,461	2,985,510	696,692
220	Social Security	1,328,140	1,385,595	1,550,125	1,655,388	1,642,024	796,055	667,133	178,836
231	Worker's Comp	173,370	196,943	238,867	293,025	275,747	71,402	52,524	151,821
241	Employee Ins - Admin	212,862	208,912	239,427	215,642	275,263	172,993	85,859	16,411
242	Employee Ins - Certified	2,328,554	2,370,817	2,831,052	2,449,421	2,756,998	1,282,443	1,203,655	270,901
243	Employee Ins - Classified	2,137,321	2,102,847	2,408,513	2,327,520	2,596,579	1,212,181	992,605	391,793
244	Employee Ins - Other	7,731	27,124	36,487	33,429	65,298	43,822	21,862	(386)
245	Employee Ins - Retired	228,774	195,821	122,925	83,600	52,700	26,105	0	26,595
247	TSA	40,991	22,082	24,336	25,200	45,600	30,400	15,200	0
	Total Benefits	10,645,144	10,952,659	13,232,600	14,481,355	15,086,873	7,241,704	6,024,350	1,820,820
311	Instructional Services	157,581	110,051	121,558	103,800	76,375	27,361	100	48,914
312	Instr Prog Improve Service	36,748	39,424	33,042	53,000	67,750	20,351	0	47,400
319	Other Instr-Prof-Tech SVCS	9,745	23,110	11,205	20,000	10,000	3,639	0	6,361
322	Repairs & Maintenance	168,482	173,295	254,579	190,300	227,612	113,276	24,535	89,801
323	Radio Service	7,767	38,310	12,455	11,100	11,100	7,663	3,684	(248)

# 2020-2021 General Fund Expenditure Report

		16/17	17/18	18/19	19/20	20/21	3-03-21	3-03-21	3-03-21
Obj	Description	Actual	Actual	Project	Budget	Budget	YTD	Encumb	Balance
324	Rentals	104,777	102,560	121,067	129,400	88,286	38,279	916	49,091
325	Electricity	473,758	466,093	453,206	502,620	465,700	181,907	198,719	85,074
326	Fuel	187,899	223,740	181,534	223,135	217,800	95,883	58,788	63,129
327	Water & Sewer	121,239	150,725	138,029	153,520	142,500	85,488	0	57,012
328	Garbage	96,811	95,095	112,864	102,400	87,000	52,962	0	34,038
329	Other Property Services	19,246	34,726	10,550	20,000	0	0	0	0
330	Reimb. Student Transportation	0	1,589	(64,563)	10,200	29,900	3,014	0	26,886
340	Travel	140,225	178,985	149,454	158,263	150,513	2,609	40	147,865
343	Travel - Student - Out of Dist.	0	2,916	1,140	5,300	4,500	0	0	4,500
346	Meals/Transportation	48	99	153	200	350	0	0	350
348	Staff Tuition	44,768	71,830	92,746	47,000	2,000	52,797	0	(50,797)
351	Telephone	70,529	39,486	44,987	73,165	65,100	30,514	13,782	20,803
353	Postage	21,909	14,712	24,224	26,074	28,900	16,725	4,081	8,093
354	Advertising	3,551	1,087	2,761	4,300	2,650	465	0	2,185
355	Printing & Binding	48,223	51,996	13,712	29,400	30,950	17,522	0	13,428
360	Charter School Payments	1,961,788	1,866,943	2,159,564	2,195,000	2,300,000	1,795,739	0	504,261
371	Tuitions Payments to Other Dist.	29,701	29,536	0	0	0	0	0	0
373	Tuition Pay Private School	0	0	0	5,000	0	0	0	0
374	Other Tuition	625,503	162,192	240,090	92,500	90,000	29,665	0	60,335
381	Audit Services	25,150	27,700	29,150	30,000	39,000	0	0	39,000
382	Legal Services	5,288	11,261	33,971	35,000	35,000	7,224	0	27,776
384	Negotiation Services	13,784	8,590	0	10,000	5,000	0	0	5,000
386	Data Processing SVCS	76,794	75,380	65,278	89,600	65,000	27,573	5,854	31,573
388	Election Services	0	1,573	4,623	5,000	5,000	0	0	5,000
389	Other Non_instr Pro/Tech	539,114	292,488	451,897	363,700	351,450	191,010	1,356	159,084
391	Physical Exams - Drivers	3,168	4,193	4,072	4,400	5,750	3,369	1,500	881
392	Drug Tests Drivers	635	1,255	1,670	3,000	2,250	620	1,380	250
393	Child Care Services	22,000	22,000	0	15,000	0	0	0	0
394	Sub calling service	7,489	6,464	14,113	15,000	12,000	0	0	12,000
395	Classified subs	0	0	226,030	194,000	228,600	8,481	0	220,119
396	Criminal History checks	2,928	3,179	4,066	3,200	3,500	80	0	3,420
398	Fingerprinting	462	266	38	1,000	2,500	177	0	2,323
399	Classified subs	0	0	499,109	425,000	445,791	5,450	0	440,341
	Total P. Services	5,027,111	4,332,849	5,448,375	5,349,577	5,299,827	2,825,216	314,736	2,159,876

# 2020-2021 General Fund Expenditure Report

		16/17	17/18	18/19	19/20	20/21	3-03-21	3-03-21	3-03-21
Obj	Description	Actual	Actual	Project	Budget	Budget	YTD	Encumb	Balance
406	Gas Oil & Lubricants	103,868	115,426	190,500	190,500	189,100	27,599	251,498	(89,997)
410	Supplies & Materials	419,096	486,014	452,860	648,024	651,837	237,045	9,813	404,978
413	Vehicle repair parts	48,980	44,746	27,649	52,800	50,500	12,883	25,215	12,402
414	Transportation operations	6,060	8,776	30,655	15,000	25,000	7,787	1,621	15,592
420	Textbooks	131,379	83,687	68,642	28,033	9,933	7,274	0	2,659
430	Library Books	8,588	5,880	5,914	15,694	8,200	1,404	0	6,796
440	Periodicals	1,937	5,354	6,511	6,000	10,800	10,538	0	262
460	Equipment under 5K	212,514	184,119	162,389	178,842	146,100	12,735	0	133,365
470	Computer software	195,888	181,289	184,472	264,360	257,398	262,205	24,115	(28,922)
480	Computer hardware	252,444	221,873	146,797	170,593	181,265	52,498	319,072	(190,305)
	Total Supplies & Materials	1,380,753	1,337,164	1,276,389	1,569,846	1,530,133	631,969	631,333	266,831
520	Buildings Acquisition				0	0	0	0	0
540	Equipment	20,047	65,034	39,805	54,500	25,000	21,165	0	3,835
564	Bus Replacement	0		258	0	0	0	0	0
	Total Capital Outlay	20,047	65,034	47,641	54,500	90,000	21,165	0	68,835
621	Regular Interest	0	0	0	500	0	0	0	0
640	Dues & Fees	67,655	178,632	101,706	175,180	159,726	63,981	266	95,480
650	Insurance & Judgments	218,639	230,250	245,279	265,588	306,221	309,158		(2,937)
659	Settlements	0	34,000		0	0	0	0	0
670	Taxes & Licenses	0	0	0	200	700	0	0	700
	Total Other Objects	286,294	442,882	346,985	441,468	469,147	373,139	266	95,743
707	Transfer - Vocational House Fund	0	0	40,000	0	70,000	70,000	0	0
710	Transfer - Technology	200,000	225,000	100,000	0	80,000	80,000	0	0
711	Transfer - Classroom Furniture	50,000	25,000	50,000	0	10,000	10,000	0	0
712	Transfer - Textbook Adoption	350,000	300,000	400,000	400,000	200,000	200,000	0	0
713	Transfer - Capital Improvement	250,000	250,000	400,000		200,000	200,000	0	0
714	Transfer - Track and Turf Fund	110,000	10,000	85,000	10,000	0	0	0	0
715	Transfer - Athletic Fund	365,000	405,000	446,000	450,000	475,000	475,000	0	0
716	Transfer - Bus Replacement	250,000	250,000	300,000	150,000	225,000	225,000	0	0
717	Transfer - Unemploy Ins	15,000	25,000	25,000	25,000	250,000	250,000	0	0
718	PERS Reserve	500,000	500,000	525,000	0	450,000	450,000	0	0
719	Transfer - Food Service	65,225	90,656	100,000	100,000	120,000	120,000	0	0
720	Transfer - Music/Band Replaceme	0	0	0	0	20,000	20,000	0	0
730	Transfer - Debt Service	0	100,000	150,000	50,000	0	0	0	0
731	Transfer - Academic Achievemen	0	0	0	0	0	0	0	0
	Total Transfers	2,155,225	2,180,656	2,621,000	1,185,000	2,100,000	2,100,000	0	0
810	Reserve/Contingency	0	0	0	1,750,000	2,000,000	0	0	2,000,000
	Grand Total	37,398,917	38,137,559 =======	44,109,082 =======	46,727,940 ======	48,256,864	24,187,676 ======	16,164,121 =======	7,905,067
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