

**LINCOLN COUNTY SCHOOL DISTRICT**  
**Board of Directors/Local Contract Review Board**  
**Tuesday, December 8, 2015- 7:00 p.m.**  
**Yaquina View Elementary School**  
**Newport, Oregon**

**Minutes**

**PRESIDING:** Liz Martin, Chairman

**Present:** Liz Martin, Chairman; Karen Bondley, Vice Chairman (via telephone, until approximately 8:00 p.m.); Ron Beck, Kelley Ellis, Amanda Remund, Directors

**Also Present:** Steve Boynton, Superintendent; Laurie Urquhart, Secretary

**Handouts:** Financial Reports, 11/30/15; “Cub Paw” Handout, Yaquina View; Yaquina View School Improvement Plan; School Food Meal Comparison; Email Letter to Board from JoAnn Sustrick; Position on Good News Club from Oregon Central Coast PFLAG; LCSD Enrollment, 11/30/15

**Call to Order- Establishment of a Quorum**

Chairman Martin convened the meeting and called the session to order at 7:04 p.m. with a quorum of all five board members present. Director Bondley participated by phone for approximately one hour of the meeting.

The board meeting was recessed into a meeting of the Local Contract Review Board at 7:05 p.m.

**Local Contract Review Board- Public Hearing**

The LCSD Board, acting in its capacity as the Local Contract Review Board, conducted a public hearing to hear and take testimony on creation of an exemption from competitive bidding requirements for the Toledo Jr./Sr. seismic upgrades project.

Director of Support Services Rich Belloni reported this exemption is necessary due to the tight timeline and nature of the project. The findings in support of the exemption state that “use of the proposed alternative contracting method is unlikely to encourage favoritism or diminish competition, and that process will result in substantial cost savings to LCSD.” No comments were offered from the audience.

**Local Contract Review Board- Findings of Fact/  
Exemption from Competitive Bidding**

**Motion 15/16-1**

On motion of Director Beck, seconded by Director Ellis, the Local Contract Review Board unanimously approved Findings of Fact in support of an exemption from competitive bidding for the Toledo Jr./Sr. High Seismic Renovation Project as listed in the December 8, 2015 board folder.

**Local Contract Review Board- Request for Proposal (RFP),  
Toledo Jr./Sr. Gymnasium Seismic Upgrade Project**

**Motion 15/16-2**

On motion of Director Beck, seconded by Director Ellis, the Local Contract Review Board unanimously approved the RFP for the Toledo Jr./Sr. Gymnasium Seismic Upgrade project as presented 12/8/15.

The regular session board meeting was then reconvened at approximately 7:10 p.m.

**Communications**

Food Services Director Patty Graves informed the Board she would be meeting with the “Electrified Legos” club who presented at the last board meeting on ways to reduce food waste. She also noted a “future chefs” K-5 cooking competition is planned for March 19, 2016. She reported Taft 7-12, Oceanlake and Newport High received scores of 100% in a recent food services safety audit.

Students Ella and Reegan Jenkins from the “Electrified Legos” robotics team updated the board on their recent activities. The team competed in regional competition and were invited to state competition.

Student Tristan Dimick expressed support for his teachers, who had taken steps to make him feel safer at school.

LCEA President Peter Lohonyay remarked that he presented a membership survey at the last meeting, but has heard nothing back from board members. Board members received the most recent survey at the November meeting and asked several questions at that time. Director Beck also reminded Mr. Lohonyay and the audience that the board can only act while in session at a board meeting.

Mr. Beck asked if Mr. Lohonyay would stand by his statement made at the November board meeting that the survey contained seven questions; Mr. Lohonyay responded in the affirmative.

Mr. Lohonyay read a letter from teacher JoAnn Sustrick regarding the proposed contract between LCEA and LCSD.

The next 14 speakers commented topics related to the Good News Club, separation of church and state, use of district facilities by non-school groups during the school day, mental health of students, and background checks:

Tom Hurst stated that several district schools have been supporting religious instruction at school. “We believe that the Good News Club (GNC) meetings held at school during the school day is a violation of federal and state law,” said Hurst. He expressed appreciation for Superintendent Boynton’s action in suspending all non-school clubs from meeting during the school day for the time being. He stated his opinion that the board needs to “clarify religion and how the staff treat it. They may not promote it, but it may perceived they are doing so.”

Nel Ward spoke on behalf of PFLAG and distributed a handout. She commented that the GNC promotes emotional and psychological abuse of children and said it is upsetting the district rents facilities to this

group. She read from the handout, stating in part that the GNC curriculum has over 5,000 references to sin and punishment but only one about the golden rule. She said the Christian Evangelical Fellowship (CEF) promotes shame and a negative self-image and added that PFLAG believes CEF's curriculum is incompatible with the district.

Mindy Anderson noted that 26 years ago her life was changed; "Jesus died for my sins. I would like to share my story with anyone who would like to hear it. CEF made a large positive difference in my life," said Anderson.

Jody Stecher (Hilmar A. Stecher, aka Jody) agreed with remarks made by Tom Hurst, and said "It is clear this amounts to proselytization of children on school grounds. Any religious bias put forth by administrators and teachers has an enormous impact on children's development." He suggested a review of the facilities use policy in the short term, and in the long term, a need to address "how school officials will divide their attention. There should be no religion at work. We live in a pluralistic society."

Billie Williamson, director of CEF for Lincoln County, has been teaching the Good News Club since 1977. She said the group worked out an arrangement so kids would not miss school time, holding their meetings at school during the lunch hour. Before this, the meetings were always off campus. She noted the group does not pass out flyers, only permission slips. She stated holding the meetings is not illegal and cited ORS 339.420 which allows up to two hours per week for religious activities. She said some information shared has been incorrect, and expressed hope that a solution could be found for the remaining ten weeks of the club. She said both her goal and that of Superintendent Boynton is to "help children."

Nancy Campbell reported she submitted a letter to Superintendent Boynton. She noted her biggest concern is that the GNC meetings not be allowed at school during school hours. She asked if her letter is part of the record. (As Ms. Campbell's email was addressed only to the Superintendent, it was not shared with the school board.)

Jeff Lackey commented that the Bill of Rights guarantees personal freedom. He expressed his agreement with excluding groups from school during school hours, but said "if religious groups are singled out, that does not seem to be fair."

Luke Frechette thanked the school board for the work they do, and said both sides of the argument suggest that "you come to a working solution in a non-favoritism way." He said he became acquainted with the GNC in 1985 on his way to recess and has given his life to God since that day. "Everyone has a different path; I think this can be settled. You should be able to operate within the law; I have you in my prayers," he said.

Cheryl Brown stated her daughter is a student at Sam Case, and said the club began meeting at school in 2014. She said she has a letter from the ACLU who finds this unconstitutional. GNC is not a student led group, but an adult one. She noted secondary aged students have this right, but "this is different."

Ms. Brown said GNC tried to actively recruit students at school, and were working around handing out flyers by having the students do so. "They hand out stickers as well, to bring attention to themselves. Putting aside the legal issues, this creates a divisive environment that can lead to harassment and bullying."

She added that several staff members agreed with her position but would not submit a letter as “they were afraid for their job.” She stated that LCSD is, as far as her research shows, the only place in the USA where GNC meets at a school, during the school day, and said that there is no mention of school safety.

Ineka Estabrook spoke to the board regarding her daughter, who is gay. She said LGBT youth are at high risk for suicide and alcohol/drug abuse because of feelings of rejection. “If you allow this group to meet during school hours, our students will see this as rejection,” said Estabrook. She stated her belief that the GNC is well meaning and sincere.

Glenn Harris spoke in opposition to GNC, saying “If you allow one church to make presentations, you would have to allow anyone that would like to do so, including satanists and atheists.” He offered his services to teach one hour per week on the irrationality of believing in an invisible deity.

Director Beck commented that he understood Mr. Harris’ point; “If we allow one, we allow all. So, if we deny one, do we deny all? Does this extend to other protected classes? Where do we draw the line?” queried Mr. Beck.

Marvin Straus said “You knew this was coming; it occurred on your watch. The first amendment was mentioned and you heard applause. Religious freedom ends when it is forced.” He asked that children of the parents who are not evangelicals not be ostracized. He then said GNC is a powerful, well-funded group who was “caught with their hand in the cookie jar.” He said the next step could be for the school to adjust the hours so that the club could continue to meet either before or after school; he urged the district not to do that.

John Meyer asked “Where should we draw the line? The constitution says separation between church and state; that is the guideline.”

Phil Magnin said he has some issues with not allowing non-school groups to meet, and expressed hope that LCSD respect a wide variety of activities. “Student led organizations are still subjected to background checks...Is this throwing the baby out with the bath water? If parents give permission, that should be respected. I encourage you not to run afoul of the law with respect to religious instruction.”

In addition, the board received written communications on these topics from the ACLU of Oregon, Mary Beth Rew, Protect Oregon Children, Mrs. Lynn McCann, Hilmar Stecher III, Elizabeth Fox, Tom Hurst and Nancy Steinberg. The Superintendent received other correspondence related to this subject as well.

## **Board Reports**

Director Ellis noted that turkey bingo at Toledo Elementary was a huge success. Director Remund reminded the board of winter programs in the south area: Crestview Heights on December 15 at 6:00 p.m., and Waldport High on December 17 at 6:30 p.m.

Director Beck noted Newport High’s concert is December 10 at 7 p.m., Performing Arts Center.

## **West Area Report**

**-Yaquina View Elementary Principal Libba Sager** distributed a handout of the school’s improvement plan, along with a “paw book” showing comparisons of activities done last year and this. She also shared

completed or ongoing professional development, selected based on needs assessments and teacher requests.

Ms. Sager showed a video of a second grade student who began the year reading at the Kindergarten level, and who is now reading at early second grade level. “He made a year’s growth in three months,” said Sager.

## **Financial Reports**

Business Manager Julie Baldwin reported meal participation has increased significantly (37.3% for breakfast and 46% for lunch) since initiation of the pilot CEP program, where students can eat breakfast and lunch for free.

Ms. Baldwin said more property tax had been collected in November than anticipated. With the collection of more local revenue than forecast, the district will repay approximately \$1.5 million to the state in May of 2017. ADM is holding steady, and interest rates remain flat.

## **Superintendent’s Report**

Superintendent Boynton reported student enrollment is currently approximately 100 students higher than projected, which is both positive and challenging. He noted absenteeism on the Monday and Tuesday of Thanksgiving week was significantly higher than usual.

He thanked the Altrusa service club for their efforts with “Project School Bell.” The club gathered approximately \$7,650 in donations and grants, which was then used for clothing, shoes and other items students need.

Mr. Boynton noted Safety Coordinator Sue Graves serves on the Governor’s Task Force on School Safety, which recently released a report regarding ways to strengthen safety in Oregon schools.

The Superintendent reported the recent ‘turkey bingo’ at Toledo Elementary raised over \$12,000 for the school.

He thanked Dr. Rick Letherer for continuing the tradition of donating six student eye exams and glasses for those of the six who need them. Dr. Letherer has donated this gift each year since 1994.

The Superintendent noted a shared sick leave process for confidential and administrative employees will be implemented, following guidelines of policy CCH. It will be similar to those for classified and licensed employees.

Mr. Boynton wished Board Chair Liz Martin an early ‘happy birthday,’ and noted schools will be closed December 21 through January 1 for winter break. School resumes Monday, January 4<sup>th</sup>.

## **Approval of the Consent Calendar**

## **Motion 15/16-18**

On motion of Director Beck, seconded by Director Remund, the Board unanimously approved Consent Calendar items, including:

- Minutes, 11/8/15 Regular Session;
- Regular Personnel items.

### **Discussion on Policy KG, Community Use of District Facilities**

Superintendent Boynton and/or the school board received several complaints about non-school affiliated groups meeting at some schools during non-instructional time within the school day. Mr. Boynton suspended all non-school affiliated groups from meeting at any school within Lincoln County during the school day (7:30 a.m. to 3:30 p.m.) pending review of the current and proposed policy and administrative rules.

Mr. Boynton proposed six recommendations:

- Access to school facilities by non-school affiliated groups (other than those student-led groups protected by the Equal Access Act) should be restricted during all designated school hours;
- Training will be provided to administrators and secretaries on the implementation of the facilities use policy;
- A clear separation between school personnel and religious activity during the school day should be re-established and training provided to those deemed appropriate by Human Resources;
- All adults entering school buildings to work with students during the designated school days should follow all safety protocols for all volunteers of the district;
- The suspension of non-school affiliated groups at the secondary level will be discontinued if all requirements were met to establish a student led group. All non-school sponsored student-led groups will be given equal treatment;
- Information will be provided to student led groups about requirements for guests, mentors or any other volunteers associated with the group.

Director Beck asked if the state statute regarding religious release applies to elementary students; it does. He then asked if the district has liability for a student that leaves school to attend religious instruction during the school day. Mr. Boynton said the parent or designee would have to sign the student out.

Director Ellis asked if the state statute allowing two hours per week of religious instruction (at the elementary level) includes transportation; the law states two hours total. Director Beck asked if student-led groups are allowed only at the secondary level; they are. He asked if there are restrictions on these groups; Mr. Boynton replied there are rules that apply.

Mr. Beck asked if the complaint policy addresses harassment; it does. He commented there may be student led groups that other students find offensive.

Superintendent Boynton asked for consensus from the board regarding the direction he proposed for the revised administrative rules; board members indicated their agreement with the direction he suggested. Director Beck noted the importance of the community having access to school buildings.

### **Discussion on Instrument/Timeline, Superintendent's Evaluation**

Each year, the Board of Directors conducts an evaluation of the Superintendent as prescribed by policy and the Superintendent's contract. An evaluation instrument (form) and timeline were presented for the board's consideration. Chairman Martin asked if others should be a part of the process; Director Beck

replied that other superintendents have wanted that, and that he would ask the superintendent. Director Ellis commented that she would like to have feedback from the administrators with the current evaluation form.

Mr. Boynton commented the board may want to develop goals that are reflective of this current evaluation, and said April may be a good time to set superintendent goals for next year.

The board will consider the form and timeline at the January meeting. Board members discussed developing a new form and goals for the superintendent for next year's evaluation. They may schedule a work session in the spring to do this work.

Chairman Martin said "The whole idea is for you to succeed and the district to succeed. We want to be working together and give you good feedback and direction. We need to make decisions that are best for children."

The meeting was adjourned at 9:04 p.m.

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Chairman

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Superintendent