



# Scio School District 95-C

38875 N.W. First Avenue  
Scio, Oregon 97374

## SCIO SCHOOL DISTRICT 95C "Youth In Pursuit of Excellence" SCHOOL BOARD MEETING MINUTES

Middle School Library

38875 NW FIRST AVE., SCIO, OREGON 97374-9502

Wednesday, August 18, 2021

7:00 P.M.

In Person/Via Zoom Meeting

The Scio School District Board of Directors met in person rather than online. Members of the public were in-person and virtually online by Zoom Meeting due to social distancing guidelines in accordance with the governor's executive orders and COVID-19.

The link to view the meeting:

<https://zoom.us/j/94410360023?pwd=cEg1Ylk2YncyMkkoQTlrM3BFZ1V4Zz09>

Opening 7:00 p.m.

Regular Meeting

### REGULAR BOARD MEETING MINUTES

#### 1) CALL TO ORDER/WELCOME

The meeting was called to order by Chair, Kerri Hyde, at 7:00 P.M.; other board members present were Edward DeWilde, Mike Ennis, Hank McDonald and Nicole Buganski. Also, present were Superintendent – Steve Martinelli, Director of Charter Schools – Gary Tempel, Payroll/Board Secretary- Chelle Mask. Business Manager – Tracy Porter. Principals Kim Roth, Greg Nolan and Dani Blackwell were present. Also present were members of the audience (See list attached).

1.1 The flag salute was led by Kerri Hyde.

1.2 Audience Introduction/Request (See List Attached)

1.3 Approval of Consent Agenda

Mike Ennis made a motion to approve the consent agenda as presented. Nicole Buganski seconded the motion. Motion passed.

Hyde – Yes McDonald – Absent Ennis – Yes Buganski – Yes DeWilde - Yes

Centennial Elementary 503-394-3265 • Middle School 503-394-3271  
High School 503-394-3276 • District Office 503-394-3261 • Fax 503-394-3920

#### 1.4 Adopt Agenda/Adjustments to the Agenda

Nicole Buganski made a motion approve to adopt the consent agenda as amended.  
Hank McDonald seconded the motion. Motion passed

Hyde – Yes McDonald – Yes Ennis – Yes Buganski – Yes DeWilde – Yes

Mr. Martinelli informed the audience we are supposed to be wearing face coverings but there is a provision for presenting or speaking to a large group, you don't have to wear a face covering. Mr. Martinelli asked the audience if they feel comfortable with himself and the Board presenting without a face covering. Audience responded with yes.

#### 2) DELEGATION OR VISITORS

2.1 Staff Reports: N/A

Staff Members

2.2 Visitor/Patron Comments in the Audience: Mr. Martinelli asked the audience to fill out an Intent to Speak form if they would like to speak to the Board.

Mr. Martinelli asked the audience if the audience would like him to move his presentation up to 2.2 from 3.3 and then take questions and comments afterwards.

Below is Mr. Martinelli's presentation.



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## AGENDA

1. State/Local COVID Statistics
  2. Enforcement
  3. Face Covering FAQ's
  4. Community Survey Data
  5. Safe Return to In-Person Instruction and Continuity of Services Plan
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## Current Linn County Rates

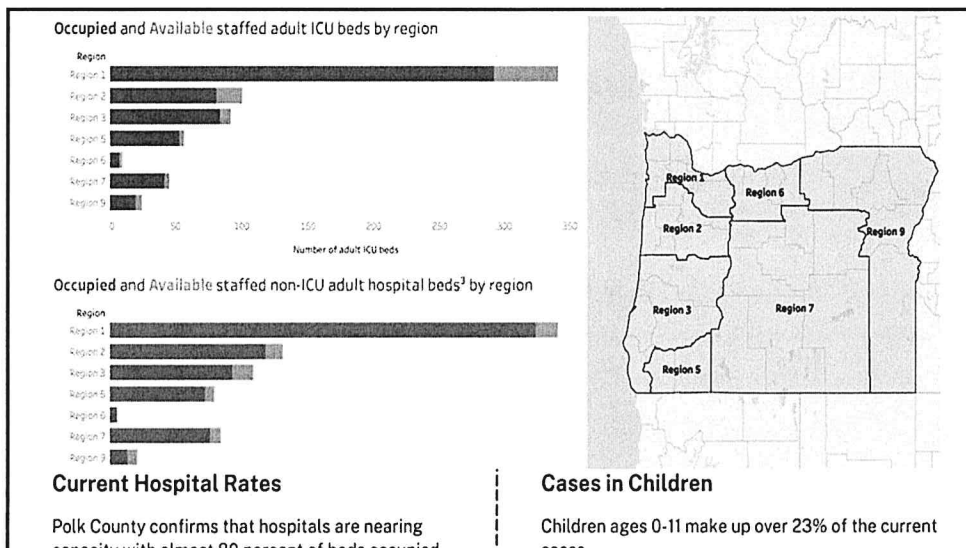
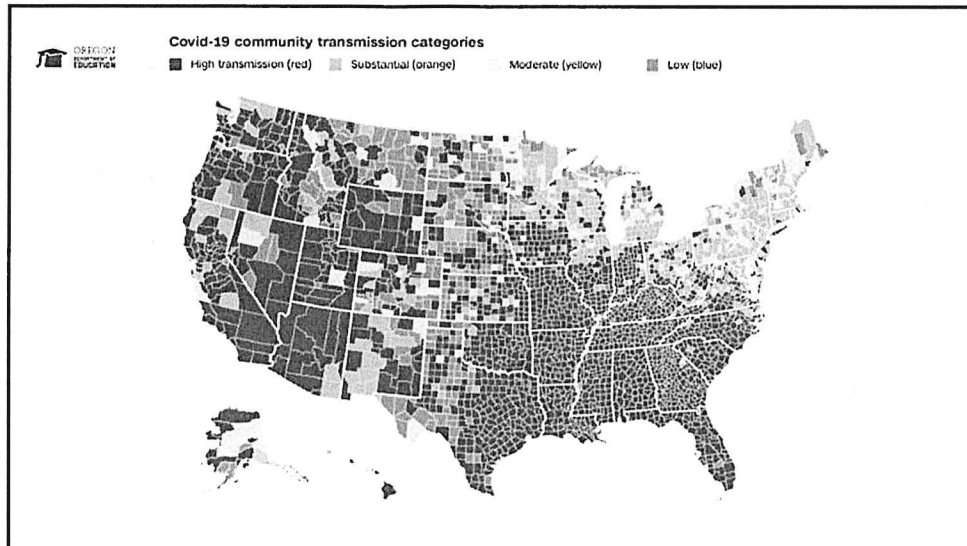
County	Date	# of cases		
		rate/ 100,000	%pos.	
Linn	July 18, 2021	163	128.0	8.1%
	July 25, 2021	217	170.4	11.4%
	August 1, 2021	241	189.3	9.5%
	August 8, 2021	434	340.9	10.5%

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## The COVID-19 challenge has changed...

1. Average cases have increased nine-fold since early July
  2. Delta variant accounts for 93% of US COVID-19 cases, more than 80% in Oregon
  3. 178 Cases in Linn County Monday 8/16, highest single day total
  4. More than 97% of Americans live in an area with "substantial" or "high" COVID-19 transmission, according to CDC data
  5. Hospitalizations are highest since February
  6. Child & teen COVID-19 cases jumped 84% in a week
    - a. 72,000 new child cases reported between July 22 and July 29, American Academy of Pediatrics reported on Tuesday, 5 times the numbers reported at the end of June.
    - b. CDC: children under 5 tripled in the first half of July
-



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Oregon achieves... together!

## Statewide mask requirement - Enforcement

- Our goal is to have schools open to in-person instruction for every student, every school day.
- State agencies and boards will first work to educate and help support schools to fully comply with the requirements in OAR 333-019-1015. If schools are unable to obtain compliance or indicate an intent to not comply with the masking requirements, the agencies and boards may consider the following tools to support compliance for the benefit of students and staff.
- There are currently two pathways to enforcement of face covering requirements in schools: OAR 333-019-1015 adopted by OHA and the Oregon Safe Employment Act (temporary amendment to rule to be adopted by OROSHA).
- OAR 333-019-1015 is complaint driven. OROSHA will take the lead on responding to and investigating complaints.

## Statewide mask requirement - Enforcement

- OHA and ODE will refer complaints to OROSHA for investigation.
- The process is complaint driven.
- *Failure to enforce*: Fine based on serious violations, including an assessment for size of the business in line with the Oregon Safe Employment Act; \$100 to \$2,600.
- *Willful negligence*: Fine based on size of the business, and would likely be on the higher end because of the larger size of many school districts; \$8,900 to \$126,749.
- *Highest penalty*: Would be for employers with a willful violation, and having more than 251 employees.
- *Daily penalty for continued noncompliance*: Could result in a failure to abate the citation with a minimum \$250 and a maximum \$12,675

## Statewide mask requirement - Enforcement

- OHA also has authority to enforce the requirements in OAR 333-019-1015.
- OHA may rely on OROSHA's investigation and findings to take enforcement action as warranted to secure compliance, including imposing civil penalties.
- Each separate school building that fails to comply may be considered a separate violation of OAR 333-019-1015 for the purposes of calculating civil penalties up to \$500 per day per school building.

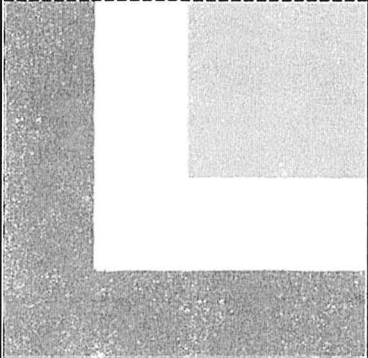
## Statewide mask requirement - Enforcement

- TSPC Also has enforcement responsibilities:
  - Licensed educators who fail to obey this rule may face additional penalties. OAR 584-020-0035 (3) The ethical educator, in fulfilling obligations to the profession, will:
    - (a) Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty. There would also be a possible violation of 584-020-0025 (3)(a), related to leadership skills and legal requirements. Substantial deviation from these standards may subject the educator to discipline for gross neglect of duty, per OAR 584-020-0040 (4)(n) & (o).
  - Sanctions could range from letter of reprimand to suspension or revocation depending on severity, willfulness, or frequency of the violation or degree of harm.

## ENFORCEMENT

In addition to the potential monetary fines and any additional sanctions to an educators professional license, districts that willfully not follow the executive order will not be covered by our liability insurance for any potential lawsuits.

Last emergency session school districts and other agencies were given limited liability if we comply with all health and safety protocols. This protection goes away if we don't follow the executive order, OAR or OROSHA temporary rule

<b>ODE Guidance Resiliency Framework</b> 	<b>Monetary</b> Districts could be fined \$500 per day per incident for not following the governor's mandate. Failure to enforce is a fine of \$100 to \$2600. Willful negligence fines range from \$8900 to \$126,749. Highest penalty is for districts with 251 employees or more.
	<b>Civil and Criminal Penalty</b> Districts and individuals can be liable for civil and criminal penalties in lawsuits and lose liability insurance coverage from PACE if they do not follow the governor's mandate. ODE and OHA will refer complaints to OROSHA.
	<b>TSPC License Sanctions</b> Administrators and teachers who willingly violate the mandate for face coverings can face license sanctions and personal liability lawsuits for non-compliance.

## Teacher Standards and Practices Commission

Licensed educators who fail to obey this rule may face additional penalties. OAR 584-020-0035

The ethical educator, in fulfilling obligations to the profession, will maintain the the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty. Sanctions could range from a letter of reprimand to suspension or revocation depending on the severity, willfulness, or frequency of the violation or degree of harm.



## Statewide mask requirement - FAQ

- Do statewide mask requirements exist in other states?
  - Yes. Washington, California, Colorado, Nevada, New Mexico, Illinois, Virginia, Wisconsin, and Louisiana all have statewide school mask requirements.
  - Others are considering statewide mask requirements. Gov. Asa Hutchinson has asked the state's legislature to provide an exception to state law that prohibits schools from requiring masks. Hutchinson has said he now regrets signing the bill because of the increased risks of the delta variant and students under 12 are not eligible for the vaccine.
  - Several School districts are also setting mask requirements: Boise, Birmingham, Phoenix, Milwaukee, Philadelphia, Washington DC, and Baltimore.

Source: [Newsweek](#) and [District Administration](#)

## Statewide mask requirement - FAQ

- What is required and what is advisory?
  - During the last school year well over 100 state requirements were in place.
  - This year, at this time, there are four:
    - (1) Locally published and submitted plan for operations, (2) recovery services process, (3) quarantine/isolation protocols, and (4) indoor face coverings.
  - Prior to the pandemic these protocols/procedures were required and remain required:
    - Communicable disease plan, isolation space, exclusion for exposed individuals, and Division 22 rules.
  - All other decisions are local. ODE/OHA strongly recommend multiple, layered mitigation protocols to limit the spread, protect health, and maintain continuity of in-person instruction.

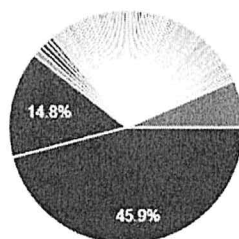
### Question #1: Regarding Face Coverings

263 responses believe face coverings should be optional

55 responses believe face coverings should be required for unvaccinated and/or all

Oregon Health Authority (OHA) and Oregon Department of Education (ODE) strongly advise face coverings for all students in grades kindergarten and up, and all staff when students are inside the building. Please select your preference regarding face coverings in schools.

318 responses



- Face coverings should be recommend...
- Face coverings should be required for...
- No masks
- No face coverings for anyone
- No face coverings
- No face masks
- No masks
- Optional vaccinated or not

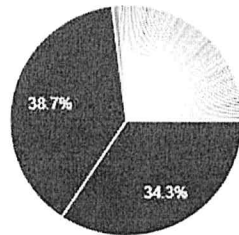
**Question #4: Regarding COVID-19 Testing**

232 responses believe optional testing should be made available

55 responses believe there should be no testing at all

OHA and ODE strongly recommend that schools implement COVID-19 testing. Please share your thoughts regarding access to COVID-19 testing in schools.

318 responses



- COVID-19 testing should be made available
- COVID-19 testing should be made available
- No testing
- Covid is no secret. Allow parent's/ guardian's choice
- Covid testing is readily available off site
- This is parental responsibility
- Dont care
- No you are not doctors

1/11 ▼

## Safe Return to In-Person Instruction and Continuity of Services Plan

Several items that need to be addressed:

1. Devote time for students and staff to connect and build relationships.
2. Ample class time, and private time if needed, for creative opportunities that allow students and staff to explore and process their experiences
3. Link staff, students and families with culturally relevant health and mental health services and supports: LBLESD services, hired additional counseling
4. Foster peer/ student lead initiatives on wellbeing and mental health: Mentor/ Mentee class at high school for example

## Safe Return to In-Person Instruction and Continuity of Services Plan

Several items that need to be addressed:

5. Coordinate with local public health authority.
6. Have an isolation/ quarantine: if vaccinated don't have to quarantine if not symptom
7. Explain how we have offered COVID-19 vaccinations to educators, other staff, and students if eligible: offered a free clinic at Santiam Hosp in Spring
8. Ensure universal and correct wearing of face coverings
9. Physical distancing and cohorting: 3 feet of distance when feasible
10. Ventilation and air flow: regular filter replacement, testing



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## Safe Return to In-Person Instruction and Continuity of Services Plan

Several items that need to be addressed:

11. Handwashing and respiratory etiquette: teach to students, make available
  12. Free, on-site diagnostic testing: voluntary
  13. COVID-19 screening testing: we will do entry screening
  14. Public health communication: continue to use our LCPH comm. protocol
  15. Isolation: each building has a dedicated isolation space
  16. Exclusion: outlined in our CDP for any and all highly contagious diseases
- 

**Mr. Martinelli wrote down importation bullet points**

- We will remain consistent with state requirements and require all Scio School District staff (and partner staff) and students to wear masks when inside during the school day and on school buses, regardless of vaccination status.
- We will allow students to remove their masks while outdoors. Parents can request, however, that their child wears a mask at all times and the school staff will work to ensure your child stay masked.
- We will continue to ensure that there are age-appropriate masks in stock throughout our schools for use by students and adults.
- We will, to the extent possible, maintain three (3) feet physical distance for students and staff.
- We will continue to adhere to air filter standards in every school building.
- We will continue to offer testing for symptomatic students and staff.
- We will ensure each classroom is regularly stocked with disinfectant and hand sanitizer.
- We will allow volunteers in school buildings that are prearranged. Ultimate discretion on visitors and volunteers at schools will be handled through the principal's office and they must follow all of the stated safety protocols.

**Questions from the Audience/On-line audience with answers from Mr. Martinelli:**

1. Will we get to know if the adults in our child's classroom is vaccinated?  
Unfortunately, no. This information is protected.
2. Is there an option to request our student does not have to wear a mask?  
There is no way this would happen unless there is some form of an IEP or medical statement from a doctor.
3. At what point will CDL be an option?  
The point that CDL will be an option is:

1. If we must quarantine students, we are required to offer distance learning for those students.
2. If we have half of our student body does not show up, we will have to offer CDL.
4. **How can we as parents help support the School District to get local control back?**  
We have a Resolution that is asking for our local control back. We will pass that around if you would like to sign the Resolution.
5. **There are some District that are asking the parents to pursue a 504 for their student so they don't have to wear a mask.**  
We have an ethical issue with it because 504 and IEPs are setup for accommodation for students. There is a process for a 504 and it takes a team, and it takes time. This will take away from the students that really need the accommodation.
6. **Does the School District have legal counsel and have retainer?**  
Absolutely, and we do consult with them on a regular basis.
7. **In your opinion, do you believe the Governor can request that she can mandate students to get vaccinated?**  
I don't believe she can. The Governor has asked the Superintendents to set up and ask all their employees to get vaccinated. At this point in time, my decision I don't have the desire to do that, I still believe in choice.

At this time Melissa Unrau made a comment to the Board that the Board and Mr. Martinelli have the best interest for our students in mind in regards to the mask mandate. One request I'm asking from the Board is to submit the Resolution asking for local control.

8. **Are students being distributed laptops again this year?**  
That depends on grade level and situation.
9. **Can you describe a little bit about what went into the decision to not follow Newberg School District in not requiring masks but letting the parents decide for their children?**  
That is new information to me. I am not aware of Newberg School District not requiring wearing of masks.
10. **In regards to outside learning and not the best hygiene, how are you going to take of the students when they take their mask off?**  
There will be masks available for the students.
11. **What about busing?**  
Busing right now is under the federal mandates. So, when you are on a school bus you will have to be masked.
12. **How far are you asking the staff to go to enforce the students to wear their mask because they are worried about the fines and teacher licenses?**  
Our teaching staff are very worried about their licenses. We give the students mask breaks, and staff will have a space in the same classroom that would be 6 feet away while learning if the student need a mask break.
13. **If the student is learning from home is there still an option for school sports?**  
Absolutely.  
**And school sports that are after school aren't required to wear masks?**

Outdoor sports are never required to wear a mask. Indoor sports as long as they are practicing or playing in a game, they don't have to wear a mask.

- 14. What about lunch time? Can they have their masks off or are they required to pull their mask up and down while eating and drinking?**

At lunch time they can have their masks all the way off. They need to keep the 3 – 6 feet between them.

- 15. Will the children have the option to eat lunch outside?**

Yes, they will.

- 16. I keep hearing the word “mask” instead of face coverings? Are you requiring masks or face coverings?**

I am just using the wrong word. It should be face coverings.

- 17. Where is the standard for the fabric for the face coverings?**

CDC has recommended the standard for face coverings. A garter must be doubled layer, handkerchiefs don't count, double layer just means 2 pieces of cloth. Face coverings mean they must go from above the nose to below the chin. You can't wear mesh or lace.

- 18. What about face guards?**

If you have an IEP or 504 and they give a reason for that that is an accommodation.

- 19. If we have a family member that has COVID and the students at home are not showing signs, do they have to stay home?**

If you are exposed within 3-6 feet, for more than 15 minutes we will treat it as if you have COVID. They will have to stay home for 14 days.

- 20. What if you test negative?**

Yes, if you wait 4 days and test negative you don't have to quarantine.

- 21. If the goal is to not go back to CDL and if there are cases in the building, how will you move forward.**

Local Health Authority will be involved, and they may tell us we have to shut down the next day. A single case in a school is considered an outbreak. They track that case and if more cases come in and they are linked then it becomes a multiple outbreak and when it reaches a certain number, they will shut the school down.

- 22. Is the lunch going to be sack lunches or how is it going to work this year?**

We are going back to the regular hot lunch as we did before COVID.

We are not providing meals for all kids in the household for pickup. That has gone away. Meals are free for all, but we still need you to fill out the meal application. This helps our summer lunch program.

- 23. Are the middle schoolers eating in their classrooms or the cafeteria?**

They will be eating in the cafeteria, and we will have each grade level eating together.

**Mr. Martinelli is moving on to the Board Resolution that is asking for our local control back.**

**Several Superintendents came together to write the Resolution. We are asking if you are interested in the Resolution to please sign. Mr. Martinelli read the Resolution to the audience. The Resolution is as follows:**

8/18/2021

RESOLUTION/PTETITION TO THE GOVERNOR TO RESCIND JULY 29, 2021, K-12 MASK  
MADATE AND SUPPORT THE RTURN OT LOCAL HEALTH AND SAFETY DECSION-  
MAKING UNDER TH EJUNE 25, 2021 RECOVERY ORDER.

*WHEREAS, ON JUNE 25, 2021, Governor Kate Brown directed the Oregon Health  
Authority and the Oregon Department of Education to create a rule to require masks indoors  
for K-12 schools statewide for the upcoming 201-2022 school year.*

*NOW, THEREFOR, BE IT RESOLVED that the Scio School District Board of Directors  
objects to the July 29 mandate for K-12 schools and supports the June 25 Recover Order  
that returns governance to a local decision-making model so that communities can make  
health and safely decisions that serve their students best.*

*BE IT FURTHER RESOLVED that the Scio School District Board of Directors recognizes we  
want our schools to be safe and welcoming to all students, staff, parents, and community  
members. The Board of Directors aims to keep students in school and supply them with the  
best academic, athletic/activities, and wrap-around services possible while keeping students,  
staff, families, and community members safe.*

Edward DeWilde made a motion to approve the Resolution as written. Mike Ennis  
seconded the motion. Motion passed.

**Hyde – Yes McDonald – Yes Ennis – Yes Buganski – Yes DeWilde – Yes**

**The Resolution will be available until Monday at the District Office for community  
members to sign. The Resolution will be available on the desk at the back of the  
gym for audience members to sign.**

Moving to the Public Comment from the audience, the Intent to Speak forms:

**Renee Cooper expressed her concerns to the Board on the mask mandate. In  
summary, she expresses her reason why the students shouldn't wear masks. She  
feels the masks cause more harm than good. The kids just want to be kids. They  
want to learn and have fun. Masks do bother the kids. They can't see facial  
expressions and sometimes they can't breathe. She understands that the Scio  
School District hands are tied but it infuriates her that the Governor has done this.  
This should be a local decision and each parent should have the choice. She will  
support Scio School District.**

**On a side note, she has concerns at the high school that teachers are telling her  
children to get vaccinated. They are not the parent, and they don't have the right to  
tell her child to get vaccinated.**

**Thank you for having us present today and letting us voice our thoughts.**

Luke Zedwick expressed his concerns with the mask mandate. In summary if the Resolution does not give local control back what else will you do? Will you pay for tutors, will you offer 504 plans, how many more counselors will be available? Masks do not stop air borne particles.

**Andrea Gerspacher expressed her concerns with the mask mandate. In summary she doesn't agree with the Governors mask mandate. What ever the Board wants to do Andrea is there to fight with us. Let her know she can help.**

Palmer Vilagi expressed his concerns with the mask mandate. In summary has the board looked in the religious exemptions.

**Heather Tritt expressed her concerns with the mask mandate. In summary masks harm our children emotionally, physically, and socially. Masks are also very dirty, and the children need to see facial expressions. Masks make the teachers speech muffled. Our children are not getting the education they need. We need to keep fighting for our children. They are the next great generation.**

In summary, Nicole Buganski expressed that we are doing everything we can get our kids in school and keep them there. There has been a lot of creativity with our administrative staff to get our kids outside. Our hands are tied. You need to reach out to your representative officials. They work for you.

**Kerri Hyde asked Mr. Tempel is there are anymore questions. Mr. Tempel told the online audience that Mr. Martinelli would review them later.**

### **3) ITEMS REQUIRING BOARD ACTIONS**

#### **3.1 Staff Changes: Hiring's and Retirements:**

Mike Ennis made a motion to hire the following:

Coulter Mastenbroek-High School Asst Football Coach  
Kevan Hansen-High School Head Boys Basketball Coach

Hank McDonald seconded the motion. Motion passed.

Hyde – Yes McDonald – Yes Ennis – Yes Buganski – Yes DeWilde – Yes

### **3.2 Tree Removal:**

Steve Martinelli is asking the board permission to remove trees on the east side of the middle school gym and district office door. These trees are sappy and are dripping onto cars that park outside of the middle school gym. Coming into the middle school and district office the sap is tracked in from your shoes. In addition to this we are doing a seismic on the middle school gym next summer and these trees will get in the way. We would like to engage in conversation on the replacement of the trees.

Mike Ennis made a motion to remove the trees. Edward DeWilde seconded the motion. Motion passed.

Hyde – Yes McDonald – Yes Ennis – Yes Buganski – Yes DeWilde – Yes

### **3.3 Scio School District Blueprint for Ready School/Safe Learners:**

Moved to 2.2.

Hyde – Yes McDonald – Yes Ennis – Yes Buganski – Yes DeWilde – Yes

## **4) ITEMS FOR THE INFORMATION OF THE BOARD**

### **4.1 Superintendent's Report:** Superintendent, Steve Martinelli's packet included:

Was moved to 2.2. Board decided to wait to adopt the Scio School District Blueprint for Ready School/Safe Learners until next week at a Special Board Meeting.

### **4.2 GT Report:** Director of Charter Schools, Gary Tempel packet included:

Current Enrollment – 646  
Willamette Connections – 1861  
Lourdes – 40

Projects:

Kitchen addition – We are working on getting the final plumbing and final inspection on the bathrooms.

High School – The Siding on the driveway to match the gym addition is done. They are working diligently on the door locks and the rekeying will start next week. It should be all done before school starts.

Middle School Sports The batting cage should start in the fall, we now have all the quotes for the back stops we just need to go through them.

Middle School – We are having the architect make a permit set of plans for sheet rocking the ceiling in the middle school hallway with some sound proofing as accents.

**5. BOARD COMMENTS/RECOGNITION**

**6. ANNOUNCEMENTS/DATES OF IMPORTANCE**

Next Board Meeting, Wednesday, September 15, 2021

Adjournment:

Kerri Hyde adjourned the meeting at 9:10 P.M.



Presiding Chair  
Approved



Date Board



Board Secretary