

BUSINESS MEETING MINUTES

4/A regular meeting of the Lane County School District No. 19 Board of Education was held on September 24, 2018.

1. CALL MEETING TO ORDER

Board Chair Zach Bessett called the Springfield Board of Education meeting to order in the Board Room at the District Administration Center at 4:04 pm and led the Pledge of Allegiance.

Board Chair Bessett asked if there were any changes or additions to the agenda. None were offered.

Attendance

Board Members present included Chair Zach Bessett, Laurie Adams, Naomi Raven, Dr. Emilio Hernandez and Michelle Webber.

District staff and community members identified included Superintendent Bruce Smolnisky, David Collins, Brett Yancey, Jeff Michna, Dustin Reese, Jenna McCulley, Brian Megert, Whitney McKinley, Suzy Price, Judy Bowden, Anne Goff, Marina Brassfield, Jonathan Light, Lindsay Marchant, Steve Moe, Sally Storm, the Raven Family and Dan Eagen.

2. BOARD APPOINTMENT

Chair Bessett invited Naomi Raven to come forward to receive the oath of office as the new board member replacing Tony Jobanek for Position #4. Chair Bessett read the oath of office and Ms. Raven repeated the oath of office after him. Ms. Raven took her seat with the other board members.

3. ELECTION OF OFFICE

Chair Bessett said the Vice Chair position became vacant with the resignation of Tony Jobanek at the September 10, 2018 board meeting. Chair Bessett called for nominations.

Ms. Adams made a motion to nominate Michelle Webber for the position of Vice Chair.
Dr. Hernandez seconded the nomination.

Chair Bessett called for any discussion. There was no discussion.

Chair Bessett called for the vote. The motion passed 5:0. Michelle Webber would be the new Vice Chair.

4. PUBLIC COMMENT

Chair Bessett read the following statement concerning public comment:

This is the portion of our agenda for public comment. I want to remind those members of the public who have indicated a desire to make comments that our policy provides for a limitation of three (3) minutes per person.

Those wishing to make public comments must complete a "request to speak" form and speakers will be called upon in the order in which they are received. Audience members who wish to make public comments must state their name and address for the record.

We encourage groups with a common purpose to designate a spokesperson. If your comments will be covered by a group spokesperson, please indicate so when your name is called.

The board will not hear personal complaints concerning school personnel or against any person connected with the school system. Any complaints regarding a particular employee must be processed through the procedure set forth in policy, which requires that complaints be submitted in writing to the Superintendent. This procedure must be followed before there is any Board involvement with such issues.

Speakers are reminded that their public comments will be limited to three (3) minutes.

Steve Moe said Springfield Public Schools was building new facilities to serve the 21 Century with the construction of the new Hamlin Middle School and the new Administration Building. Mr. Moe said the old administration center sat empty with no real plans. The building was an historic site and he believed the district should look for creative opportunities to reuse the building. He would like to see the district hold a public hearing and see what the people want. The taxpayers paid for it and it is still owned by the taxpayers. Mr. Moe pointed out that whenever the building was mentioned, staff said the building was unsafe and contained asbestos and lead paint. However, he spoke with a developer, who has seen many unsafe buildings refurbished and become landmarks in the community. He added that he thought it would only cost \$2-3 million to replace the building. Mr. Moe urged the board to take time, seek options, and create a win-win situation for all.

5. POLICY REVIEW OVERVIEW AND PROCESS

Peggy Holstedt, Director of Policy Services at Oregon School Boards Association (OSBA), shared a PowerPoint entitled, “*Board Governance through Policy*” on the policy review process the district would conduct over the next two years. She said that she completed the last policy review for the district in 2007.

Ms. Holstedt explained school boards governed and superintendents and their staff managed the district. The role of governing is to look at the end result; where do you want to go and what do you want to have happen. It is the “What.” The superintendent and his staff are the *who, what, when, and where*. It is the means to the end. When we look at basic responsibilities, we want to focus on the board’s responsibility with policy. The superintendent is the day to day operations, how that relates to policy and making recommendations for the administrative regulations (AR). The remainder of her presentation specifically focused on the board’s responsibility in formulating policy. She quoted the National School Boards Association (NSBA) which has said, “*School board policies are statements which set forth the purpose and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and staff can discharge their assigned duties with positive direction.*” The board would provide recommendations on policy as well as administrative regulations (AR).

Ms. Holstedt reiterated policies were intent statements. Her job was to look through the district’s policies and take excess information out. Every policy should be taken from State statute. If a policy wasn’t based in statute, it shouldn’t be included in the policy as there would be more liability for the school district. Those statements could be included in long range plans, staff handbooks, or school websites. Statutes were outlined and hyperlinked for simple access at the end of each policy document. Policy also helped inform the public and maintain transparency, so it was important to have a district’s policies on the website. Ms. Holstedt concluded it was a delicate balance between administrative discretion and guidance from the board.

Ms. Holstedt explained exactly what defined a policy. Policies were not detailed directions; they were only based on laws. Her staff and attorneys drafted policies in compliance with federal and state law. Policy does not include forms or job descriptions.

Ms. Holstedt described differences between “policy” and “AR.” Policy was developed and adopted by the board. AR was developed by administration and was detailed direction for the staff. The board reviewed whatever AR was developed, but only some needed to be adopted by the board. She explained if something wasn’t included in an AR or policy, it could be in a handbook – the internal procedures were primarily what interested auditors.

She shared a slide that outlined and summarized the differences between policy and AR:

1. Policy

- Developed by board
- Adopted by board
- Broad language that gives direction to administration
- What, why, and the end result.

2. AR

- Developed by administration
- Board reviews, and some AR must be adopted by board
- Specific language that implements the direction from the policy
- How, who, when, and where; the means to reach the end result.

Ms. Holstedt added that the board and district were required to adopt plans, which were neither policy or AR. She reminded the board policies were legal documents. Phrases and words had legal meaning and, although they may not create the perfect sentence, they were binding and created legal liability. Therefore, she warned them to be careful with word-smithing any policies. Ms. Holstedt reiterated she would always share her concerns, but the final decisions were up to the board.

Ms. Holstedt provided some words of caution. Board members should be wary of special interest groups or grass root movements that were recommending (pushing) a policy for board adoption. Outside groups may not realize that a board policy is legally binding and that language in their policy may increase the district’s liability. Just because something was in a strategic plan, did not mean it should be policy. With policy, less is more. Concerned grassroots/special interest groups could contact Ms. Holstedt, Ms. Bowden, or Chair Bessett with concerns.

Ms. Holstedt explained not every law had to be in policy. Some were required, some were recommended, and some were completely optional. Codes found on the lower left hand of policy documents indicated whether or not a policy was required. She noted there would be codes like “R6/01/18 PH”. In that case, R meant “required” and it had to be in policy due to state legislature. All districts were legally bound to R policies. The date indicated the last revision, and “PH” were the initials of the primary staff member in charge of the edits.

Ms. Holstedt said “HR” meant “highly recommended.” HR policies were highly litigious (such as policies implementing the Americans with Disabilities Act [ADA]), so OSBA highly recommended including them.

A new category common within charter schools was CR, meaning “conditionally required.” CR was conditional on whether a school had the program or concern. For example, drones had become a CR policy, meaning if a district used drones, they needed to have a drone policy. OSBA would release an update of the policy because there had been some new involvement by the Oregon Department of Aviation.

Ms. Holstedt shared “optional” policies had no letters; however, optional didn’t mean they were unimportant. Head lice was an optional policy, for example. The law said a district was able to choose the standard. She explained OSBA was not a regulatory association, but worked with all regulatory agencies, such as the Oregon Health Authority, to ensure policies were approved by them, as well.

Ms. Holstedt shared a slide on laws. She explained laws translated into policy. “USC” meant federal law; “CFR” referred to federal regulation administrative rules; and “ORS” indicated Oregon revised statutes. In addition, supreme court decisions and recent federal district court decisions were also considered law. Finally, state agencies creating “OAR” (or, Oregon Administrative Rule), held the same weight as ORS. Sometimes, other public references – like the Fire Marshall’s Code, the Attorney General’s Manual, and opinions – could also apply to a school district policy.

Ms. Holstedt reiterated the policy review process. She reminded the board to consider whether the policy was legal; if it reflected current district practice; if it was working or not; and if it was truly needed.

Ms. Holstedt explained the process for adopting policies. The first read was recommendations by the Superintendent. If there were comments questions or concerns on the suggestions, Mr. Smolnisky would return to staff for an answer and provide information to the board. The second read would, ideally, be adoption.

Ms. Holstedt shared organization of the policy document. Section AB would address Board Governance; C, Administration; D, Fiscal Management; E, Support Services; F, Facilities; G, Personnel; I, Instruction; J, Students; and KL, Community Relations. People closest to implementation of the chapter would review the section and share feedback with Mr. Smolnisky and the board. Ms. Holstedt said a single asterisk indicated the policy that should be compared to the collective bargaining agreement to ensure they complemented each other. A double asterisk meant a definition was provided in the table of contents.

Ms. Holstedt explained that the use of brackets meant the board had options. For example, in the sentence “within [five] working days,” the five could be changed to four if needed. Often, boards had the option to choose between the word “may” and “shall.” She advised using “may” to provide more flexibility.

Ms. Holstedt said there were different lettered codes found within the policy handbook and explained how they were organized. For example, the code “GCBDD/GDBDD” applied to licensed and classified; “GK” would be for staff and for community members.

The Superintendent, the cabinet, and Ms. Holstedt would conduct the policy rewrite. The group would meet once per month with OSBA staff on the 4th Tuesday of every month for approximately two hours. The first meeting was scheduled for October 30, 2018. Ms. Holstedt would send a schedule for the entire project to Ms. McCulley. She anticipated the project would span about 18 months.

The policy review team was considered a Superintendent committee and therefore meetings would not be open to the public. The rewrite would result in one hard copy manual, as well as an electronic copy so staff could continually update the manual.

6. RECESS FOR DINNER BREAK

The board took a 30-minute break for dinner.

7. CALL MEETING TO ORDER

The board returned from break. Chair Bessett called the meeting to order at 5:47 PM.

8. SUPERINTENDENT SEARCH UPDATE

Chair Bessett reported he and Ms. Webber met the previous week to work on the search firm selection process. Staff would create a rubric to aid in scoring the proposals. Additionally, the pair identified some potential questions to ask firms.

In the coming days, Chair Bessett and Ms. Webber would schedule a meeting with staff to review proposals. A draft timeline was prepared and would be brought to the board once a firm was selected. Staff had been directed to develop an application for a search and screening committee; application process would open once the firm was selected. Then, stakeholder input groups would convene in October, 2018.

Chair Bessett said the next step was for Ms. Webber, Mr. Bessett and district staff to meet and create preliminary criteria for a new superintendent. The criteria would be brought to the board for discussion at the October 22, 2018 board meeting. The criteria would be the starting point the search firm and the focus groups could use as they worked to flush out desired qualities for the next superintendent of Springfield Public Schools (SPS).

Ms. Adams followed up by asking whether they would conduct a national or regional search. Chair Bessett thought the board was leaning toward a national search. Ms. McCulley added it was discussed during the most recent work session in August. A decision wasn't formally made, but the board leaned toward a national search.

Ms. Adams was not interested in searching nationally and wondered if the board could discuss this further. She thought a national search would be too broad and wide. Ms. Adams noted the district had done both methods in the past, and she preferred a regional search. She thought a regional search would attract more applicants who fit the district and understood current events within the State.

Dr. Hernandez thought there were pros and cons to each option. He would hate to lock the district into one process; he thought when they identified criteria and next steps for the process, they would have a better feeling about which direction to move.

Chair Bessett pointed out some applicants may originally be from Oregon and were looking to return. Ms. Adams said the district had hired someone like that before and that didn't work out. She clarified that on October 22, 2018, Chair Bessett and Ms. Webber would come forward with a search firm recommendation. Chair Bessett said yes; in response to an additional question from Ms. Adams, he explained the board appointed leadership to make the recommendation about which search firms to consider.

Dr. Hernandez thought information about each search firm could be available for people to review. Mr. Yancey said all of that information was on public record. Dr. Hernandez wanted an opportunity to review the matrix created by staff. Ms. Raven agreed.

Mr. Smolnisky noted that with the internet, almost any search would be national. He agreed that Ms. Adams had a point, but he also didn't want to limit who the board might consider. Mr. Smolnisky speculated national firms might have improved ways to advertise, when compared to a regional firm like OSBA. In the past, many quality superintendents had been found from out of state.

Dr. Hernandez asked about the OSBA proposal. Ms. McCulley said it was a dual proposal from OSBA staff and Greg McKenzie of Next Step. Dr. Hernandez thought it was important to consider how the board set up the job description and desired qualities. Chair Bessett said community input focused around wanting a customizable process and an array of services offered by the firm. There were some deeper questions to consider as the board discussed the three search firms available to them.

In response to a question from Ms. Raven, Chair Bessett explained staff released a formal Request for Proposals (RFP) and received three responses. Chair Bessett thought it important to weigh each price against other criteria, but not to put price at the forefront. The matrix, created by staff, would help guide the board to a fair and resourceful decision. Mr. Yancey agreed, and said the board would need to justify their choice if the chosen firm was not the least expensive.

Mr. Yancey added it was important to consider retention rates of candidates by each firm, since the district wanted a long-term commitment. In addition, Mr. Yancey thought the board should consider qualifications of staff and resources available to them at each firm.

Dr. Hernandez wanted to ensure stakeholder voices were included during the superintendent selection process. Mr. Yancey responded that once a firm was hired, the consultants would work with board members to determine a process.

Ms. McCulley said staff had put all stakeholder input at the forefront of planning; it was important to have basic criteria identified by the community, prior to the process, to help the firm successfully recruit candidates who were a good fit for SPS. In addition, staff surveyed several opportunities for stakeholder engagement and were defining an application process for a confidential group to review candidates.

Dr. Hernandez wondered who would visit any out-of-state candidates. Chair Bessett assumed a couple members of the cabinet and two members of the board.

Ms. Raven noted the applicants were also interviewing the district at the same time, so it was important to be proactive in how the board and staff presented the district. They needed to show that SPS was where a candidate would want to work, because that would bring the highest quality people to apply.

Ms. McCulley said the website held that type of information, but she, too, wondered how to elevate the Springfield area even more. In her research, she reached out to the human resources director at the City and asked to borrow language about the community for future print materials. The district would also engage a graphic designer to create print materials.

Mr. Yancey said board members could review proposals and independently fill out an evaluation form for staff. Since it would be an independent activity, the board of directors would need to review the search firm's proposals independently of each other or it would constitute a public meeting. Mr. Yancey said he would facilitate this for the board. Theoretically, the board would identify the top one or two firms and then hold interviews.

9. CONSENT AGENDA

A. September 10, 2018 Board Meeting Minutes

B. Personnel Action, Resolution #18-19.007

Dustin Reese recommended that the Board of Directors approve the personnel action for licensed employees as reflected below:

New Hires

Natasha Colson

Sidney Davie

Melissa Thompson

Gregory Yrabinec

Resignation

Alicia Chamness

Change of Contract Status

Jane Schneider

C. 2019-2020 Lane ESD Transit Dollar Request, Resolution #18-19.008

Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by the Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis.

During the 2013-14, 2014-15, 2015-16, 2016-17, 2017-18 and 2018-19 school years, Springfield School District requested 50% of our transit dollars and utilized the resource to support Special Education Life Skills programming for students in our district, as well as a small number of students from surrounding districts. We anticipate utilizing the transit dollars in 2019-2020 to continue supporting Life skills programing in Springfield Public Schools. The ORS requires that the Board submit the request to Lane ESD in advance of the budget process.

David Collins recommended that the Board of Directors approve the Lane ESD – School District Transit Request for the fiscal year 2019-2020. Specifically, it is recommended that the Board of Directors request not more than 50% of the Transit Dollars pursuant to ORS 334.177.

Motion: Ms. Adams moved and seconded by Ms. Webber to approve the Consent Agenda. The vote carried 5-0.

10. REPORTS AND DISCUSSION

A. Superintendent Communication

Superintendent Bruce Smolnisky said it was a great start to a new school year. He said that if any Board member would like to visit some of the schools, please let him know and he would be happy to facilitate those visits. He added that he would have a formal update about enrollment for the 2018-2019 academic year to share at the October 22nd Board meeting. Additionally, that would be the first meeting for our new student representatives.

He shared that on October 8, 2018 there would be a TEAM Springfield meeting in the SUB board room. Both elected officials and appointed officials would be present. The main topic would be emergency planning and how the various agencies would work together in the event of a crisis.

Mr. Smolnisky would be out of town from October 23 to 29, 2018. During that time, Mr. Yancey and Mr. Collins would be in charge during his absence.

Finally, Mr. Smolnisky wanted to discuss the state report cards which would to be released on October 11, 2018. Schools in Oregon are rated on a 1 to 5 scale with 3 being average. Schools are rated on a combination of factors including scores on achievement tests, growth scores, chronic absenteeism, ninth grade on-track, four-year graduation rate and the five-year completer rate. Our achievement scores are pretty good at some schools, but there is room for improvement at others. Mr. Smolnisky added there are more schools with scores of 1s and 2s than he would like, but those schools would continue to be our focus moving forward. It appears we will have one school that would be identified as a CSI (Comprehensive Support for Improvement) school and would receive support for improvement from the State. Growth rates were generally positive. Staff would focus on those schools with scores of 1s and 2s. This year, staff would be working on practices to improve student success. In particular, there would be a focus on professional development and work on chronic absenteeism. Overall, there would be some good things on our stare report card, but room for additional work and improvement. He finished by stating that the State was becoming more rigorous in its scoring for school report cards and now counted “opt outs” as non-proficient which skewed some results. For that reason, Mr. Smolnisky was not in favor of opt out.

In response to Mr. Bessett, Mr. Collins explained the State identified many schools as Comprehensive Support for Improvement (CSI) or Targeted Support for Improvement (TSI) and were targeting the highest tier. In the most recent Friday update, he included State criteria. Beyond the information already sent, he could not expand at that time. After October 11, 2018 staff could provide more specific information to the board.

Dr. Hernandez thought the State needed to consider testing differently because some children with disabilities were not able to successfully take those tests. He didn't think they should have the disability held against them, nor should those scores affect the whole school. He added that he hoped this could be a state-wide discussion in the near future.

Mr. Collins stressed testing was a single point of measure. The district had ongoing, informative assessments to understand all types of student success and didn't rely solely on state testing. Dr. Hernandez pointed out parents often didn't see that information and often only looked at testing results.

Ms. Raven was curious about what the board's stance was on testing. As a parent, she received letters from the board asking students to opt out. None of those board members were still involved, and she wondered if they should still be encouraging opt out to our families.

Ms. Adams said the previous board chair felt strongly students should opt out. The board voted to send letters recommending parents have students opt out. She thought the board might have created some confusion for families because of the board's stance.

Ms. McCulley said the board revisited the letter in 2016-2017 and elected to not repass a resolution to approve the practice of sending the letters to families. However, the letters could still be circulating.

Ms. Raven thought there were many reasons to opt out and some were very valid, while others were not. She wondered how the board could help parents make an informed decision because our district is suffering from the decision to opt out.

Ms. Adams thought the board originally recommended opt out because they didn't feel it was right for district kids. She added the decision was based more around individuality than politics, and the fact kids were asked to take many tests.

Chair Bessett thought testing should be on a kid by kid basis and he thought it was a very politically driven conversation. Dr. Hernandez noted testing was a multibillion dollar business that had become more politicized. He thought that's where communication was lost. Politics made it difficult for parents, teachers, and districts to have a strong handle on testing.

Ms. Raven didn't agree with many aspects of testing, but if the scores were hurting the district, she thought the board should re-examine how families think about making their decision based on the needs of their child. She added that on the one hand we want to encourage testing, but remain sensitive to the students for whom the testing is not appropriate. Are we opting out to make a political statement and that the district is not going to participate or are we opting out because it really isn't an appropriate assessment for some of our students. She felt as a parent, she was getting mixed messages.

Ms. Webber thought it was a tough topic, but agreed with Ms. Raven.

Chair Bessett thought the board could create a new statement, one based more on facts, so parents could make informed decisions for their student.

B. Board Communication

Mr. Bessett said that he had attended his first Springfield Education Foundation meeting as was excited to be a part of their work. He added that he was looking forward to their upcoming *Night of 11,000 Stars* event on October 18.

Ms. Adams was unsure if board members knew what Team Springfield was about, so she provided a brief history. She shared that TEAM Springfield was created years ago as a means for the four agencies, Springfield Utility Board, the City of Springfield, Willamalane and Springfield Public Schools could be aware of what each agency was doing and what future plans were for each agency. She hoped all board members would attend the October 8 meeting.

Dr. Emilio Hernandez attended the recent OSBA regional meeting and thought it was a quality event. Chair Bessett added OSBA would survey Oregonians in order to understand what they wanted for education, and then lobby politicians on those issues.

Ms. Webber thanked the board for a positive discussion.

11. OTHER BUSINESS

There was no other business.

12. Next Board Meetings:

- October 8, 2018, 5:30-8:00pm TEAM Springfield Annual Update Meeting to be held at Springfield Utility Board (SUB)
- October 22, 2018, 7:00pm Business Meeting

13. ADJOURNMENT

With no other business, Mr. Bessett adjourned the meeting at 6:47 pm.

(Minutes recorded by Marina Brassfield)