

**Rainier School District #13
Minutes
Regular Board Meeting**

March 14, 2022 at 6:30 p.m.
Rainier School District Auditorium

Present: Dr. Placido, Mrs. Richardson, Mr. Harding, Mrs. Hendricks, Mr. Hisey, Mrs. Usher, Mr. Schimmel

Mr. Harding addressed the Board: "I want to correct an oversight on my part from the last meeting and declare a potential conflict of interest. The complainant rents a house from us".

I. Preliminary Matters

- A.** Call Meeting to Order at 6:31 pm
- B.** Pledge of Allegiance
- C.** Approve Agenda

Mr. Hisey motioned to approve agenda, seconded by Mr. Schimmel

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	

Mrs. Hendricks motioned to amend the agenda by adding Addendum to Superintendent's contract as E. under Board Action Items. Both Mr. Hisey and Mr. Schimmel accepted the amendment to the agenda.

Discussion: None

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Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	

II. Reports, Information, and Discussion Items

A. Superintendent Report: Dr. Hatrick

- COVID letter to community
- 2 more grants
 - Seismic Assessment Grant - \$25,000 to assess current building conditions
 - Asbestos Environmental Hazard Assessment Grant - \$25,000 to help

districts comply with federal requirements

- Oregon School Nutrition Association Spring Conference, presented the holistic approach used by RSD
- Outdoor School, Dr. Hatrick visited last week. Went well
- Special Education Audit, No findings to report
- Summer Programming
 - Potential YMCA Partnership - Summer Camp and swimming
 - Potential Oregon Manufacturing Innovation Center Partnership - CTE

programs

- Summer Grants for academic recovery
- Oregon Professional educator Fair, March 29, 2022
- Chamber of Commerce gave RSD an honorable mention for community collaborator for 2021
- Upcoming projects for increased student support
 - Homeschool Program, looking for 6 - 10 parents
 - NCA Charter, seeking 8 - 12 parents
- Policy Committee, poll will be going out to set first date

Questions: Projects, homeschool program and NCA, will there be an additional cost to the school?

Timeline? Would this start next year?

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There would not be an additional cost and it is possible and they do have an expedited process that would need board approval.

NCA would need its own board, would board members be able to do this?

You can help develop, but could not sit on the board.

B. Financial Report, Kevin Hansen: Written report provided

Budget meeting in April, preparing for an internal audit. Financials are looking good. ESSER quarterly will be next month

C. STE(A)M Team Report, Corlee Frederick, Riley Couch, Greg Miller, Shawna Taylor and JoAnna Thompson, Written report provided and video was played that Bergen Keplinger helped create.

The team is developing partnerships and looking at future projects: Floating observation deck, pond naming contest, reviving the labyrinth, revive the food wall, building a covered outdoor learning space, having community events, plant identification trail etc.

Discussion: That video really brings to light the beauty of our campus and how much more can be utilized. This is fantastic and very inspiring! So much to offer in this area and great video Bergen.

F. Rainier Jr/Sr High School Report, Mr. Couch & Mrs. Schafer, written report on Iready baseline data provided.

Reading From 7-12 grade 396 students participated. There is a lot of work to do. 7th and 8th grade interventions are on mypath. We offer tutoring on Tuesdays and Thursdays from 3-4 pm. We provide transportation.

9-12 Math, 340 students participated. Interventions are after school tutoring, online support and office hours. We have seen an increase of students coming back to in person learning. It was great to see student smiles and great attitudes today.

Questions:

Any idea of how well tutoring is being utilized by students?

Rough data, 10 - 25 students consistently using, but we have seen upwards of 30.

Students and parents are able to access Iready how and where?

Mypath K-8, students have a log in and can log in at any time

18% of students have not taken the reading

24% did not take the math

With absences and RVA students, we identified that gap and staff will be pulling students to proctor the tests.

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III. Public Comment

- A.** Tonight's meeting is designed to keep presentations and deliberations efficient and effective. The board will not comment, but will listen only. They may choose to call your name for public testimony at the end of the meeting if your topic is a non-agenda item. The board may choose not to address your request if your topic is outside the scope of the board's governance. We ask that you remember Oregon law prohibits us from discussing specific employees or their job performance. If you wish to speak, please complete the Public Comment Form and submit to the board secretary prior to the start of the meeting.
-

Carrie Vawter: Here to make a statement about Grievance vs. Complaint and actions taken at the March 1, 2022 special meeting by the board. Grievance is the procedure for violations of the Collective Bargaining Agreement.

Complaint - policy KL-AR is an alleged violation or unlawful incident by personnel of the district.

Comments were made that we did not back our members and that was not correct. Our job as officers is to make sure everyone is following the CBA. If a member presents a grievance, we file. If a member presents a complaint we refer them to the complaint procedure policy located on the district website. We at all times try to work collaboratively with our members and administration. We have regular labor management meetings. Dr. Hatrick has an open door policy to help resolve problems. Thank you to the board for all your dedication to our district. I don't believe this is a systematic problem, just a misunderstanding of procedures.

Mr. Hisey motioned to approve the consent agenda, seconded by Mrs. Richardson

Discussion: None

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	

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IV. Consent Agenda

- A. Approve February 7, 2022 Special meeting minutes
- B. Approve February 7, 2022 Regular meeting minutes
- C. Approve March 1, 2022 Special Meeting minutes
- D. Approve the hire of:
 - a. Emily Goodwin, RJSHS Temporary Guest Teacher
- E. Approve the resignation of:
 - a. Noah Elliott, NCA Teacher
- F. Approve Staff Renewal Lists
 - a. Administrative
 - b. Certified

V. Items for Board Action

- A. Budget Committee Appointment
 - a. Destinee Ryder

Mrs. Hendricks motioned to appoint Destinee Ryder to the Budget Committee, seconded by Mr. Hisey

Discussion: None

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	

- B. Approve the hire of:
 - a. Jeremy Williams, RJSHS Principal, Dr. Hatrick: Thanks to the panel. It was a great process. It was a unanimous choice.

Mrs. Richardson motioned to approve the hire of Jeremy Williams as RJSHS Principal, seconded by Mr. Hisey

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Discussion: \$100 for cell phone, wasn't that \$75.00.

No, it is the same in all administrators' contracts. Thank you to the parents and students that participated.

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	

C. Curriculum Adoption, Dr. Hattrick, Mrs. Schafer, Cynthia Jacobs, Ben Zasta, Robin DuMouchel

Mrs. Schafer has led this process. Savaas, K-12 ELA curriculum was voted top choice by all committee members. Our priority was to find a curriculum that would meet our students' needs.

Cynthia Jacobs: Many different options were reviewed. Meets needs for today and tomorrow. All levels are covered. Engaging with measurable success points. Without bias and allowed to teach.

Ben Zasta: Easy to use, provided usable data to inform instruction. The consumable is easy to manage, 2 books for the year. Online and the book look the same. Essay score feature. Have a science and history component tied in as well. Aligns with state testing.

Robin DuMouchel: High School version, it aligns seamlessly from elementary to secondary. State tests are aligned and very similar. It also plays nicely with Google classrooms. Lesson plans and worksheets are editable. Digital models can now be on the phone. MS has a separate section for reading and writing. There is a section just for grammar. The learning targets, easy to find in every lesson. Multimedia focus and it has already been pre approved. Test building programs can ensure the

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semester test is not a surprise and teachers do not have to write and rewrite. Wide variety of support for any and all students and they all look the same.

Thank you curriculum committee! Thank you for hearing us Board.

Dr. Hattrick: We had Non negotiables: ease of use, relevant and rigorous. It is \$247833.93 for 6 years of curriculum and there is some room for modifications. It is within budget I would like to formally recommend that the board approves the adoption of the Savaas K-12 ELA Curriculum

Mrs. Richardson motioned to approve the adoption of the Savaas K-12 ELA curriculum, seconded by Mrs. Usher

Discussion: What is the length of usability, will this become irrelevant?

It has both virtual and a workbook. I don't think it will become irrelevant and in 6 years we can review and make choices then.

It is important to catch kids that don't have advocates. I think it's a wonderful curriculum. Appreciate that it is the same online and in the book. Not everyone learns the same and I appreciate the amount of work that went into this.

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	

D. REA MOU, re: District Nurse, Dr. Hattrick.

This is in response to a grievance we received 3 months ago. This is an agreement for the district to support that employee for all the work she does.

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Mr. Hisey motioned to approve the REA MOU, re: District Nurse, seconded by Mrs. Richardson

Discussion: Can we use ESSER Funds for this? Yes this is allowable and it ends at the end of June.

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	

E. Addendum to Superintendent Contract, Dr. Placido

This reflects a change in the contract as agreed at our last meeting to push Dr. hattrick's evaluation to the April meeting

Mrs. Richardson motioned to approve the addendum, seconded by Mr. Hisey

Discussion: None

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	

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VI. Items for Board Consideration

A. REA Level III Grievance - Line F Coaches, Dr. Placido

Following CBA, we need to provide a decision in writing within 7 days

Robin DuMouchel: October 2021, several coaches were not being paid. We had ongoing decisions. On November 16, 2021 Dr. Hattrick agreed they would be paid on the December payroll. In January Dr. Hattrick said it was taking more time than anticipated but all coaches/teachers had been paid. A language arts teacher can be paid but not a community member. Perception that High School coaches get paid and Middle School does not. We would like this to be equitable and pay those who have served this year.

Dr. Hattrick: Distinction, REA represents the REA members. This was denied at Level 1 and 2 because there is no violation and upon review all REA members that are coaching have been paid and this grievance is outside the scope of the CBA. There is no violation for not paying non members. I understand and I want to make this right. We are under a budget and this is not budgeted.

Questions/Discussion: Why is the union representing non members?

The disagreement is about what constitutes who is a member. Discussed history of volunteers and coaches. Some non-member head coaches are paid. There are a lot of volunteers too. Line F, these coaches are identified in the contract, why are they not being paid?

Mrs. Hendricks: I have a potential conflict of interest, my son is a varsity high school wrestling coach.

Dr. Hattrick: All Rainier School district employees are being paid. They come in knowing they are in a volunteer position

Dr. Placido: Is there any evidence that we included non members when we negotiated that contract?

Was there intent to include these positions and non-employees, during negotiation?

Dr. Hattrick: Article 1, spells out employees and when they become a member. It was never demonstrated that a bargaining member was not compensated.

Questions/Discussion: No bargaining team member was unpaid? Do we have any Title IX concerns about the way we are paying our coaches? We're looking at people that are not covered by the bargaining agreement, according to DuMouchel they are. Are they covered under weingarten rights? MS coaches have not been paid for a very, very long time. I'm not saying that's right. It's important to look at this and do the research to see what other schools and policies are.

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Dr. Hattrick: Correct, members were paid.

I have a lot of concerns, but this is not the way to do it. To push urgency with filing a grievance is not the appropriate way. This is a process that district staff have already begun to review.

61 days consecutively in the same position before becoming a member of REA.

Mr. Schimmel: I have a conflict as an assistant coach volunteer for a couple different things and my wife is a coach.

Dr. Placido: Just to clarify, a potential conflict of interest means that you have some conflict, but it does not exclude you from being able to participate in discussion or the vote if you have not demonstrated familial connection. It is always good to disclose a potential conflict. If you have a conflict you would be excluded from participation in debate and voting. This would mean you have a familial or financial interest. Extending this to non-employees takes us to a scary place. I agree 100% we should be paying our coaches, we must do the right thing. The time and energy that goes into coaching. I would agree with Dr Hattrick, this is not the right way to go. Board what is your pleasure? Which direction should we go? We have 7 days to respond.

Mrs. Richardson: It's dangerous to set precedence in this. They should be compensated for their time, but I do not believe we should move forward with this tonight.

Mr. Harding: I like the superintendent's response to studying and coming up with an appropriate response. I'd go along with that plan.

Mr. Hisey: Concur

Mr. Schimmel: Abstain

Mrs. Hendricks: I agree with the rest of the board. I support the superintendent's decision

Mrs. Usher: Agree

Dr. Placido: Dr. Hattrick please put together a written response for us.

B. REA Level III Grievance - Taxable Fringe, Packet provided by Rep David White.

For many years the district has paid a certain amount for health insurance. If you chose an insurance plan that cost less than that amount, the balance was paid to the employee as a cash benefit. It does not appear in the contract this way, but that's the way we've always done it. This has been a practice that has been going back, I dare say decades. Bargaining is always a challenge and you can see the changes that were made, which is what is in red. You can see that we made a bunch of changes to the language so that it made more sense, not substance. My point in all this is that there were two places in which people were getting a taxable payment,

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1. The opt out, 2. The amounts in excess of what the people chose. People chose less expensive plans knowing they would get the extra money. We never made a change to this section. The employee accepts the risk. I was in every session and no one recalls doing away with this practice. So when the year started there were a lot of issues and we solved a lot, but this one we just couldn't.

Dr. Hattrick: I would agree we had a great process with negotiations, increases, looking at the CBA, pages 24 and 25. 1. B. does clearly describe how the taxable fringe would be applied. Really we're not talking about it going away, it's about changing it. Context, throughout the negotiations, we really spoke about following the contract with fidelity and it takes both sides. When Scotti presented, she did so by eliminating the extra and incentivising the HSA. I don't like to hear that people have made uninformed decisions, and I think there could be a middle ground so that our employees are not missing out. For the first time we leveled the playing field. Previously classified received the lowest health compensation and now it is equal. We negotiated two, 3 year contracts this last year.

Questions/Discussion:

Following our bargaining agreement as it is written, what are the financial costs of having to offer to all?

How many employees are on an HSA?

So what happens to the payment that they aren't getting?

Dr. Hattrick: Cost is somewhere between \$200,000 - \$300,000. There is a smaller percentage of employees with an HSA but that could be for lack of info. The extra goes back into the General Fund

David White: The HSA is not new and it is not a taxable fringe. It is only available for those who take a high deductible plan. This was something that was part of our understanding of our benefit practice. In order to get rid of it, it has to be brought to the table. We did not negotiate that. I do not believe it will be \$200,000 - \$300,000.

Questions/Discussion:

We were trying to mirror both contracts so that it would be fair.

If the cost would be \$200,000 +, was that originally in the budget? It is not budgeted for this year.

This would have to be negotiated by REA and the district.

If the grievance is denied and we don't take action, that's what would happen going forward?

If an employee selects a lower plan that money should be going into an HSA. Giving cash to employees for taking a smaller amount is never a good idea.

The agreement was signed by both parties. Did it not get reviewed?

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David White: Yes, I drafted it. It was never written into the contract. Practices can exist and they don't have to be written in.

Dr. Placido: It wasn't in, so how would it get negotiated out?

David White: 2 practices. 1: Contract language and how it is applied creates practices, that practice then becomes an enforceable part of the contract.

2. I've been here for 10 years. It wasn't spelled out in the contract. The district would not be allowed to end that without negotiating it.

It is not in our notes and it is absolutely something we would've taken notice of. Past practice came up daily, sometimes multiple times. Dr. Hattrick tried to make things very transparent.

Questions/Discussion: Are there other things in there?

30 years in the public sector I have never seen this

We hired Dr. Hattrick to stabilize the district. I don't understand how we negotiate or discuss something that wasn't in the contract.

Would like to see the cost of how we did it and now. I have a problem taking money that is not being spent on insurance and just putting it in the general fund. I think we should really crunch the numbers before we respond.

I'd like to see the law about past practices.

There is not a statute, you'd have to look at employment relations, bargain in good faith, texts on arbitrations and how they view a past practice.

In my layman's mind, it should've been written in. I am struggling with how this works.

Dr. Placido: We based our budget numbers essentially on the high highest end and trends. I completely understand and agree. This needs to be in the contract. We wanted transparency, and this goes against that. I need to think about it, look at it, research and look at the numbers

Written response by April 4, 2022

David White: My request is that Dr. Hattrick shares his numbers with me as well.

Dr. Hattrick: It's been great to work with Mr. White this year and for staff listening

Mr. Harding: What is the procedure ? Isn't there language in the contract where you can open the contract for one thing as needed.

David White: Its at mutual agreement of both parties

VII. Executive Session at 9:03 pm

To consider records exempt by law from public inspection. (ORS 192.660(2)(f)) and to consult with counsel concerning current or possible litigation. (ORS 192.660(2)(h))

Returned to regular session 9:52pm

No decisions were made

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Mrs. Richardson motioned to rescind order from March 1, 2022 for third party investigation of complaint based off of advice from counsel, seconded by Mr. Hisey

Discussion:

Mr. Harding: "I'm just going to say I'm really disappointed in our legal counsel. We have a \$300.00 an hour lawyer telling us it's alright to cheat an employee out of their wages because they didn't do something correctly and I find that short changing employees on their paycheck is hard to swallow as far as I'm concerned. I think that when an employee leaves the district, whether they are terminated or how they leave the district should be fully paid and they shouldn't have to file grievances and or complaints in order to get that rectified. You know the district should make every effort to make sure the employee is adequately, 100% paid. That's kind of my opinion".

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding		x
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher		x
Mr. Schimmel	x	

VIII. Future Agenda Items

- 2022 - 2023 School Calendar

IX. Board Comments

Mrs. Richardson: Thank you nutrition services and Debby webster, to STE(A)M team, thank you guys. The video was awesome.

Mr. Harding: STE(A)M team presentation was great. Should take that video to the hiring fair.

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Mr. Hisey: Welcome to Mr. Williams, welcome aboard. STE(A)M team you rock, Kathryn Placido, happy birthday and happy birthday to my wife, her birthday is tomorrow.

Mr. Schimmel: Thank you Dr. Hattrick for helping move us forward from COVID. I would like a report from the superintendent on an update on HPE gym floor repair. Good luck spring sport activities kicking off this week.

Mrs. Hendricks: Thanks STE(A)M team, awesome educational experience. Thank you curriculum committee and all their work.

Mrs. Usher: I forgot how many ponds we had. It was great to see all the smiling faces.

Dr. Placido: Happy Birthday Kathryn. STE(A)M team, fantastic presentation. Natural resource careers are booming, perfect campus and apparently we have a future film maker. Curriculum committee, really fantastic work. Reflecting back, in response to the Iready report, if we'd had a tight curriculum, opportunities with books and online, would our students have stayed at grade level instead of slipping back? This was a board meeting with meaty issues, jam packed. Dr. Hattrick was asking about a Special meeting.

Dr. Hattrick: We need to notify REA by April 4, 2022
Special Meeting, Monday, March 28, 2022 at 6:30 p.m.

Mrs. Hendricks: Since it's a taxable fringe benefit, we have to pay Social Security, medicare on that as well, I'd like to see those numbers as well.

Dr. Hattrick: If you need additional information regarding the grievances, if you could have them to me, by the end of day on Friday that would give us the week of spring break to work on them.

Mrs. Richardson motioned to adjourn

Dr. Placido: Hold up.

Mr. Harding motioned to hold all future board meetings in the boardroom that will fit, seconded by Mrs. Richardson

Mrs. Richardson rescinded her second

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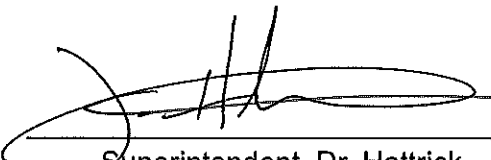
X. Next Meetings

April 11, 2022 - Regular Meeting
April 25, 2022 - First Budget Meeting
May 9, 2022 - Second Budget Meeting
May 9, 2022 - Regular Meeting
June 13, 2022 - Organizational Meeting

Mrs. Richardson motioned to adjourn, seconded by Mr. Hisey

Name	Aye	Nay
Dr. Placido	x	
Mrs. Richardson	x	
Mr. Harding	x	
Mrs. Hendricks	x	
Mr. Hisey	x	
Mrs. Usher	x	
Mr. Schimmel	x	


XI. Meeting Adjourned at 10:04 p.m.



Superintendent, Dr. Hatrick

4/18/2022

Date



Board Chair, Dr. Placido

4/18/2022

Date

