



Vale School District

Confidential Report

Complainant: April Johnson

Respondent: Vale School District

Requested by: Ms. Elizabeth L. Polay
Garrett Hemann Robertson P.C.
PO Box 749
Salem, Oregon 97308-0749

Representing: Vale School District

Engagement: 17 December 2024

Investigator: Mr. Keith Ussery,
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Engagement



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December 17, 2024

Via Email: usseryconsultants@gmail.com

Keith Ussery
USSERY CONSULTANTS LLC
48 NW Eve Dr.
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*RE: Engagement Letter – Vale School District
Complaint Investigation
GHR File No. 89527001*

Dear Mr. Ussery:

This letter will confirm that, on behalf of Vale School District, I have retained you to conduct a review of the merits of a complaint filed by April Johnson alleging censorship under the First Amendment and violations of Board Policy IC/ICA – School Year/School Calendar against Superintendent Alisha McBride. A copy of the complaint is attached to this letter.

Ryan Bates, District Board Chair, will be your primary District contact. His email address is ryan.bates@valesd.org. Upon your agreement with this engagement letter, please contact me to schedule a time to discuss the details and scope of this complaint investigation.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in purple ink that reads 'Elizabeth L. Polay'.

Elizabeth L. Polay
Attorney

Enclosure



Background

- **Ms. Elizabeth Polay**
Garrett Hemann Robertson
For: Vale School District
- **Mr. Keith Ussery**
Private Investigator
Ussery Consultants LLC
- **Dr. Alisha McBride**
Superintendent
Vale School District
- **Mr. Ryan Bates**
School Board Chair
Vale School District
- **Mr. Jason Chamberlain**
School Board Director
Vale School District
- **Ms. Darlene McConnell**
School Board Vice Chair
Vale School District
- **Mr. Michael McGourty**
School Board Director
Vale School District
- **Ms. April Johnson**
Complainant / Parent
Vale, Oregon
- **Ms. Brita Scott**
Uniserve Consultant
Oregon Education Assoc.
- **Mr. Andy Hally**
Association President
Vale Middle School

Engagement Synopsis: Elizabeth Polay, representing the Vale School District on behalf of Garrett Hemann Robertson PC, contacted Ussery Consultants LLC on December 12, 2024, to inquire about the investigator's availability and interest in conducting an investigation into a formal complaint filed with the district. Subsequently, on December 17, 2024, Polay provided a letter of engagement outlining the particulars of the complaint. The investigator initially proposed a timeline that included onsite interviews beginning January 9, 2024. However, to accommodate the complainant's availability, the start of the investigation was postponed by approximately one week.

Statement of No-Conflict: After a comprehensive review of the complaint, including names of the complainant, respondents, staff, and potential witnesses, Keith Ussery, a licensed private investigator, licensed school administrator, and Partner at Ussery Consultants LLC, has determined that no professional, familial, or incidental relationships exist that could present a conflict of interest. Given the sensitive nature of the complaint, the investigator affirms impartiality and confirms the absence of any bias against either the complainant or the respondents.

Interview Context: The investigator conducted in-person interviews at the Vale School District Office, located at 403 "E" Street in Vale, Oregon. All in-person interviews were held in the Board Room, ensuring privacy throughout the process. Additionally, the interviews were audio recorded and roughly transcribed using an artificial intelligence platform. Subsequent interviews were conducted via Zoom video conference, following the same procedure of audio recording and AI-assisted transcription. Interviews ranged in duration from approximately 60 to 120 minutes and remained focused solely on content relevant to the investigation. Each interviewee was provided with the investigator's contact information and encouraged to reach out in the days following their interview should they recall any additional information that may be pertinent to the investigation.

Social Media Review: As part of Ussery Consultants LLC's standard investigative process, a limited review of publicly available social media content was conducted. This review was restricted to publicly accessible information at the time of the investigation; no private social media accounts or restricted content were accessed or examined. The complainant made frequent social media posts related to the school district and her complaints, often attaching documents she had prepared—including the formal complaint she had prepared. These posts suggest an effort to generate public engagement and possibly garner additional support for her positions. Since

the complainant is not a current school district employee, her social media activity falls outside the scope of district policy considerations.

Personnel File Review: Given that the complaint primarily addresses the actions of the Board and the Superintendent, the investigator determined that the review of personnel records was unnecessary.

Correspondence Review: The investigator reviewed numerous emails submitted by both the complainant and respondents. The emails provided by the complainant originated from a public information request that the district fulfilled. During interviews, the investigator learned the complainant engaged in frequent communication with Board Members and the Superintendent through email, text messages, and telephone calls. As such, the investigator reviewed emails exchanged between the complainant and board members and the superintendent between August 2, 2022 and the present.

Professional Licenses: To ensure accuracy in referencing professional credentials, Ussery Consultants LLC conducted a review of publicly available licensing information maintained by the Oregon Teacher Standards and Practices Commission (TSPC). This review, completed on January 22, 2025, relied exclusively on data accessible through the TSPC website and reflects the information available as of that date.

<u>Name</u>	<u>License</u>	<u>Level</u>	<u>Status</u>	<u>Exp.</u>	<u>Sanctions</u>
Alisha McBride	Prof. Administrator	PreK-12	ACTIVE	October 2026	NONE
Andy Hally	Prof. Teaching	PreK-12	ACTIVE	April 2027	NONE
Brita Scott	Prof. Teaching	PreK-12	ACTIVE	October 2028	NONE
Keith Ussery	Prof. Administrator	PreK-12	ACTIVE	October 2028	NONE

Preface

The findings presented on the following pages exist within community, school, and programmatic contexts. The information contained in this preface is more appropriately presented separate from the report's conclusions. The investigator is hopeful that by sharing these observations, the conclusions are both better supported and understood.

Legal Disclaimer: The investigator is not a member of the Oregon Bar and does not present the findings contained in this report as legal advice. Instead, the findings are based on factual evidence gathered through the process of interviewing individuals with direct knowledge of the events leading to Johnson's complaint, as well as a thorough review of district policies and communications. The scope of this investigation is limited to assessing whether the evidence, as relayed by those involved, and the associated documents, align with Johnson's claims of constitutional and policy violations. The investigator's role is to objectively evaluate the circumstances based on documented interactions, policies, and first-hand testimony, rather than to provide a legal determination regarding the constitutionality of the district's actions.

Complaint Context: It is essential to reference the full text of the First Amendment to the United States Constitution, as this investigation is largely driven by claims that the Vale School District—through the actions of its Board, Superintendent, and labor union—has violated its provisions related to the free exercise of religion and freedom of speech.

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances."¹

April Johnson, the complainant in this case, alleges that her constitutional rights have been infringed upon by the district's actions. Specifically, she contends that decisions made by district leadership and the school board have resulted in the suppression of religious expression and limitations on her ability to freely express her views. Additionally, the role of the local labor union has been questioned regarding its potential influence over district decision-making related to Johnson's concerns.

Beyond her constitutional claims, Johnson also asserts that the district has violated its own policies related to community engagement. As part of this investigation, the investigator reviewed relevant Vale School District policies, administrative regulations, and other governing documents that might be applicable to Johnson's claims. This document review was conducted to assess whether district leadership acted in a manner consistent with its stated policies and to determine whether any violations of those policies may have occurred.

Union Relationship: Both licensed and classified employees in Vale School District are represented by the Oregon Education Association, an arrangement commonly described as a "wall-to-wall" association. District and union leadership characterized their relationship as positive, citing as evidence the recent contract negotiation, which reached a tentative agreement in less than one full day. In the investigator's professional experience, such swift resolution is highly uncommon and serves as a strong indicator of a productive and cooperative relationship between the district and the union.

¹ United States Constitution. Amendment I.

Several factors contribute to this healthy dynamic. First, there has been consistency in leadership, with both the association president and the superintendent holding their respective positions for approximately the same length of time. This continuity has likely fostered mutual understanding and a shared approach to labor relations. Additionally, regular informal communication between the superintendent and the association president plays a key role in maintaining the strength of the relationship. The two leaders meet monthly to discuss emerging concerns, and they frequently resolve issues without resorting to formal grievances or complaints.

The investigator attributes this healthy dialogue to what appears to be a trusting, professional relationship between the district and union leadership. This level of cooperation benefits not only district employees but also students, families, and the broader community, as it minimizes conflict and disruption. In the investigator's experience, such a low level of contention between a district and its union is not the norm, further underscoring the strength of this particular partnership.

Correspondence Frequency: During the interview process the investigator learned that Johnson's volume of correspondence—including emails, phone calls, and text messages—had at times become excessive, to the point of being described as burdensome or even harassing. The frequency and persistence of her outreach had escalated to a level that required intervention by some individuals with which Johnson communicated. The former school board chair, Justin Chamberlain, shared:

"The amount of text messages and phone calls that the, that the board has endured on this has been astonishing, right? It's just been unreal. I mean almost to the point of like, like harassment. If we weren't in a public position, I would have called it harassment from her... I mean, it got to the point that, well, I quit taking phone calls and I, and I quit responding to text messages..."²

This is notable because a high frequency of complaints and the associated communication can overwhelm district operations—even in districts much larger than Vale. It is also noteworthy that both board members, including Chamberlain, and the superintendent took informal actions to modify their own interactions with Johnson. Superintendent McBride shared the following:

"I have resorted to only engaging in conversation with her, with a witness, with a note taker. And after I began that practice, she doesn't have any desire to meet with me. She simply sends me harassing emails."³

The necessity of such changes suggests that Johnson's approach to advocacy may have become disruptive to the normal functioning of district leadership and perhaps the district as a whole. However, it remains unclear whether this limited procedural change and the informal changes to communication practices has been effective in reducing the time and resources required to manage Johnson's concerns.

² Interview: Chamberlain & Ussery, January 21, 2025

³ Interview: McBride and Ussery, January 25, 2025

Conclusion: 1

Did Vale School District Superintendent Alisha McBride exceed her authority by changing Christmas Break to Winter Break on the district's annual calendar?

UNFOUNDED:

Standard: Preponderance of the Evidence

A preponderance of the evidence, taken in its totality, leads the investigator to conclude that there is insufficient evidence to find that Superintendent McBride exceeded her authority to change the naming convention used in the Vale School District calendar.

The accusation is UNFOUNDED because:

One of the central questions guiding this investigation was whether Superintendent McBride had the authority to make an informal agreement with the association president regarding the naming convention used in the district's calendar. To address this question, the investigator conducted a thorough review of district policies, the collective bargaining agreement, and the superintendent's employment contract. The objective was to determine whether any provisions within these governing documents explicitly restricted or prohibited McBride from engaging in such an agreement.

The review also sought to clarify whether the superintendent's decision fell within the broader scope of administrative discretion granted by board policy and contractual obligations. Given that the superintendent is responsible for overseeing the district's day-to-day operations, including calendar development, it was necessary to evaluate whether minor language adjustments—such as renaming a break—required formal board approval or if they were within McBride's managerial authority. This analysis provided critical insight into the scope of the superintendent's decision-making power and whether any procedural violations had occurred.

Vale School District policies and the employment agreement between the superintendent and the Vale School District grant broad authority for the superintendent to manage and operate the district's functions. This authority, as outlined in both policy and the superintendent's employment agreement, explicitly identifies the superintendent as the Chief Executive Officer (CEO) of the district.

"The superintendent is the chief executive officer of the district and, under the direction of the Board, is responsible for control and operation of the school system, and for implementing the decisions and policies of the Board..."⁴

⁴ Vale School District Policy CBA, Qualifications and Duties of the Superintendent

As the CEO of the district, the superintendent is responsible for making decisions that range in significance from routine operational matters to more complex financial and contractual obligations. This broad decision-making authority is essential for the efficient management of district operations and ensures that the board is not unnecessarily involved in minor administrative decisions—such as the naming convention used in the district’s annual calendar.

To put this into perspective, it is useful to examine another area of decision-making explicitly within the superintendent’s purview—authorizing financial expenditures. Vale School District policy grants the superintendent the authority to approve expenditures of up to \$150,000 without prior board approval, provided those expenditures align with the parameters of the approved annual budget. This policy acknowledges that while certain financial decisions warrant board oversight, the vast majority of the superintendent’s decisions do not rise to that level.

“The superintendent or designee is authorized to enter into and approve payment on contracts obligating district funds not to exceed \$150,000 for products, materials, supplies, capital outlay, and services that are within current budget appropriations...”⁵

Against this backdrop, the superintendent’s decision in December 2021 to adjust the naming convention used in the district’s annual calendar is not only within her authority but is, by any reasonable measure, an administrative decision of minimal consequence. In the total scope of McBride’s responsibilities as superintendent—managing personnel, overseeing curriculum, balancing budgets, and ensuring compliance with state and federal regulations—the decision to adopt a more inclusive term for a school break is, at best, a footnote.

The investigator found no provision in district policy that would preclude the superintendent from entering into an informal agreement with an employee or a representative of the labor union. Additionally, as the superintendent is explicitly responsible for developing the district’s annual calendar for board consideration and adoption, it is both logical and reasonable that minor modifications, such as adjusting a single word in the calendar’s labeling, would not necessitate board approval. If the board were to involve itself in this level of detailed managerial decision-making, it would risk violating both the terms of the superintendent’s employment agreement and district policy.

Ultimately, the superintendent’s contract and district policy affirm her authority to make decisions that range from strategically significant to administratively routine. Agreeing to a minor language adjustment on

⁵ Vale School District Policy DJ, District Purchasing



the proposed school calendar falls well within this authority, and the informal agreement, but not secret, made with the association president was not only appropriate but aligned with the superintendent's responsibility to oversee district operations effectively.

Conclusion: 2

Did Superintendent, Alisha McBride violate School District policy IC/ICA in relation to the production of the district's annual calendar?

UNFOUNDED:

Standard: Preponderance of the Evidence

A preponderance of the evidence, taken in its totality, leads the investigator to conclude that there is insufficient evidence to find that Superintendent McBride violated Vale School District policy IC/ICA in relation to the production and approval of the district's annual calendar.

The accusation is UNFOUNDED because:

The investigation into Superintendent McBride's role in the production and approval of the Vale School District's annual calendar sought to determine whether her actions complied with district policy, Oregon Public Meeting Law, and established board procedures. This portion of the inquiry examined whether the district's process for soliciting and incorporating input from staff, parents, and the community aligned with the expectations outlined in policy IC/ICA: School Year/School Calendar.

The investigator conducted a thorough review of relevant policies, board meeting agendas, meeting minutes, and other documents, alongside interviews with key stakeholders. Based on a preponderance of the evidence, the investigator found no indication that Superintendent McBride violated district policy in the development or approval of the annual calendar. Rather, the evidence demonstrates that the district followed standard procedures, and provided multiple opportunities for public input. The following analysis details the basis for this finding and specifically addresses the complainant's claim that McBride violated school district policy.

Oregon Public Meeting Law, Vale School Board Policy, and guidance provided by the Oregon School Boards Association (OSBA) establish clear expectations for conducting public meetings, including requirements for announcing the topics to be discussed and considered. This legal and procedural framework is designed to ensure transparency, public access, and accountability in school board governance. Vale School District policy DBBC specifically addresses the development and publication of board meeting agendas, outlining the process for notifying stakeholders of scheduled discussions and decision-making items.

During the investigation, no evidence was found to suggest that the Vale School Board or Superintendent McBride failed to comply with these requirements. Meeting agendas are prepared and posted in a

manner consistent with district policy and legal requirements, allowing for adequate public notice and participation.

“The Board chair, with the assistance of the superintendent, will prepare an agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, student or patron of the district by notifying the superintendent or Board chair at least seven working days prior to the meeting... The agenda, together with supporting materials, will be distributed by the district office or superintendent to Board members at least three working days prior to the meeting. The agenda will be available to the press and to interested patrons through the superintendent’s office at the same time it is available to the Board members... A copy of the agenda will be posted on the district website on the day of the meeting. Members of the public may request a copy of the agenda through the superintendent’s office.”⁶

On July 1, 2024 during a regularly scheduled meeting, the Vale School Board established the meeting dates for the 2024-25 school year, as required by statute. The minutes from this meeting, along with records from similar *“annual organizational meetings,”*⁷ between 2018 and the present are publicly accessible on the Vale School District’s website. District policy articulates

“No later than the next regular meeting following July 1, the Board will hold the annual organizational meeting to elect Board officers for the coming year and to establish the year’s schedule of Board meetings. In Board election years (odd numbered years), the first meeting will be held no later than July 31.”⁸

These records provide evidence of the Board holding its annual organizational meetings and also indicate that Board Meetings are generally held on the second Wednesday of each month.

A review of the most recent School Board agenda for the January 8, 2025, meeting indicates that agendas and supporting documents are typically posted approximately five (5) days in advance of the scheduled meeting. No evidence was found to suggest that the district failed to comply with the requirement to *“give actual notice to interested persons”*⁹ as outlined in district policy and ORS 192-640. While the statute does not mandate a specific number of days for advance notice beyond what is *“reasonably calculated”*¹⁰ to provide notice to interested parties, the district’s established practice of publishing agendas online in advance of meetings appears to align with legal expectations.

⁶ Vale School District Policy BDDC, Board Meeting Agenda

⁷ Vale School District Policy BD/BDA, Board Meetings

⁸ Vale School District Policy BD/BDA, Board Meetings

⁹ Vale School District Policy BD/BDA, Board Meetings

¹⁰ Vale School District Policy BD/BDA, Board Meetings

“The Board will give public notice reasonably calculated to give actual notice to interested persons, including the news media which have requested notice, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they are not included in the notice.”¹¹

By posting agendas in advance, the district ensures that students, employees, and community members, including the complainant, April Johnson, have the opportunity to attend meetings and provide input on agenda items. During her January 24, 2025, interview, Superintendent McBride outlined the general process for developing the district’s annual calendar and provided specific details regarding the process used to create the 2022-23 calendar—the first to incorporate the revised naming conventions for the break.

“I bring some drafts to the board in a public meeting, and that’s what happened in December of 2021... I bring at least two drafts, but sometimes three to the board for a first viewing and a first discussion. So, that’s what happened in December [2021], and there was an opportunity for public comment at that meeting... Then our CBA [collective bargaining agreement] says that the calendar must be presented to staff for input... So, it goes to the board, first discussion, review feedback, then those drafts are sent to staff.”¹²

Additionally, the district maintains an archive of meeting minutes, which supports ongoing transparency regarding both past and upcoming board actions. This practice helps to facilitate informed public participation and demonstrates the district’s commitment to accessibility and accountability.

The documentation, including meetings agendas, related to upcoming meetings provided appropriate awareness for members of the public, including the complainant, to provide feedback on the school district’s proposed annual calendar as required by Vale School District policy IC/ICA: School Year/School Calendar.

“The Board will approve the school year calendar for the following year no later than at its May meeting following due consideration of the recommendation of the superintendent and the input from staff, parents and the community. After Board approval, any modification of the calendar will require Board action. The calendar will include the number of student days/hours, number of work days for staff and holidays. The calendar will meet state requirements.”¹³

A review of the agendas from each board meeting from 2021 to the present revealed that the proposed annual calendar was included on

¹¹ Vale School District Policy BD/BDA, Board Meetings

¹² Interview: McBride and Ussery, January 25, 2025

¹³ Vale School District Policy IC/ICA, School Year/School Calendar

the agendas listed below, and the dates that the board adopted the annual calendar are indicated in blue.

<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>
08 December 2021	08 February 2023	13 March 2024
12 January 2022	08 March 2023	10 April 2024
	12 April 2023	
	10 May 2023	

It is clear that the board agendas posted to the school district's website provided sufficient notice for the public to provide feedback on the proposed calendars and for the board to consider that feedback before approving the calendar by May of the preceding year as required by policy.

*"The Board will approve the school year calendar for the following year no later than at its May meeting following due consideration of the recommendation of the superintendent and the input from staff, parents and the community. After Board approval, any modification of the calendar will require Board action. The calendar will include the number of student days/hours, number of work days for staff and holidays. The calendar will meet state requirements."*¹⁴

It is clear that the complainant, April Johnson, had sufficient notice of when the Vale School District would hold its meetings and had access to the meeting agendas in advance, as did all members of the public. Johnson was aware of when the meetings would occur and when the school calendar would be discussed—in fact she indicated that she had attended a number of board meetings. This information provided ample opportunity for Johnson, and every other member of the public, to offer feedback on the proposed calendars. Johnson does not dispute that the opportunity to provide feedback was present, but she argues in her complaint and during her subsequent investigative interview that an opportunity for input is not the same as receiving feedback or having that feedback directly influence the district's decision.

Johnson wrote in her complaint:

*"The school is violating their own policy... It states that the calendar will be adopted after 'input from staff, parents and the community.' Input from staff? Yes. Input from parents of the community? No... The superintendent claims that since the calendar is discussed at public board meetings, the opportunity for parent/community input is all that is required. This is also false. The policy clearly states 'input,' not 'opportunity for input.'"*¹⁵

Johnson's logic is predicated on the distinction between being given the opportunity to provide input and the expectation that the district

¹⁴ Vale School District Policy IC/ICA, School Year/School Calendar

¹⁵ Formal Complaint: April Johnson "Report on Vale School District #84" p. 5

incorporates that input into its decision-making process. However, this fails to recognize the procedural role of public input in government decision-making. Providing input on the school calendar is more accurately likened to a public hearing before the Oregon Legislature, rather than a direct voting process. In such hearings, members of the public are given the chance to voice concerns and provide suggestions. Lawmakers consider input alongside other relevant factors before making a final decision.

During Johnson's January 21, 2025, interview, the investigator attempted to better understand her reasoning, asking whether the opportunity to provide feedback was akin to receiving a ballot in the mail—an opportunity to participate that is voluntary but does not guarantee an outcome aligned with the voter's preference. Johnson responded:

"Yes, I have the opportunity to vote, and I may exercise that, or I may not. There is no law required of the government that says, you can't elect someone unless you get votes from everyone... The policy requires the school to get input from parents... that's the rules they gave themselves... I didn't write the policy. I asked them to follow it, and they said, we do. And I said, okay, how, how did you follow... before I showed up and gave you my input as a parent, how'd you follow the policy?"¹⁶

While Johnson's assertion emphasizes her belief that the district failed to actively solicit input, it overlooks the reality that the district made the process for providing input available to all stakeholders through public meetings, just as legislative bodies provide hearings where public testimony is considered. The investigator found no evidence that the district restricted participation, failed to accept public comment, or otherwise prevented patrons, including Johnson, from engaging in the process. If the district were to adopt Johnson's logic, it would imply that no decision could be finalized unless a predetermined number of parents actively provided feedback—a requirement that does not exist in public governance and is notably also not a requirement found in board policy.

School staff are also provided an opportunity to give input on the district's annual calendar through surveys, and some choose to participate while others do not. It is important to note that the staff surveys include an opportunity to respond to an open-ended question, allowing all staff to voice concerns or support for the proposed calendar, including the change in naming conventions. Ultimately, neither the survey nor the public comment process serves as a vote;

¹⁶ Interview: Johnson & Ussery, January 21, 2025

rather, they are mechanisms to gather perspectives, with the final decision resting with the school board.

In this case, the school board had a statutory obligation to adopt a calendar, and the policy's requirement for input was fulfilled through the opportunity for engagement by staff and the community. While Johnson may have expected a more interactive process, the process, as outlined in district policy, was followed and the investigator found no evidence to suggest otherwise. And last, the district was under no obligation to implement all suggestions or to ensure that every perspective was reflected in the final decision, and to attempt to do so would result in decision-making paralysis.

The evidence overwhelmingly supports the conclusion that Superintendent McBride followed established policies in the production and approval of the district's annual calendar. At no point did the district restrict public participation, ignore procedural obligations, or circumvent the established process for soliciting input. The complainant's argument—that offering an opportunity for input is not the same as receiving input fails to recognize the nature of public governance.

Johnson had ample opportunity to provide feedback, as did every other member of the public--across multiple school years. The fact that the district did not adopt her preferred language is not evidence of wrongdoing—it is merely evidence that decisions must be made in the best interest of the entire school community, not just one individual's perspective. At its core, Johnson's complaint is not about process—it is about preference. The evidence does not support a finding that McBride or the district violated policy, and any assertion to the contrary is simply not supported by the facts.

Conclusion: 3

Did Superintendent Alisha McBride and/or the Vale School District Board of Directors, violate School District April Johnson's First Amendment right to freedom of speech?

UNFOUNDED:

Standard: Preponderance of the Evidence

A preponderance of the evidence, taken in its totality, leads the investigator to conclude that there is insufficient evidence to conclude that Superintendent McBride, or the Vale School District Board of Directors violated the complainant's (April Johnson) First Amendment right to free speech.

The accusation is UNFOUNDED because:

At the heart of this investigation is Johnson's claim that Superintendent McBride and Association President Hally entered into a "secret" agreement to change the district calendar in a way that violates district policy and suppresses religious expression. Johnson frames this decision as both unconstitutional and intentionally deceptive, but the evidence tells a different story. As the following analysis makes clear, McBride's decision was neither secret nor improper—it was a routine administrative action that falls squarely within her authority as superintendent. The district's calendar is not an open platform for individual expression; it is a government document, and as such, the district has the discretion to determine the language it uses. Johnson's free speech argument ignores this distinction and fails to acknowledge that she remains free to use whatever terminology she prefers in her personal capacity. The investigation found no evidence that Johnson's speech was restricted in any way, nor did it uncover any indication that the district's actions were anything other than a reasonable response to stakeholder concerns. What follows is a detailed review of the facts, relevant legal standards, and rationale behind the district's decision.

Administrative Decision vs. Secret Agreement: In Johnson's complaint and in subsequent email communications with the investigator, she repeatedly referred to a "secret" agreement between Hally, the association president, and Superintendent McBride.

*"They made a secret agreement to advance their personal agenda and so far, they have gotten away with it. If they are so offended and disgusted by religion permeating society and culture, they are welcome to spread that message, on their own time. But to use school time and tax-payer money to fight their culture war is against the law."*¹⁷

However, there is no evidence that any agreement was secret nor that McBride and Hally have engaged in a culture war as Johnson claims. As

¹⁷ Email: Johnson to Ussery, January 30, 2025

noted in the preface to this report, Hally and McBride meet monthly to discuss concerns that may arise from either the district's perspective or from the association's. This ongoing dialogue has helped maintain a positive relationship between the association and the district, keeping issues from escalating into grievances or formal complaints. These regular discussions provide an avenue for resolving concerns at the lowest level, efficiently and without controversy.

During one of these meetings in December 2021, Hally relayed a concern voiced by association members regarding the use of the term, *Christmas Break*, on the district's annual calendar. The concern was that the term was not inclusive and might be perceived by staff, students, and patrons who do not practice Christianity as exclusionary. In response, Superintendent McBride researched how public-school districts, higher education institutions, and other public entities approached the naming of holidays in official calendars. Based on this review, McBride moved forward with renaming Christmas Break to Winter Break for the upcoming calendar cycle. Johnson, the complainant, contends that the *secret* agreement violates free speech rights.

*"This agreement is problematic because government officials, like the superintendent of a public school, does not have the power to censor what we can say, hear, or even read on the school calendar. It violates our free speech rights."*¹⁸

As is standard practice, multiple versions of the calendar were produced, all of which consistently used *Winter Break* rather than *Christmas Break*. However, it is important to note that all versions of the calendar continued to include *Christmas* as the designation for the specific holiday itself, in keeping with district policy and the collective bargaining agreement, which names all recognized holidays explicitly.

Superintendent McBride is specifically charged with making day-to-day management decisions for the district as outlined in both policy and her employment contract. In carrying out this responsibility, McBride makes dozens—if not hundreds—of decisions each day that do not require board approval or public input. The decision to adjust the calendar's terminology fell squarely within her authority and was neither unusual nor improper.

Johnson's characterization of this agreement as *secret* appears to be an intentional effort to cast suspicion on McBride and Hally, suggesting they were attempting to obscure their actions from public scrutiny. However, this assertion does not align with the facts. The change from *Christmas Break* to *Winter Break* became public as soon as the three

¹⁸ Formal Complaint: April Johnson "Report on Vale School District #84" p. 2

versions of the 2022-23 calendar were published for feedback, demonstrating that there was no attempt to withhold or conceal the decision. Rather than evidence of secrecy, this process reflects a routine administrative decision based on stakeholder input and best practices from other educational institutions.

Government Speech vs. Individual Speech: Vale School District has the authority to determine the language it uses in its official communications, including its annual district calendar. When Vale School District, a government entity, chooses to adopt more inclusive terminology in its official documents, it is engaging in government speech rather than restricting individual speech, as the complainant, April Johnson, asserts.

The investigation found no evidence that the Vale School District, its employees, or its Board of Directors attempted to censor the complainant's individual speech or the speech of students, employees, or patrons as Johnson asserted in her complaint.

*"...it is concluded that Superintendent Alisha McBride and Vale Education Association President Andy Hally made a verbal agreement that violates the First Amendment by agreeing to censor the word "Christmas" from the district calendar when labeling Christmas Break. Their agreement violates the free speech right of students, parents, and stakeholders...because public education must be free from government censorship."*¹⁹

A school district maintains discretion over its official messaging and is not required to accommodate all viewpoints, whether religious or secular. Official school documents, such as the annual calendar, do not constitute a public forum and are not obligated to reflect Johnson's religious viewpoints. In her complaint, Johnson asserted that the modification of language on the school's calendar constituted a violation of her free speech rights, arguing that the change failed to meet any of the established legal tests typically applied to schools.

*"The First Amendment to the U.S. Constitution allows a school to limit speech that (1) causes a "substantial disruption" at school (meaning it interrupts school activities in a serious way), or (2) interferes with the rights of others at the school. A school can't limit speech just because it's controversial, disrespectful, or upsets people, this includes feeling of not being included. Speech that interferes with the rights of others means speech that seriously threatens or harasses other people, or if it spreads false information about someone. In addition, the First Amendment allows a school to restrict student speech when it's vulgar or obscene. None of these limitations apply to the label Christmas Break."*²⁰

¹⁹ Formal Complaint: April Johnson "Report on Vale School District #84" p. 1

²⁰ Formal Complaint: April Johnson "Report on Vale School District #84" p. 2

However, as noted above, Johnson’s argument is seriously flawed as there is no evidence the district limited or restricted her speech or the speech of students or district patrons. The district’s calendar is not Johnson’s personal speech, it is government speech.

The Supreme Court’s decision in *Walker v. Texas Division, Sons of Confederate Veterans* (2015) established the government speech doctrine, which indicated that government entities—such as the Vale School District—may decline to convey messages they do not wish to promote without violating the First Amendment. Subsequent rulings following *Walker* have reinforced that schools, as government entities, retain the right to structure their official messaging without being required to accommodate all perspectives.

However, an important distinction must be made: while government speech is not bound by the same First Amendment restrictions as public forums, schools cannot impose limitations on private speech in settings explicitly designated for individual expression. For instance, a school board meeting is generally considered a limited public forum, meaning the board permits structured public input but retains the authority to impose reasonable restrictions on time, place, and manner. Simply put, the district could not prohibit Johnson from using the term *Christmas Break* in that setting or in any other context where she is independently exercising her right to free speech. This distinction is central to Johnson’s complaint. For example, had Vale School District attempted to censor Johnson’s social media posts or prevent her in some manner from continuing to use the words *Christmas Break* in her communications, there would likely be a clear violation of Johnson’s constitutional rights. However, there is no evidence that Johnson’s speech was censored in any way.

In this case, staff objections to the use of *Christmas* in the district’s official calendar raise questions about whether retaining the term could be interpreted as religious favoritism. The district’s choice to adopt a more neutral term for the December break does not constitute censorship of private speech; rather, it represents a government entity making an administrative decision regarding its own messaging.

While it is impossible to determine with certainty the level of legal risk the district faced had it chosen to retain the term *Christmas Break*, once an objection to religion-specific language was raised, the potential for grievances or litigation became a real consideration. Given the legal principles outlined in *Walker* and other precedents, the district was within its rights to modify its calendar language in the interest of neutrality and inclusivity. This decision does not infringe on the ability



of individuals to continue referring to the break in religious terms in their personal capacity.

Ultimately, the facts do not support Johnson's claims. The district's decision to revise the calendar's terminology was neither secret nor unconstitutional—it was a routine administrative action made in response to concerns raised by staff. The change was transparent, aligned with best practices used by other public entities, and remained consistent with legal precedent regarding government speech. Johnson's assertion that this decision amounted to censorship is not supported by the evidence, nor is her claim that the district was obligated to retain language tied to a particular religious tradition.

While Johnson remains free to use the term *Christmas Break* in her personal capacity, the district has no constitutional duty to adopt her preferred language in its official documents. The decision to use a more neutral term does not infringe on Johnson's free speech, nor does it prevent her or any other individual from continuing to use religious terminology in their own communications. In the end, the district exercised its discretion appropriately, adhered to its policies and legal obligations, and took reasonable steps to ensure that its messaging reflected the inclusivity expected in a public-school setting.

Conclusion: 4

Did Superintendent Alisha McBride and/or the Vale School District Board of Directors, violate School District April Johnson's First Amendment right to the free exercise of religion?

UNFOUNDED:

Standard: Preponderance of the Evidence

A preponderance of the evidence, taken in its totality, leads the investigator to conclude that there is insufficient evidence to find Superintendent McBride nor the Vale School District Board of Directors violated the complainant's (April Johnson) First Amendment right to free exercise of religion.

The accusation is UNFOUNDED because:

The free exercise clause of the First Amendment protects individuals' rights to practice their religion freely, without government interference, so long as those practices do not violate laws that apply to all citizens. This provision ensures that government entities, including Vale School District, cannot impose restrictions on religious beliefs or practices. The government may not prohibit religious expression, and it is not required to accommodate religious practices in all instances—particularly when doing so would create the perception of government endorsement of a particular faith.

During Johnson's interview, the investigator sought to clarify whether the name change on the school's calendar had altered Johnson's religious practice or that of her family. Johnson asserts that the change in naming conventions on the district's calendar is an attempt to *manage* how the Johnson family speaks, and she indicates that her family continues to use the term Christmas Break.

*"So, it doesn't change how my family personally practices [religion], but it does try to manage how we speak about it. And so, it has to be our choice not to use the words that are forced."*²¹

Despite asserting that the change does not affect her family's religious practice, Johnson claims that the district's selection of secular language on the calendar unfairly favors non-religious perspectives over religious ones and that this choice *inhibits religious expression*.

*"They call this approach neutral. But favoring a non-religious existence over a world where religion exists (and religious holidays exist) is not neutral. It is clear bias for the secular over the spiritual, inhibiting religious expression."*²²

²¹ Interview: Johnson & Ussery, January 21, 2025

²² Interview: Johnson & Ussery, January 21, 2025

Johnson's argument suggests that neutrality itself is form of discrimination, but the district's decision to use non-religious terminology does not restrict Johnson or any other individual from continuing to refer to the break as *Christmas Break* in their personal conversations. The school district, as a government entity, has an obligation to ensure that its official language is inclusive and does not give preferential treatment to any particular religious tradition. There is no evidence that the district banned religious expression or took steps to discourage students, staff, or parents from using religious terminology in their personal capacity.

It is important to distinguish between individual speech and government speech in this context. Johnson, like any other parent, retains the right to use religious language in her home, workplace, or community. The district, however, is not required—nor would it be appropriate—for it to incorporate religious terminology into its official communications, particularly after concerns were expressed by employees. The shift in language does not equate to an infringement on religious rights, but rather reflects a sound approach to ensuring that the district remains neutral in matters of faith.

Johnson's argument, taken to its logical end, would require the district to use terminology tied to a particular religious tradition rather than adopting language that is broadly applicable to all students, staff, and families. That expectation runs counter to the district's responsibility to serve a diverse community while maintaining compliance with both state and federal legal standards. The district's decision to use neutral language on its calendar is consistent with constitutional principles, does not prevent Johnson or anyone else from using religious terminology as they choose, and does not constitute an infringement on religious expression.

During Superintendent McBride's January 24, 2025, interview, she provided the following explanation for why she made the change:

"So, around that time when that calendar was being developed, Mr. Hally made... a reference to the fact that some of the [association] membership was concerned that using the term Christmas Break may not be as inclusive, and it may promote some religious beliefs over others, and it was the first that I had even considered that... So, I said, well, let me look into it. This makes complete sense. My goal is to ensure that as a district, we represent all and we're inclusive. So, following my conversation with Mr. Hally, I did some research and found that the naming convention of winter break is very common, very popular... I really thought that this makes complete sense, because as an educator, I had students in my classes who were excluded by choice, yes, by parent choice, from different holiday celebrations. And so, it made sense to me that a more inclusive approach would represent the beliefs and make more of our families and

our students feel welcome and comfortable in our buildings and not feel that their beliefs don't matter.”²³

McBride’s reasoning aligns squarely with district policy ACB, *Every Student Belongs*, which explicitly states that all students, employees, and visitors are entitled to an educational and work environment free from:

“discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability, or national origin.”²⁴

While no claim has emerged suggesting this policy was violated, the underlying principle is clear—the district has an affirmative responsibility to ensure that its official communications remain neutral, neither endorsing nor disadvantaging any particular religious tradition, or the absence of such a tradition. In a community that serves students and families from diverse religious and cultural backgrounds, this neutrality is not an attempt to delete religious expression; rather, it ensures that government speech does not privilege one set of beliefs over another. Simply put, the district’s role is to create an environment where all students, staff, and patrons experience a sense of belonging, without signaling institutional preference for any single faith tradition.

Further, the investigator found no evidence that McBride or Hally viewed *Christmas Break* as “*dirty, unacceptable, or intolerant*,”²⁵ despite Johnson’s repeated claims to the contrary in public forums. The record is clear—this was not an effort to diminish religious expression but rather a measured, rational decision to make district communications inclusive of the entire community.

And yet, Johnson’s public characterizations of this change suggest otherwise. She presents this as a battle for religious freedom, when in reality, it is an attempt to force or retain religious terminology into public education under the guise of resisting secular bias. Her own words reveal the true intent behind her efforts:

“To illustrate my point further, I would like to state that I want more religion in society and therefore public education. That is my culture war.”²⁶

That statement is telling. Johnson’s position is not about preserving neutrality or protecting constitutional rights—it is about compelling public institutions to adopt a specific ideological stance, regardless of the broader community they serve. The district, however, is under no obligation to shape its official messaging around any religious tradition,

²³ Interview: McBride and Ussery, January 25, 2025

²⁴ Vale School District Policy ACB, *Every Student Belongs*

²⁵ Formal Complaint: April Johnson “Report on Vale School District #84” p. 2

²⁶ Formal Complaint: April Johnson “Report on Vale School District #84” p. 2



nor would doing so be legally or ethically defensible. The decision to use inclusive terminology is not an attack on religion; rather it is a measured response to the district's responsibility to serve all students, staff, and families without preference or exclusion. The simple truth is this: the First Amendment guarantees the free exercise of religion, not the institutional promotion of it.

Interview Transcript

8:35 AM, Tuesday, January 21, 2025: In Person (Vale School District, Board Room)

Participants: April Johnson, Complainant, Parent, former Substitute Teacher
Keith Ussery, Private Investigator, Ussery Consultants LLC

The following is a Complete, Verified Transcript

Keith Ussery 00:13

All right, so today is Tuesday, January, 21 2025. The time is 8:35 in the morning, and we're located at the Vale School District boardroom in Vale, Oregon, and this interview is being audio recorded. My name is Keith Ussery, and I'm a licensed school administrator and a licensed private investigator. And can I get you to introduce yourself?

April Johnson 00:35

Yes, I'm April Johnson. I am a parent of students in the Vail School District.

Keith Ussery 00:42

That's plenty.

April Johnson 00:43

Want more than that? Okay,

Keith Ussery 00:45

So, you say students. So, you have more than one child in the district?

April Johnson 00:47

I do. I am a mother of four; two of them, wait, one is 20, already out of the district; one just graduated; I have one that's a sophomore and one that's a sixth grader.

Keith Ussery 00:57

Wow, wow. My, my kids are grown, but I have grandchildren now, which is the best thing in the world. So, I, it is, honestly, I've got one that's, who is two and a half, and one that is now 10 months. And so, they're just, I can't, I can't, I just smile whenever I talk about them. It's wonderful. So, like I was talking about before we turn the recording on today, I'm going to ask you to tell your stories, and I'm going to sometimes interrupt your stories as you're telling them to clarify and try and understand a little bit better. But I want you to start today by sort of answering a big question, a global question, which is, why do you believe it's so important to retain the language of Christmas break over any other kind of descriptor of that time period? What is the, what is the driving force behind the time and energy that you've invested?

April Johnson 01:57

Okay, that's good question. I think there's a few driving forces. First and foremost is truth and accuracy. I think as, as a government entity, we look to our schools to be this Mecca, the centralization of our culture, especially in a small town. Maybe not so much in the big cities, but in small towns, your school district is your community. Everyone shows up for the school activities. All the kids participate. That is your, that's your shared culture. And so, being able to trust that government entity and being able to believe what they say to be true and accurate and genuine is not too much to ask, I think. I think it's not too much to expect, and I think it's required of the school district to be truthful and reliable and accurate and genuine and not to have any agendas being pushed by a government entity.

Keith Ussery 03:19

Sure, and so, I guess in that answer is something that's inherent, which is, do you believe that they're not being authentic and genuine and honest in their, in their dealings with you and the community then?

April Johnson 03:32

Well, I know they're not, because I have the email from Board Member, Darlene McConnell, that asks the superintendent, please ask our attorney, what will happen if we call it what it is. So, that's the only time in writing where the school district has said, yes, we know it's Christmas break, but we don't want to call it that. Some of the personal interactions I've had have been when I talked to school board member, Ryan Bates, and said, I get it if, because he said, we're, we're just try, we're doing everything out of caution, and we want to just tiptoe; we don't want to cause problems. And I said, I get that. I think we're on the same page. You know, we want a good education for our children. So, what does that look like? And if what that needs to look like is to not have Christmas break, because, for some reason, that's a wrong or bad thing, don't have Christmas break, move the break to January. And he considered that idea. And I think it was after that conversation that he decided, independently, to, to go to the March board meeting and say, I think we should call it Christmas holiday, winter break. So, I think his mind, he thought, yeah, is it Christmas break? Or is it not Christmas break? Well, it is, and is it, is it a problem to have? Apparently, it's not a problem to have. Is it a problem to call it what it is? In my view? Nope, it's not. And nobody can explain to me why it would be a problem, other than to say the word, inclusivity. And so, then I pressed them on that, and I'll say, what's not inclusive? And that's where they stop speaking to me. That's where the communication ends on their part, in my view. A little bit of that history, I'm sure, is, is part of this, before this issue was brought up, the music teacher has also changed labels and changed practice, based on religion of students, which I said, that's not allowed. That's not how we do education. Either stop, or explain to me why it's okay to do that? And the school, and the school said, no, we're not talking about that either, that, we've dealt with that. You can't ask those questions. So, I know they have

Keith Ussery 06:10

So, what happened in that situation? Was it, was it over sacred versus secular music? Or what was the

April Johnson 06:16

It was twofold. So, this was when Tucker was in fifth grade, I believe, maybe fourth. So, we haven't had a music program since my oldest was in kindergarten, and that's when we didn't have money in the budget. And so, for many, many years, we didn't have a music program. There were many people in the district that would go above and beyond their job duties to put one together. And sometimes they would call and ask

me to help. And I loved to help. I love music. I also am an educator. So, this is what I want for the kids, a good education. So, then we got a music program back, which was wonderful. And the flyer came home that said, Winter Program, or something like that. And so, I went to the music teacher and said, what, why is this a winter program? It's not a winter program. And I know it's not a winter program because they offered me the job and said the requirements, are this, this, this, this, and one of the requirements was to have a Christmas program. So, are we having a Christmas program, or are we having a winter program? And I said, I don't like it. It seems disingenuous. And the music teacher was good to speak with me about it. She does not like conflict. It is not comfortable for her. And so then I went to the and she said, nope, this came from the principal. So, I go to the principal and say, what's going on, Theresa, this is ridiculous. And she said, no, I just think it would be the best thing if we just call it a winter program and not a Christmas program. And then it got real sticky, because that's what happened at my child's school, is they called it a winter program and they had all the same songs, except for one. Then the Willow Creek School, which is the rural elementary and middle school out here, that the music teacher goes to on Fridays. And at Willow Creek, she taught all the same songs, plus Joy to the World, or maybe Silent Night or something, something, some, some Carol, A Christmas Carol, and it was called a Christmas concert. So, then I was really like, you guys, why is it different? Why did they get to do these things, and Vail Elementary doesn't? And so, my first point of saying, I don't think this is right, because I think you guys are inhibiting one particular religion. And then the superintendent wrote a report and said, no, no, no, we're not inhibiting Christianity. We're not picking on Christianity. It has nothing to do with Christianity. Really, it's because of the students and their religion. And the principal in a board meeting where they were discussing the issue, said, yes, we have Wiccans at Vail Elementary School, and so, we, we just can't go there. And that's when I pointed out, I said, that's, this is not how we educate kids in America. We don't say, well, you're black, and so, this is the education you can have, or your Wiccan, and so this is the education you can have. Whether or not, they said, well, we applied it to everyone. We now at Vail Elementary School and Willow Creek, they've made sure that we have the same. That's where that started from.

Keith Ussery 09:38

So, did that heighten your sensitivity to the changes around

April Johnson 09:42

I don't know if it heightened my sensitivity for my local area. I've been concerned for all my years as a parent, about what is happening to America in general. I think the freedoms that have been set up, you know, we ebb and flow. We learn and grow as a country. And I think there has been a shift in the state of Oregon about what is tolerable as, and so that, then I'm, now I'm going to jump forward to a conversation I had with Brita. I can't remember her last name. I put it in

Keith Ussery 10:24

Is it a board member?

April Johnson 10:25

Nope. Brita, this is my timeline. I'll just show it to you. I'll leave it with you, because this is, this has been a long story.

Keith Ussery 10:33

Yeah. Okay. I'm used to long stories.

April Johnson 10:37

Brita, Brita, Brita, Brita, she's the OEA rep.

Keith Ussery 10:39

Oh, gotcha. Gotcha. So, she's the UniServ rep for the region.

April Johnson 10:42

Yeah, and she was, she was so nice, and called me right back when I reached out to her, and we had a nice, long conversation where she said, April, this is just best practices in Oregon, not to not to call things Christmas. And I said, but if it is, I can understand why you wouldn't call something Christmas that wasn't Christmas, but if it is Christmas, there's no problem calling it that. That's not an, that's not an issue. But it is an issue if you're, if our district has an agreement that the district may not call it that. And she didn't know anything about that agreement, but she just said, well it's best practices in Oregon. So, so, the, the first issue with the music department did not heighten my awareness. It's on my radar. I don't like it. It's been on my radar for a long time.

Keith Ussery 11:38

Got it. So, I kind of want to tackle these things in, in, in sequence, sort of establishment, prohibition, free speech, clauses from the First Amendment. Just kind of walk through some, some questions around where they are, and I, you can see, I've read your document multiple times and tried to kind of pick and cull things out that I wanted to understand a little bit better. So, help me understand your position. If I misstate it, also, there's always that chance, right? If I get it wrong, tell me I get it wrong. But help me understand your position that the Christmas break label is not endorsing or promoting a particular religion. Did that, did that make sense?

April Johnson 12:26

Yes. Absolutely. Yes, because that was the first thing that Andy Hally says, if, if we call it Christmas break, we are not following that law, which he doesn't understand that law. When you, when you name things, it does not endorse something. If you look at the beginning point of it. So, the beginning point when Vail school district, so, this is, this, I mean, you know, I do my research just because I, I go, this is a no brainer to me. But I, I want to try to understand it from their point, if, if they can help me understand. So, I said, from my point, the school district, gosh, has had, ah, we have had a Christmas break scheduled on the calendar since back to the 1960s is where I got, you know, I'm asking people, I'm going, am I way out of, out of reality here? Is this not, is this, is this, has this not been what it is? And the people that I interviewed said, no, we do have Christmas break. We had Christmas break 50 years ago when I was in school. And, yeah, this is what. And I said, so, what happened? What was, why does it get scheduled? And as far as I can tell, we schedule breaks on the calendar for attendance reasons. So, when they talk about the calendar in the board meeting and when the superintendent is putting it together, her intention is to facilitate attendance. If her intention was to endorse a religion, then absolutely she should not put Christmas break on there and call it Christmas break, with the intention of hoping that everyone will put up a Christmas tree. But that has never been her intention or anyone's intention before her. It was simply, well, we know teachers don't, they'll take their sick

days, or they'll take their vacation days, and we know kids won't show up during this time period, so it makes sense to schedule a break here. So, that's why

Keith Ussery 14:32

Some districts take a week off during hunting season.

April Johnson 14:35

And I pointed that out to them, right? I was like this is, this is not, and they're not endorsing hunting by doing that, they're facilitating education. So, that's why I think calling it what it is doesn't endorse the activity itself. They actually shut the building down during the said activity. So, that's not an endorsement. They're not taking roll of anyone while they are, what, of what they're doing during the Christmas break. So, it promotes nothing. It endorses nothing. Like they shut down the school.

Keith Ussery 15:10

So, why isn't, why isn't it enough to have the holiday label as opposed to the break? So, Christmas is on the, on the, on there, obviously.

April Johnson 15:21

Uh huh.

Keith Ussery 15:25

Isn't that enough demarcation to say, it's about Christmas, or is it, is there something more?

April Johnson 15:32

That's an interesting point! That could very well have, have been what happened. They could have moved from calling it Christmas break, just organically, to calling it holiday break. But that's not what happened. You, we had two leaders, a government leader and a, the OD whatever,

Keith Ussery 15:51

OEA?

April Johnson 15:52

yeah, the union leader that got together and said, we will not call it Christmas. Not, you know, I just don't really think it is Christmas break anymore. What, what is the, what is the most truthful? What's the most accurate? Really, they got together and said, I don't care what it really is. This is what I want it to be. This is what I want it to be called. It's completely agenda-driven. It's completely opinion-driven by an outside source that well, then the inside source agrees. So, that's why holiday break, it's a fair question to say, why is that not enough? That's not even the situation given to me, because that, that wasn't just there's a whole list, and we picked that one, we put them all in a hat we picked out holiday. That's what we used. That's not what happened. What happened is they said, we will call it anything other than what it is. And then when I say, why? They, they won't say what I, what I think is on the tip of their tongue, which is the religion part, which then, I go back to, then you're inhibiting a particular religion, and that's not how we roll in America.

Keith Ussery 17:10

So, also in here, you've indicated that essentially the district is favoring a secular approach over a spiritual one. And do you see that as sort of the core of, of the issue around the Establishment Clause? I mean, is it, is it that they're trying to establish secularism as sort of the standard, as opposed to a more spiritual approach?

April Johnson 17:41

Absolutely. So, right now, in the Oregon Teachers Union, their understanding of the Establishment Clause is that to be neutral to religion means to remove it, and that's not a correct understanding of it. Removing it is not neutral. It is absolutely destroying it as a choice. So, yes, that's I would say, not that I'm wholeheartedly even against, like, let's be more secular. That's why I said, go ahead and have a winter break. Have a break in January. It's great idea. My kids still aren't going to come to school the week of Christmas because we got other things we're doing, but I can understand where they go, yeah, we're just, we're just going to do something else and try it and see how it works.

Keith Ussery 18:31

Right. So, what if, mean, I'm guessing that your community is primarily different versions of Christianity, different denominations and so forth. What if there was a really strong presence here of Judaism, right? There were a lot of Jews, and I mean, Hanukkah kind of falls about that same time. So, how do you, how do you react to that sense that, that a person who doesn't practice Christianity might view that label as being like either trying to advance another religion or being hostile to their own. I mean, that's a

April Johnson 19:15

Yeah.

Keith Ussery 19:16

it's just an interesting sort of take, and in larger communities, where perhaps there's even more diversity than, than here, maybe that's a bigger issue, but just kind of [?] on that for a second.

April Johnson 19:32

Yeah, that's a great point. So, in the state of New York, there is a larger population of Jews, and so they do take, it's not for Hanukkah, because Hanukkah is this day, you know, days of, of a, of a holiday, but it's, gosh, I can't remember the Jewish holiday, but it's in the fall, and so they take a break from school for this Jewish holiday, for attendance reasons. And so, when you talked about, you know, let's say there was somebody in our community who is not observing this particular holiday, and they go but, but I got one nearby. And how come you guys don't mention that? It's an education. It's a time for education, which is what public education is here for, to explain to them, hey, that's awesome that you celebrate Hanukkah. This, we're not taking a break because we care that Christmas is happening. We're taking a Christmas break to facilitate attendance. It really is just a teaching moment. You know, we talk about teaching moments as parents. We talk about teaching moments as teachers, like when do you have them in the space where they can learn and grow and consider new ideas. Because just because I come to the table, you know, even today, I'm coming to the table of what I think I know, but if I'm not willing to have this, a discussion, or to answer questions or to ask questions, then I'm not willing to learn and grow and, and I think that's one of the best parts about Americans. We want to learn and grow. So, somebody coming with a concern from a, that's a different religion, saying, I'm worried that you're not being equally fair to acknowledge my religion on the

school calendar, is a teaching moment. It's the time where the district says, oh, I see what you're saying. It might appear to you like we care about Christmas. We don't care about Christmas, we care about attendance, and that's why we scheduled this. So, it's intentions and explanations. That's how I see it.

Keith Ussery 21:40

Because typically, a complaint like this comes in that fashion, right? It's, it's someone who feels disenfranchised,

April Johnson 21:48

Left out.

Keith Ussery 21:48

or they feel as though they are being discriminated against because of some difference in their view, right?

April Johnson 21:56

Right.

Keith Ussery 21:57

And we don't have that here, per se, right? You don't, you don't have a complainant who's come forward and say, I practice X religion, and therefore I'm offended by this, right?

April Johnson 22:06

Right.

Keith Ussery 22:07

So, it's, it's sort of, I don't know, for lack of a better word, preventative, right? I mean, it's like, are they trying to prevent that sort of complaint? Is that

April Johnson 22:18

That's how they have, that's how they've explained it to me, both in the music program, both on the calendar, is, we are doing this all out of an abundance of caution, and I can appreciate that. It is hard to be in education today. Everyone's gonna complain. And so, that's where I get really frustrated with the district, because I say, okay, I hear you. I hear your concern. Let me explain how we move forward with the law, because that's what governs a public school and they still go, yeah, but I don't want to. So, I, this is brand new. This is a story, I also love to tell stories. This agreement permeated the music district, or the music program. This agreement is now permeating the high school. On Saturday, we go to the basketball game, and our girls' team is good, and so it, they fill the gym. It's a big gym, and, oh, and we were playing this though. That's the other reason, right? So, it's 15 minutes away. So, the whole town of Vale shows up. The whole town of Nissa shows up. And you know, Alicia's little boy's been in the hospital. So, one of the students wants to say a prayer for him. He's told he cannot. He is told he can have a moment of silence, but he cannot pray. And once again, that's a, that's a misunderstanding. It's good intentions. I get what the athletic director is going, I don't know if that's okay, so I'm gonna say, no. So, it is always preventative and good intentions. But then once you learn and know better, you need to do better. So,

Keith Ussery 22:33

So, I, tell me, tell me this. Do you think that you have personally been discriminated against by the actions that the district has taken as a, as a believer, as a, as a,

April Johnson 24:08

not

Keith Ussery 24:18

as a parent,

April Johnson 24:20

Yes, yes. Not on, not only have I been discriminated against, but my child has been discriminated against. And I get when, you know adults, we are going to disagree, and I'm not going to get what I want, and you're not going to get what you want all the time, and it's, this is, this is the adult world that we learn how to live in. It, it really rubs me the wrong way when it's children who are being taken advantage. Because what child cares that much, you know, like they want to go play at recess, and they want to go read the story, and they want to color their pictures, and they're in this grown up world that is just steering them wherever they want it to go. And so, I really feel like it's, it's an abuse of power on the school district's part for all these children that they are impacting with their decisions.

Keith Ussery 25:13

Let me shift over to Prohibition Clause for a moment. How does, and pardon that I'm looking over here, but I'm trying to get the questions sort of like,

April Johnson 25:22

You're fine.

Keith Ussery 25:22

there has to be some level of precision, right, or otherwise it doesn't actually come across as the way I want it to, so. So, how does changing the name from Christmas break to winter break inhibit your Christian religious expression?

April Johnson 25:36

It inhibits my Christian religious expression, because the reason it was changed. The reason it was changed is because Alicia and Andy don't like mentioning it in public school. Wherever they can get away with saying, no, nobody will, nobody will notice. Let's, let's get rid of it here. And then in a couple years, they'll, let's get rid of it in the music programming. Oh, let's get rid of, you know, they're, they're taking just chipping away at the big rock wherever they think might not be noticed. It might not be missed. It, you know, nobody will really care, right? Well, I care because they've got an agenda, and their agenda is that they don't like what I believe in, or they don't like that what I believe in permeates culture, and therefore is part of public education. They want to change public education. So, that's why it inhibits me as a Christian.

Keith Ussery 26:45

So, it's been a couple years since the Christmas break terminology has been on the calendar. Is it two years now or three?

April Johnson 26:57
I put it down.

Keith Ussery 26:59
It's not all that important. It's been a little while. Okay. So, since that change from Christmas to winter break,

April Johnson 27:01
It's, yeah, two, yeah, two or three years. Yeah. Yes.

Keith Ussery 27:08
has that changed your observance of the holiday?

April Johnson 27:13
It has changed how it gets spoken of at our house, absolutely, not how we practice, but how we speak about it, because the language that's coming home from the school district has, we have to read it, and then we have to say, but you know what this really is, it's not winter break, it's Christmas break. So, it doesn't change how my family personally practices, but it does try to manage how we speak about it. And so, it has to be our choice not to use the words that are forced.

Keith Ussery 27:46
Not to call it, not to call it winter break, but to continue to call it Christmas break?

April Johnson 27:50
Right.

Keith Ussery 27:50
Gotcha. Gotcha. I'm gonna skip that one.

April Johnson 28:03
Oh, ask it. Come on. I'm here.

Keith Ussery 28:05
No, I

April Johnson 28:06
You're here.

Keith Ussery 28:06
I was, I had already sort of asked this, I, this, this, this question about the promotion of secularism versus a more spiritual approach. So, I don't need to ask it again. That's why I kind of was blowing by it. So, free

speech, okay? So, we've done you know, Establishment Prohibition, now we'll get into free speech. So, you indicate in here that the district is cens, censoring free speech. Explain that to me.

April Johnson 28:38
Sure.

Keith Ussery 28:38
How is, how is the speech of a government entity taking away your rights as an individual?

April Johnson 28:50
Sure. So, the government entity as, as a school district, once again, we talk about how it creates the experience of many people in our town. It is one of the biggest employers in our town. Not all, but the majority of the kids attend school in our district, and so when the district controls the speech that it puts out or that it is going to allow people to use, it impacts my ability for free speech. The government cannot tell people what, that, that the color red will now be called blue. It's, it's not accurate. And then when you say, well, why do you even want to do that? And they say, well, we don't actually like the color red. It might hurt some people's feelings. And then we go, oh, so you have an agenda. The government, all of a sudden has an agenda. That's what the school district is not ever supposed to have. The school district is here to be a neutral party that is educating the kids to read and write, not to socially engineer a new culture for them. And they're doing that through controlling language.

Keith Ussery 30:11
I think I'm tracking you. The direction I'm headed, and I just want to kind of signpost for you is, is trying to draw this clear distinction between what is government speech and what is protected individual speech, right? There's a very, very distinct kind of category.

April Johnson 30:30
Sure.

Keith Ussery 30:31
So, you indicate that the district is censoring free speech, but it doesn't appear that they prohibited you

April Johnson 30:41
True.

Keith Ussery 30:41
from using the word Christmas break, right?

April Johnson 30:43
Yes.

Keith Ussery 30:44
And so, how do we, how do we get to that spot again where you believe that, that they're censoring you?

April Johnson 30:52

Yes. Good question, because, yeah, let's connect the dots. So, I noticed the change on the calendar, which, in and of itself, they don't follow policy on the calendar. Why did it take me a couple years to notice? Because they don't ever bother to follow their policy, where it says, it requires parent input. They don't ever get parent input. So, anyway, by the time I noticed it on the calendar and go, let's figure this out, I go to the school board, my school board that I elected, and said, I'd like you to change this back. This is not right. This is not true. It's not accurate. It's a lie. And the school board nods their heads and listens, and that's all I got from them. I didn't get a response from my initial request. They discuss it apparently at some meetings, I'm not sure, but it was the March board meeting where a school board member puts out a motion, let's, I'd like, I'm gonna put a motion; let's call it Christmas, holiday, winter break. And another school board member says, I cannot vote for that. Our superintendent has made an agreement not to use that word. That is censorship of my language. I asked them for it, and they said, well, they didn't, actually, they didn't, never say, April, we can't give you what you're requesting because we've made an agreement. They never gave me that information after months and months and months and months, it came out in a school board meeting. So, they have censored my speech. They have not allowed the school board that I elected to do their job. They are controlling the school board's speech in that instance, this a, this agreement. So, so, let me try to explain that back to you to make sure I got that correct, Okay.

Keith Ussery 31:25

right? What you're saying is that your speech has been infringed upon because an agreement has not allowed the people that you elected to use the language that you would prefer them to use. Is that close?

April Johnson 33:00

Yes, I'll only change the very end of that, which is, that agreement constricts or controls my elected official's speech. My elected official said, let's call it this. And one of the other elected officials said, we can't, we're not allowed.

Keith Ussery 33:21

Okay. So, the, the core of that, that, what I said back to you, is, is close? Okay. Alright.

April Johnson 33:27

Yeah. Yes.

Keith Ussery 33:34

You, you equate in, in the document that, that the change in that language is similar to the arbitrary banning of a book. And, and that perked, perked me up a little bit, right? So, tell me about how those two things are the same or similar.

April Johnson 33:54

Okay, the similarities really are only in two places. One, that it happens in schools, and two the word arbitrary. So, whenever the, the government, a public school can control speech. We have rules that say, no, you can't go around saying the F word. You can't go around calling people the N word. So, I fully support that we can control some speech, but we can't control it arbitrarily, and so arbitrarily, the way a book, somebody didn't like the message in that book, that's arbitrary. They're saying, I don't like it. I don't, I, it

doesn't meet my standard for what is good and acceptable. And that's an opinion piece. The, just the agreement made between Alicia and Andy is an arbitrary agreement. They, they have said, we're not going to call it Christmas, not because it's offensive, not because it's inaccurate, not because it is hurting anyone, but arbitrarily because, well, one, it might hurt somebody's feelings. Number two, I just don't like that we talk about anything that has anything religious in schools, and this is all an arbitrary opinion that they have forced on my public entity, my school district.

Keith Ussery

Okay. I'm just reflecting for a moment,

April Johnson

Sure.

Keith Ussery 35:26

just thinking.

April Johnson 35:27

Yeah.

Keith Ussery 35:27

Sometimes I'm, just require

April Johnson 35:30

yeah simmer.

Keith Ussery 35:30

simmer, a second to process, right? So, in terms of, of you personally, has the government, in this case, the school district, have they censored your personal speech, the things that you would say, right? Have they disallowed you from saying, it's Christmas break in your home or in another context, or have they disallowed you from publishing a calendar that has Christmas break printed on it? Are you tracking me?

April Johnson 36:15

Yes.

Keith Ussery 36:16

Okay.

April Johnson 36:16

That one is sticky, right? Like we're going, there, there's free speech that is individual, and the school district is not an individual. So, how does, how do those two things correlate? And if the district is my child's district, we are enrolled here, and they hand me a paper that is now my child's school calendar, is that my speech? It's something that, that I, I'm beholden to.

Keith Ussery 36:53

I mean, if you, if you, if you carry that one step further, you've got a policy manual, right? In your case, the district makes, makes use of the OSBA service for policies. They provide sample policies. The district and the board reviews those policies, and they adopt those policies, right? So, there could be hundreds of situations or 1000s of situations in policy that don't represent your personal view, right?

April Johnson 37:26

Sure, yes.

Keith Ussery 37:27

So, is that, are those policies then similarly infringing upon your personal freedom of speech? I've just sort of blown this up a little bit bigger, right?

April Johnson 37:36

Yeah. Yeah. I think that's where we get back to the arbitrariness of it. If, if there's going to be a policy in place, there needs to be a reason for it. And the, the only reason that I mean, they don't want to talk to me about this, so, I don't have the answers, but the only reason I've been giving is because it's not inclusive enough. That's arbitrary, that what is inclusive enough mean? So, that policy does infringe on my personal rights. Now, but like, yeah, blow it up? I guess we have, that's why you have someone going through policy all the time and going, what is this? And so, courts, absolutely, absolutely, look at intention and go, what's the intention here? The intention for controlling the use of vulgarity in schools. What's the intention? Is it to infringe on anyone's free speech, right? No, it's, it's just to create a world where we can all be respectful, and so now we're going to include, and no vogel, no, no profanity, no vulgarity, and no using the word Christmas in these certain situations. There's no logic there. It's arbitrary. So, I would say, I guess, I go, I keep going around in circles.

Keith Ussery 38:37

No, it's okay.

April Johnson 39:07

When I talk to the district and call it Christmas break, they correct me. They say, winter break. They don't say, you must say that. They just correct me in their use of it.

Keith Ussery 39:20

Who does that?

April Johnson 39:23

Um, the, this, I've talked to Ryan Bates. I've asked, I've talked to Alicia over emails and, and she will, her, she won't use my terminology, right, and I won't use her terminology. But is that, she's not making me say the words, and I'm not making her say the words.

Keith Ussery 39:50

Right. Right. No, I'm

April Johnson 39:51

That's sticky.

Keith Ussery 39:52

Yeah. No, if this were an easy issue, I wouldn't be sitting here, right? Okay. So, you indicate your, your union president and your superintendent, and I think, quote this one. It says, "violate your right to free speech in favor of people's feelings." And I understand the premise, but is that the same argument that you're making? I mean, essentially, they've removed the word Christmas from Christmas break and that, that hurts you in some way, personally? Does that hurt your feelings? I mean, are you, I'm not trying to, you know how that come across, right?

April Johnson 39:56

Right. No, that's a good question. Yeah, that's a good question. I guess I could say, I could say, yeah, that kind of hurts my feelings, but it's, it's what rubs me the wrong way is that you're selling me a lie. That rubs me. I get it though, yeah, I mean, that's, that's a fair comparison.

Keith Ussery 40:40

And it isn't, you know, I promised that I would treat you respectfully and, I ask these questions in absolute respect, right? I mean, I want to understand the nuance in these sorts of situations, right? I mean, it's important.

April Johnson 41:23

Yes. Yes. Well, it is, because the nuance here is, they're telling me, April, we need to change it, because somebody, somebody's feelings might get hurt, and then I will say, oh, what if I tell you that my feelings are hurt, then will you do what I want? And they go, no. So, okay, so it's really not just feelings in general, it's a certain group of people's feelings.

Keith Ussery 41:41

Right.

April Johnson 41:41

So, maybe that's the distinction, is they really are picking a winner and a loser and, and it's not necessarily the feelings, the feelings are there,

Keith Ussery 41:41

Got it.

April Johnson 41:42

but the government's not supposed to pick the winners and the losers.

Speaker 1 41:48

Got it. So, I'm gonna talk about the secrecy, or the secret agreement.

April Johnson 42:00

Yeah.

Keith Ussery 42:01

Okay. So, you refer to the agreement as secret, rather than just an agreement. Do you really think it was secret? I mean,

April Johnson 42:13

I do, because when I came to the board in October and said, I think this is the right way to go. I think this is what needs to happen. Will you please do this? Nobody said anything about, oh, we can't; or we can't even consider it; or we have considered it, and we made this agreement. Like no, nobody ever told me that there was an agreement. Still to this day, the school board has never told me, April, thanks for your request. This is why we can't do it.

Keith Ussery 42:47

Do you think if they told you that, would that change anything?

April Johnson 42:52

It would just open, it would have opened the dialog, I think, much sooner to go, well, let's talk about that agreement. Tell me what it is. I don't understand it. The other reason, I think it's secret, is because the s, the superintendent has been tight lipped on her answers, and the Vail union president, I asked him, sitting right there, we're sitting together in the meeting, and Darlene McConnell says, I can't vote for anything with the word Christmas in it, because the superintendent has it already made an agreement with the union not to. And I lean over to Andy, I go, I don't know anything about that. Can you tell me about that? And he says, maybe. All right. So, I follow up, and I call him on the phone, and I said, I'm just calling to follow up about this. Can you tell me about that agreement? And he said, I will not. I will not talk to you about that agreement. And I said, okay, Andy, just, I'm going to clarify, you can't talk to me about that agreement, or you won't talk to me about that agreement? And he said, I won't. Okay. So.

Keith Ussery 44:07

And no reason given for why he wouldn't talk about it?

April Johnson 44:09

No reason. Nope. That's when he referred me to the regional rep. Then, but then one of the reasons I went to Andy was because I said, Alicia, tell me what's going on here. Tell me about it. Tell me when it started, when does it end? What do you get in return? Like, what? Tell me about it. And she said, if you have questions, you're gonna have to talk to the union about it. When I went to the union and they said they won't talk to me about it.

Keith Ussery 44:34

Got it. So, the superintendent in a district this size, any size, right? They make lots and lots of decisions and lots and lots of agreements that don't ever necessarily see the light of day, because that's part of operation, right? I mean, you have to make, there's, there's, I mean,

April Johnson 44:58

I mean, give me an exa, yeah, I'm sure there is. I am not a superintendent, so I can't imagine. Give me an example of what there could be.

Keith Ussery 45:05

So, let's say, as part of your negotiations process, there's always give and take. There's always like this opportunity for there to be dialog between the Union and the Association and the board that is never made public. It results in a document that says, here's what, here's our collective bargaining agreement, here's the content of the collective bargaining agreement. But there's a whole lot of decision making that happens before a document like that is produced, right? Or perhaps, let's say, in the process of budgeting, there are lots of decisions that have to be made; there's give and take, especially whenever there's

School Secretary 45:43

Good morning everyone. It's still a chilly 18 degrees outside school. Be observing inclement weather for any morning recesses, and I will reevaluate as we get closer to lunch. Thank you.

Keith Ussery 45:59

I have no idea where I was going.

April Johnson 46:02

What agreements does the superintendent make that don't become public knowledge?

Keith Ussery 46:07

Right, right. So, we talked about negotiations in terms of the collective bargaining agreement. We also may have decisions that are made prior to a budget being published, for example, if you're in a, if you're in a time where there's fewer resources and you're going to have to make cuts, there's going to be lots of decisions that don't necessarily end up as part of dialog at the board meeting, right? It's, it's operations of the building, operations of the district. So, to think that every decision that a superintendent might make or a board might make is absolutely public.

April Johnson 46:50

I totally agree with you. But when something gets cut on the budget and a parent comes to you and says, why did you cut that, the superintendent goes, huh? Let me show you, and they talk about it. They don't say, sorry, I'm not going to tell you about why I did that. I'm not going to tell you about what happened. I mean, they're, they're not ever not going to back up their decisions. They're not going to not back up their actions. They don't, you're right. They shouldn't spend the time to, to educate the entire public on their day to day decision making. But if a concerned stakeholder in the district comes and says, I think this was a mistake, this was a wrong call, this was a sideways turn, they don't go, I'm not going to talk to you about that. That doesn't benefit.

Keith Ussery 47:39

Yeah, I am tracking in terms of, of how it relates to this particular situation. And I'll give you another one. One that comes up really frequently are personnel kinds of decisions, right? Okay. So, your son goes to school. Teacher is no longer there, and

April Johnson 47:57

I call and say, why isn't she here?

Keith Ussery 47:58

Why isn't she here?

April Johnson 47:59

I cannot tell you.

Keith Ussery 47:59

I can't tell you.

April Johnson 48:01

Based on what? Based on policy and law, they can't say, what's the policy and law that they won't tell me about some agreement that they made? There is no policy, policy or law telling them they can't speak about that. So, I don't think those, that's apple and an orange to me.

Keith Ussery 48:17

No, that's fine,

April Johnson 48:18

Yeah.

Keith Ussery 48:19

just, I get it. I get it.

April Johnson 48:19

I love it. I love it.

Keith Ussery 48:20

Okay. Let me think about that one more time here.

April Johnson 48:32

Yeah. This is a fun game you play. I don't know how you do this, but this is fun.

Keith Ussery 48:44

So, do you think the decision by the union and by the district's leadership not to engage with you is based upon prior experience; challenges that they maybe experienced when you were dealing with the issues around the music programs? Because sometimes people don't want to engage because,

April Johnson 49:12

Yes.

Keith Ussery 49:12

it's a squeaky wheel, right?

April Johnson 49:14

Oh yes, and, and Andy has said, you guys quit, quit talking about this. We talked about it once, you're wasting everyone's time, because someone just keeps whining. And that is fair. I, you know, I, I very well could be considered that squeaky wheel that you're like April, just stop complaining. The prior experience absolutely plays into this, because they know, they know I won't take it to the point, we'll call it ground zero. I feel like I could take the situation with the music program to ground zero. I feel like I could...

Keith Ussery 49:58

What does that, what does that mean, ground zero? Like,

April Johnson 50:00

To me, to me that means litigate.

Keith Ussery 50:03

Grievance step four. Mmm hmm. Sure.

April Johnson 50:03

And a school board member said to me, Darlene McConnell said, do you really want to be the person that schools, that sues their school district? I said, no, I don't want to be the person that sues their school district. And so they said, we know she won't. So, they know, if they just, they just keep pushing me off, that I won't push it. I'll be like, all right, I guess, I'll take it. I guess I'll take it again. So, I think maybe that could be part of that prior history, the prior history where Andy's like, quit engaging. That one makes me laugh, because in Andy's letter, he wants both sides of the pie too. He says, this is such a non-issue. This is, we have already dealt with this. Why are we wasting any time? And then a couple paragraphs later, he says, but it's such an important issue, we will go to Code four. I don't remember what they, they yes, grievance step four. And I think you're speaking out of both sides of your mouth, Andy, you're saying, it's not a big deal. Okay, if it's not a big deal, then, then, then do what I'm telling you is the right thing to do. But then he's saying, oh, it's such a big deal that if you don't do it how it's still doing, that we will throw a fit. We will burn it down. So, I think it's, it's a little two-sided for him to be like, April's making too big of a deal out of it, because then he's threatened to make a big deal out of it.

Keith Ussery 51:45

So, the language that you use to describe Andy, I only know him by the last name, right?

April Johnson 51:51

Oh, yeah.

Keith Ussery 51:52

Right, that it's pretty unflattering, right? It's, it's like calling the language police, and that, that he thinks that Christmas break is dirty and unacceptable and intolerant. So, I'm just really, really transparently with you, right?

April Johnson 52:12

Yeah.

Keith Ussery 52:13

That's the part, I can engage with this on an intellectual level, but that felt like it was intended to be hurtful. Is that, is that what the intent is?

April Johnson 52:23

Oooh, yeah. That, that, it, my intent is not to be hurtful, but I do, I haven't fixed it yet, but I'm aware that I don't really get my feelings hurt very easily. So, I treat everyone the way, at my level of tolerance. So, I hope that did not hurt his feelings, but those words were used in a way to be provocative, because the school won't address this or fix this, and so I'm like, okay, do you not understand what's happening here? This is how big this problem is. It's not just this. And so, those words were meant to be provocative, not hurtful. But that's, my style's pretty rough, I think.

Keith Ussery 53:18

Like I said, it's like, I can, I can work through the various arguments and think through them, and I can ask you those questions, but I'm gonna, I'm gonna sit with Andy at some point today, right? and my guess is, is that that's gonna become, whether I bring it up or not, I'm gonna guess that it's, it feels like an attack, as opposed to some way to solve problems.

April Johnson 53:32

Yeah, yeah. Sure. Well, and that is, that is my, probably my misstep here. But I felt like, I went to him and said, Andy, tell me, like, talk to me about this. And he wouldn't.

Keith Ussery 53:53

Right.

April Johnson 53:54

So, then I think I do go on the offensive, and that is not a great way.

Keith Ussery 54:01

I'm not calling you out on it. I'm just, just trying to understand.

April Johnson 54:03

Trying to understand. Yeah, yeah.

Keith Ussery 54:06

So, you, you indicate that the union wants to eradicate all mention of religious expression. Have they ever said that? Or is this sort of, is it, is that a

April Johnson 54:20

Brita Scott said that to me on the phone. Brita Scott, the

Keith Ussery 54:23
Who's Brita Scott?

April Johnson 54:24
The regional union rep.

Keith Ussery 54:25
Oh, that they want to, they want to get,

April Johnson 54:27
Yes,

Keith Ussery 54:27
all religious

April Johnson 54:28
religion should not be in public education. Which, I said, Brita, how do you, how do you rectify that with, we teach about religious things all the time. We teach about the Egyptian mummies. We teach about, I mean, even St. Patrick's Day has a beginning in theology. So, you guys are picking one. Oh, let me do a follow up.

Keith Ussery 54:59
Yeah. Please.

April Johnson 55:00
Ah, the music program now. The music teacher says, we will not do religious music. Which I think is a travesty. That's not why we have music programs, so that we can only pick from this category. We should be picking music as a whole. If it's a good piece of music, it should be able to be on the choice list, and right now, religious music is not even considered.

Keith Ussery 55:29
It made me think of a funny story. When my son, who's going to be turning 30, was in elementary school, about second grade, we went to parent teacher conferences, and Mrs. Chaney, his teacher at the time, says, he had a, they had this kind of list of things where they had to choose their favorites, you know; I like the color blue, or like this, and what's your favorite song? And he listed his favorite song as Oh Hanukkah. And she said, I didn't realize that your family was Jewish. And it's not, we're not. But he had had an experience, I think maybe in first grade or kindergarten, where there were a lot of different kinds of songs that were being sung, and one of them for whatever reason, was, Oh Hanukkah, and he happened to seize on it, and then he reports that as being his favorite song, right?

April Johnson 56:26
I love it.

Keith Ussery 56:27
So, I think there's, there's, there's, there's a place for both secular music and religious music,

April Johnson 56:32
Absolutely.

Keith Ussery 56:32
in, in different contexts. And well, that's, that's me, um

April Johnson 56:39
Opining.

Keith Ussery 56:40
Yes, exactly. Okay, so, this little section right here, right, is asking you about some specific language, and we've already gone through some. And this one is, you call the union's position, deplorable and anti-American. Is, I mean, is, is the idea of trying to be neutral and, using their language, inclusive? Is that, is that anti-American? I mean, is that?

April Johnson 57:17
No, it's not! That is an excellent point. Being neutral and being inclusive is an American quality, principle, value, all those things. They have hijacked those, and they don't, when they, when they say, inclusive, they don't really mean inclusive. They want to be inclusive, except we want to include all of these, except not this one. The other, uh

Keith Ussery 57:47
So, specifically they, they, you're saying that they don't want to be inclusive of traditional Christian practices and values?

April Johnson 57:53
Correct, correct. That's the only one they're picking at. That's the only one they're shunning. That's the only one they're trying to tamp down on. What was the other one; anti-American, and what was the word?

Keith Ussery 58:06
Deplorable.

April Johnson 58:06
Deplorable. Oh, uh, but oh, because they want to be inclusive and they want to be what?

Keith Ussery 58:12
Uh, how did I phrase that?

April Johnson 58:17
Because it was two words, that I think they have hijacked; they've, this, uh

Keith Ussery 58:24
I don't know. It was my word that I pulled.

April Johnson 58:26

Oh, okay.

Keith Ussery 58:27

and I can't tell you what it is unless I were to back up on the recording.

April Johnson 58:30

Oh, that's okay, but, but the two words that you used when you read, listen to the recording, those two words that you used, are: correct, true, valuable, American, institutions really, being inclusive is an American institution. That's why we're a melting pot. But they have taken whatever that second word is, and they are not actually following it in its actual meaning. They're saying, well, yeah, we want to do that, but not to the fullest extent, not when it applies to this group.

Keith Ussery 59:08

Got it.

April Johnson 59:11

That's why I think it's anti American, or the word wasn't tolerant, but it was something like that.

Keith Ussery 59:20

Yeah.

April Johnson 59:20

Let's, let's be tolerant. Okay, yeah, let's be tolerant. That doesn't mean we just tolerate the people who don't want Christmas. We also tolerate the people who do want Christmas. You know, that, that's, that's that arbitrary pick and choose. I've picked a winner, and it's not that group.

Keith Ussery 59:35

Got it. So, kind of going off of that idea of inclusivity, you wrote, "words do not include or exclude people". Tell me more, right?

April Johnson 59:55

Okay, sure, sure. So, um, one of the stories. One of the stories, this was a few years ago with the music program, and the superintendent in a board meeting is telling the board, this is why we cannot call it a Christmas program, because I had a adult worker, an employee, come up to me and say, thank you for not calling it a Christmas program, because when I was a child, it was called a Christmas program, and my parents would not let me participate, and so, now kids like me can participate. And I love the, the openness and vulnerability that this adult is sharing, but her premise is skewed. She thought the word was not including her. It was her parents who made an informed decision that said, this is not something I want my child to participate in because of what it is, and as Americans, we have that right, and they did not include her in the school program, not the word. The word does not include or exclude anyone. Words are descriptors, and we are free to act accordingly. So, so, for example, they're saying the phrase, Christmas break is not inclusive. Well, the phrase is not inclusive of, of who? And they're saying, well, someone who

does not participate in this. Okay, so, once again, they, they want to use the word participate. I'm going to use the word observe, whether you know, there's plenty of people that observe Christmas religiously or secularly, and they're saying, but there's also people that just, that just don't participate in it at all, and so this word does not include them. Well, what they're saying is that, if you have a belief system that you actually are not able to process information, that's, labels are just information. And so, if I don't celebrate Christmas, then I'm not going to be able to process that this break happened at this holiday because of something inherent in me that I'm not, my belief changed my ability to understand those words? That, that doesn't make sense either. I'm not being included. There was no gathering. There was no, we're not labeling people. If we're going to label people, then we can maybe talk more about how that includes and or doesn't include, but it doesn't apply in this situation to me.

Keith Ussery 1:03:11

One of the things that, because you were telling that the brief story of someone who wasn't allowed at some point in their life to participate in a Christmas program because of its title. It made me think of sort of this notion that people who are not in the majority require our attention and additional protection. Do you believe that?

April Johnson 1:03:37

I do believe that, but I don't believe that their rights should infringe upon, it's, it's, it's that balancing act, right? There will probably always be a majority and a minority and, and that's where we say majority rules, minority rights. And so, I appreciate that America is set up to protect minority rights, but minority rights should not overthrow majority rights or vice versa. And in this situation, I think it has become unbalanced, where it is a minority right that is overshadowing the majority.

Keith Ussery 1:04:17

Okay. So, another little quirk here, and that is, when you, when you say, that words don't include or exclude people, why is the word Christmas so important then? It doesn't exclude you or include you, right?

April Johnson 1:04:34

Ah, yes. Yes. Because it's truth. It's accuracy. In, in public education, our job, and I say, our, just because I used to teach, but the job that I am paying as a taxpayer, I am paying the school to teach my child how to read and write and do math and all these things, right? And so, um, shoot, now I have no idea where, what was the question again? Oh, words include, what was it?

Keith Ussery 1:05:04

Was it, include? Or you wrote, "that your words do not include or exclude people". And my question was, then, why is the word, Christmas so important?

April Johnson 1:05:13

Oh, why is the word so important? Yes! Okay. Yes, so important. So, education is important because we are preparing the next generation. We're preparing the next generation to go into the workforce, to go into the world and make society happen, right? And we do not prepare our children to go grow, I can't even, grow some pretend animal under the sea. That doesn't prepare them for anything. That is nonsensical. That, that is absolutely the antithesis of the purpose. The purpose is to prepare them for reality. And so, we, we need

to be able to educate in reality. Our school has adopted one of the you know, they send home these cute little flyers every week, their social emotional learning. And they, they want the kids to have integrity. They want them to be truthful. They give them awards for being truthful. And so, I consider it a complete violation of our children's trust to say, well, we want you to tell the truth, and we want you to live in reality. We're not going to, we're going to do what we want.

Keith Ussery 1:06:36

Fair enough. Um, the language of victimization comes up in here several times,

April Johnson 1:06:43

Yes, yeah.

Keith Ussery 1:06:44

and did the, did the Union or the superintendent or anybody else, did they ever indicate that someone had become a victim as a result of, of the word Christmas in with Christmas break, I mean?

April Johnson 1:07:05

I specifically asked that, if there were any complaints? There, they have given me none. They would know better than I would though.

Keith Ussery 1:07:19

You write that, "changing the language in the school calendar teaches students that people are victims if they hear something they don't like." I think I understand the premise, but tell me a little more.

April Johnson 1:07:41

Flush that out?

Keith Ussery 1:07:42

Yeah. Okay. I, I think that's what they are trying. I think that's the message they're giving, based on what Andy Hally says in his letters. He says, I'd have to pull them up, but he's saying that somebody is going to think, x, y, z. Well, okay, once again, we go back to, that's a teaching moment for them. They, they might think XYZ. I might think XYZ. And you can sit me down and say, April, let me explain how it works. And I go, oh, okay, you're right. I'm not a victim. But they don't even want to have that conversation with people. They just want to jump, jump on that bandwagon and say, anyone who's in that minority, you guys are victims, you poor things. And so, they are facilitating victimhood. So, twist here.

April Johnson 1:08:33

Okay.

Keith Ussery 1:08:34

How is that different than you?

April Johnson 1:08:35

Ah, I like it because I'm, I did not come to the school and say, you have got to have Christmas break. You have to, we're all going to take it off. I said, you guys planned Christmas break and you aren't calling it that. That's a disconnect for me. What's going on? I said, Ryan, you don't have to have Christmas break if you don't want to. Have a winter break in January. So, I am trying to not come from a place of victimhood. I would like to understand the minority's point of view and say, we can all get along. It's fine. I, they didn't like the suggestion to have a break in January. I can see why. It's not very feasible. It's not function, it just won't facilitate what they were going for.

Keith Ussery 1:09:25
Sure.

April Johnson 1:09:26
So, I think that's where I differ from someone who's saying, I am a victim here, because I'm not being heard. I'm saying, I think there's a problem. Here's some other points to consider. Let's get this right, is all I want.

Keith Ussery 1:09:50
And further with that same issue, right? So, you wrote, "there are no victims here." If there are no victims,

April Johnson 1:10:02
Ah, all right. Will you read the sentence before that one?

Keith Ussery 1:10:08
Um, I'd have to pull it out of this document.

April Johnson 1:10:10
Oh, I believe there are, when I say, there are no victims here, it is referring back to having Christmas break and labeling it Christmas break. There is no victim in scheduling a Christmas break and labeling it a Christmas break. That's what I'm referring to. There is no victim in that scenario, if the intention is to facilitate attendance, which it is.

Keith Ussery 1:10:40
Calendar input.

April Johnson 1:10:41
Yeah.

Keith Ussery 1:10:44
So, your, your basic premise in here, if I understand it correctly, is that there's a difference between opportunity and input. So, I was trying to think of an analogy that would work there for me, right? So, let's say voting, right? You have an opportunity to vote. You can exercise your right to vote. You can choose to go to the poll or fill out in Oregon, you fill out your ballot and mail it in, or you can choose not to fill out your ballot and mail it in. So, why isn't the board meeting like your ballot? It's, the agenda's published. They're going to consider feedback for the, for the calendar for the year. There's an opportunity for public

to comment, I'm guessing. Do they hold their board meetings on Zoom or something else too? Do they do it online, or they just, it's all in person?

April Johnson 1:11:39
[Nods head, yes.]

Keith Ussery 1:11:39
Do they record it?

April Johnson 1:11:42
Not that I know of.

Keith Ussery 1:11:43
Okay. So,

April Johnson 1:11:44
I think they're working on that.

Keith Ussery 1:11:45
Got it.

April Johnson 1:11:46
They're working on it.

Keith Ussery 1:11:46
So, so, there's a, there's the opportunity, if you choose not to exercise it. Is that, is that like choosing not to vote?

April Johnson 1:11:59
I like it. I like that. Okay, I'm gonna, I'm gonna talk to that in two different points. The first point is, yes, I have the opportunity to vote, and I may exercise that, or I may not. There is no law required of the government that says, you can't elect someone unless you get votes from everyone. In our situation, our school district has a policy, and the only thing that I can understand about policy is that if the policy is wrong, they can change it, or if they don't like the policy, they can change it. They have not changed this policy. So, they must like it, they must think it's valuable. They must follow it. The policy requires the school to get input from parents. That's, that's the, that's the rules they gave themselves. So, the fact that they are, are the non-actor here is not a, is not the same comparison as me, maybe not voting as the non-moving party. They are the moving-party. They are required to get input, per their policy.

Keith Ussery 1:13:13
So, if we get, if we get input from teachers, administrators, the board, and we have a non-actor group of parents who don't, who don't provide feedback, does that mean that we can never adopt a calendar?

April Johnson 1:13:31

That's a very good question. So, that would either show faulty policy, policy that is ineffective, or it would show that the school is not taking steps to implement their policy. I'm, have been a parent in the district for 18 years, and have never, by any of the superintendents or principals or boards, I mean, it's not, this is not just this board's issue, but there has never been a vote held or a, here, we're going to send these home, and we're going to ask parents for input, and then you might get this group that just decided not to participate. That also doesn't apply here, because they've never asked parents to participate the way policy tells them to do. Um, I didn't write the policy. I asked them to follow it, and they said, we do. And I said, okay, how, how did you follow it in these other, before I showed up and gave you my input as a parent, how'd you follow the policy? And they said, if you think there's a problem, you can file a complaint. So, I feel like I, I'm, I'm sure I come off pretty, pretty strong, that they just go straight to the defensive position and go, circle the wagons. We don't know what to do. And I'm more interested in, let's find a resolution. Let's find, let's, let's work towards this. I understand policies can be changed. If you don't want to require parent input in your policy, change your policy, but right now, it requires input. I'm telling you, you need to follow it. I'm bringing it to your attention that maybe this step has been missed, and they tell me to go away.

Keith Ussery 1:15:25

Is there, is there a difference between, like, it doesn't sound like you have a fundamental issue in terms of when things get scheduled in the, in the calendar, right? I mean,

April Johnson 1:15:38

No.

Keith Ussery 1:15:40

is the, is the intent of the policy, then, to provide feedback on, on the configuration of the calendar or the language contained in the calendar?

April Johnson 1:15:50

It's not, it's not distinguished in the policy what they're looking for. It just says, we want input. I would guess, if it's on the calendar, it's up for discussion, whether it is placement of breaks, starting on days, calendar, what, the language used on the calendar. That seems all viable information to be discussed.

Keith Ussery 1:16:38

So, one of the things that I like to do, and I think we're getting pretty close to having gone through the things that I have percolated on for a couple of weeks. I want to, I want to give you an opportunity, and that is to tell me anything that we haven't talked about, that you think is important for me to know. No boundaries. Whatever, whatever I ought to know about this that hasn't come.

April Johnson 1:17:04

I love it. I think, I think I did already mention that this agreement, I call it a secret agreement, but that's because I just found out about it, what was it, nine months ago? But apparently, it's been known about in the district well before it was spoken of in, in the board meeting. I think the agreement has put our school on, on a very dangerous trajectory, which is why I think what happened in the music program happened. It's why I think what happened on Saturday, that I told you about a student was told he couldn't pray. I think those all have been influenced by the existence of this agreement, and the agreement speaks to what the

superintendent and the union president, it's how they want to run the school, right? And their vision, they're in a place of power. They get to implement their vision. In this one little instance, they're a little sideways, and I would like for it to be corrected. In any of these situations, I am all for, we're in a place of education, let's treat the adults the same way we treat the children, and give them the opportunity to learn and grow and correct. I don't think anyone needs to get fired. I don't think anyone's pay needs to be docked. I don't, I don't, I mean, I don't know what kind of things happen, personnel wise, when people make mistakes, but people make mistakes and then you show them the right way, and then they move forward with the right behavior. I'm all right with that. I, I feel like maybe this will get us there, towards a resolution of, of, of that change. One of the teachers just paid attention to what the other districts in the area were doing, and said, why, why is our district trying to be different from all these other districts? I don't understand. And I wonder what Alicia's vision is sometimes. I think she's very talented and gifted. She's good with numbers, she's good with words. And I don't know where this trajectory, she seems to think it's important, and that's troubling to me.

Keith Ussery 1:19:56

So, let's say, for example, I mean, this is 15 miles away. What do they call their Christmas break?

April Johnson 1:20:05

They call it the Christmas concert.

Keith Ussery 1:20:07

They call it Christmas concert. What about the, what about the calendar piece?

April Johnson 1:20:12

I believe they call it the Christmas break, but I don't think I've looked.

Keith Ussery 1:20:16

Okay. I'll do a little bit of legwork and just kind of

April Johnson 1:20:20

Yeah. Yeah.

Keith Ussery 1:20:20

check and see what other folks are looking like.

April Johnson 1:20:22

I worry about where her trajectory and her vision is as an administrator, because I, it was a comment made by the elementary school principal that she's just said, I was scared. I was scared they were going to get us in trouble. I mean, I think there is pressure from "they", I don't know who "they" is, on these administrators, to go a certain director. I don't know if, or go a certain direction. I don't know if that pressure is the union, the state union, or I don't know, but I know there's pressure coming on them, and I think that's maybe where it started. I don't know.

Keith Ussery 1:21:05

What else?

April Johnson 1:21:07

Um, this, I have no idea if it's important or helpful to you, but this is how my brain does timeline. Sorry, I tried to write up a timeline for you. You're welcome

Keith Ussery 1:21:15

Perfect.

April Johnson 1:21:16

to take that. Um, you already have that. I just brought that just in case.

Keith Ussery 1:21:25

Printed two up and highlighted.

April Johnson 1:21:26

Ha! I love it.

Keith Ussery 1:21:29

Okay, yes, that's very helpful. If I can hang on to that, I would like that.

April Johnson

Uh, what else can I tell you, though, Keith?

Keith Ussery

So, I'll tell you what.

April Johnson 1:21:40

Okay.

Keith Ussery 1:21:41

So, I give people a card for two reasons. One, because about half of the people that I interview are nervous, and they have to have something to mutilate while they're talking to me. And by the end, I have to give them another one because it just, it works that way, and you're not the nervous type. And so, what I would encourage for you is that, I know it happens to me in certain circumstances where I'll finish a conversation and I'll say, we're good, and we wrap it up, and then I get in my car and I'm like, oh, I should have said, I should have told him this. I should have, that shoulda, woulda kind of thing.

April Johnson 1:22:18

Yeah.

Keith Ussery 1:22:20

If you get in that situation, you're driving home, you're, today, tomorrow, next week. You think of something else that's important for me to know. You have my contact information, reach out.

April Johnson 1:22:26

Okay.

Keith Ussery 1:22:27

Email me. If you send me a text message, the only thing I ask is you put your name on it, because I have this sort of, mmm, it drives me crazy when I get a text and I'm like, I have no idea who this is. Because, believe it or not, I don't just work here, I work all over the place. So, I'd encourage you to reach out, right? And if, fill me in, if there's something else that's important for me to bake into this conversation, I'd be happy to do so.

April Johnson 1:22:52

Okay.

Keith Ussery 1:22:54

What questions do you have for me, now that we're kind of?

April Johnson 1:22:57

Um, I think the question I have for you, is, it looks like I'm your first today, which is fun.

Keith Ussery 1:23:03

I always start with the person who makes the complaint.

April Johnson 1:23:07

Yeah. Smart, smart. Then, so, then you'll talk to the rest of whoever you want to talk to. And then would you like some follow-up with me? How does that work, how do I, how do they say, no, no, no, April's got it wrong because of this. And I can say, but I need to, I need to address that. Is that a thing?

Keith Ussery 1:23:27

No, it's a thing. But I would do that fairly selectively, right? I mean, it would need to be something that I simply could not resolve in those conversations that follow or in my own thought process, right? Because in, not every, every situation is like this one. A lot of times I'll come into a situation where there's inadequate documentation, I don't, there's not enough information for me to be able to work from. And here, we've got quite a bit of information, right? And so, if I'm in that situation where I need your help in understanding something deeper, then I have no qualms about reaching out to you,

April Johnson 1:24:07

Cool.

Keith Ussery 1:24:08

right? It's not a

April Johnson 1:24:09

So, if you need to follow up, you will.

Keith Ussery
Of course. Of course. Yeah.

April Johnson 1:24:12
Okay. That's all I have then.

Keith Ussery 1:24:12
All right. And similarly, you know, I'll be talking to your superintendent next, I think. And if I needed to reach out to her after the fact, because this is sort of like you gather all of these disparate pieces, and you have to sort of kind of wade through and understand the through-lines and the motivations, why people are doing what they're doing, that kind of stuff. If I had the similar questions, I would reach out to her or anybody else that I talked to along the way. So, yeah, absolutely follow up if I need to. Okay. Just in terms of, the timeline is usually one of those things, it's like a job interview. It's like, when are you going to make a decision or whatever, right? So, I'll tell you what is typical for me is from the first interview, which is you, it is typically 30 days before I'm done, and, and there's some variability there, it just depends upon my other workload, and that kind of stuff, is how quickly I'm able to move. And so, that's kind of a rough, a rough idea of what it takes for me to get through a case. And, I don't think there's anything else on my side. So, I do have one last question for you, and that is, did I treat you with respect today?

April Johnson 1:25:26
Yeah. Absolutely.

Keith Ussery 1:25:30
Well, I'm glad to have met you, and I'm going to go ahead and shut this off at 10:01am.

Transcribed by <https://otter.ai>

Written Response

2/3/25, 9:20 AM

Gmail - Follow up from Vale, Oregon



Keith Ussery <usseryconsultants@gmail.com>

Follow up from Vale, Oregon

April Johnson <apriltime@hotmail.com>
 To: "usseryconsultants@gmail.com" <usseryconsultants@gmail.com>

Thu, Jan 30, 2025 at 12:48 PM

Hi Keith,

I wanted to thank you for coming to Vale last week. It was a pleasure to meet you and I hope your involvement will bring a resolution to this situation.

I appreciated your approach of "tell me the story," and I hope all the interviews painted a full picture of the story. I readily admit that I do not have the whole story as Andy Hally refused to discuss it and Alisha McBride wouldn't answer direct questions and told me to file a complaint. I would have preferred a shorter, cheaper path to resolution, however I realize that I have no power to make the school district sit down and hash it out. I think the school board has the power and opportunity to resolve this conflict, but they wanted someone else to tell them what to do - you. This move on their part to pay an outsider to tell them what to do indicates that they feel they are under duress if they make any move contrary to the superintendent. They don't have the stomach to incur the superintendent's wrath, or the wrath of the teacher's union president. I think this illustrates my concern that power and authority is being misused in our school.

One of the questions you asked me was along the lines of "what made you notice this kind of behavior that seems to be targeting Christians". While I am a practicing, observant Christian, I think I would have ended up in this same place of noticing government lies because of factors that have nothing to do with my religion. My experiences have shown me how quickly and easily the government will take our freedom in the name of something "better". I refuse to be a victim of this corruption in any way I can. I am especially sensitive to government lies and censorship when it comes to children, who are usually apolitical and want nothing more than to play with friends and eat ice cream, and are then used as pawns and indoctrinated with falsehoods from someone's political agenda.

This sensitivity started about four years ago for me. I had been teaching in the schools for a few years as a substitute and loved it. I was highly sought after as a sub because I can go into a classroom and keep the curriculum on schedule, rather than waste a day. That is the typical substitute experience - to babysit instead of teach. I would rather teach. I was so good at my job that I was booked for many long-term sub jobs when teachers had surgery, maternity leave, or simply quit and the school was in a crunch. But the government forced me out of the classroom as a substitute teacher with covid regulations that were not based in truth or reality. I was told that in order to be allowed in the classroom I had to medically "safe". They required me to get the covid shot or sign a paper saying I ask the government's permission to decline. There were many teachers who chose to get the shot. There were just as many, or more, teachers that did not get the shot. Many agreed to sign a paper and continue employment. I asked what the medical difference was between me and another teacher that signed the paper with regard to medical safety in the classroom. The answer was obvious as there is no difference, medically or health wise, for a teacher who chose not to get the shot compared to a teacher who chose not to get the shot but signed a piece of paper. This was outright fraud by government officials to keep me from working because I would not comply with their arbitrary demands. I made numerous calls to the Governor's office that were never returned. I was blocked from teaching because the government officials had an ideology that did not fit into reality. It simply wasn't true that I wasn't medically

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Gmail - Follow up from Vale, Oregon

"safe" to teach without my name on a piece of paper asking the government for permission not to get a shot.

I waited about a year for the insane situation to resolve - for truth and reality to set in. Meanwhile, the schools had to lower the requirements for substitute teachers because there was such huge need. So my children spent days in the classroom with uneducated, unskilled substitute teachers, simply because they complied with the government's insanity. What a waste of time those years of covid regulations were. The learning loss was astounding. Finally, I gave up and found a job working in the private sector.

The government's refusal to speak truth and reality did not end there. I have always volunteered in the classroom. Teachers need help and there is not enough funding for aids. I have made copies, graded spelling tests, read with students, helped one-on-one, chaperoned field trips, and anything else K-6 teachers asked me to do as a volunteer in my child's classroom. One day my child brought home a field trip announcement to a pumpkin patch. I signed up to go as a parent chaperone. I was told that I could not go as I was not "safe" to go with the kids for the same reason I couldn't teach in the classroom - I did not get the shot and I did not ask the government's permission. I asked the principal if the owners giving the tour of the pumpkin patch were held to the same standard to be with students as I was being held. She said no. I pointed out the hypocrisy and outright stupidity of sending students to interact with the public with no requirement of those adults, but barring me from chaperoning as an "unsafe" adult. There was no rebuttal other than her telling me "I'm sorry." I was barred for 2 years from participating in the public education of my child because of government half-truths. It makes me a little hot remembering this because childhood is a precious short time, and I won't ever get the chance to make those specific memories with my child or enhance the education happening in his classroom because of a lie. I won't be a victim anymore of government officials choosing to ignore reality because it furthers their political agenda. It doesn't take much for our freedoms to be whisked away by a pandemic or a war, but this situation with my school district censoring the label "Christmas Break" is far from the seriousness of a pandemic or war.

You also asked me "how is it any different when they say they want to push their point of view, and you say you want to push your point of view?"

I want to say this: my point of view is universal: my point of view is that the government must act/speak/write/operate in reality and truth. My "agenda" is to keep my government officials honest, truthful, and in reality. That is an agenda I will stand behind all day long. It is the agenda of all Americans, which is why we have laws to protect citizens from government officials who would abuse their position of power.

Alisha and Andy's point of view is a problem because it is an agenda to deceive. They have chosen secularism as the winning value and are trying to dissuade and destroy things that go against their idea. One way they are boosting their personal agenda is to mislead children and parents about Christmas Break on the district calendar. They are using their positions of power and authority to champion a personal desire. They are using a white lie to try to change reality because they don't like reality. The reality is that this is Christmas Break.

I do not begrudge them the right to their opinion. It is perfectly legal for Andy and Alisha to want less religion mentioned, less religious influence, and less religious tolerance in public education. However, they must push this agenda on their own time and with their own dime. In this instance, they are using my tax money to develop the district calendar and print government censorship. I encourage Andy and Alisha to write a public statement about the evils of religion in public education. I simply have no understanding of any damage happening due to religion because they have been silent on the subject. Instead, they made a secret agreement to advance their personal agenda and so far, they have gotten away with it. If they are so offended and disgusted by religion

<https://mail.google.com/mail/u/0/?ik=78649da804&view=pt&search=all&permmsgid=msg-f:1822708339958937611&simpl=msg-f:1822708339958937611>

2/3

2/3/25, 9:20 AM

Gmail - Follow up from Vale, Oregon

permeating society and culture, they are welcome to spread that message, on their own time. But to use school time and tax-payer money to fight their culture war is against the law.

To illustrate my point further, I would like to state that I want more religion in society and therefore public education. That is my culture war. I want it in the schools by way of cultural studies, music education, and history lessons. Religion is a component of human life and therefore completely legal, natural, and applicable when it shows up in public education. Think of how interesting students find the stories of mummies and the pyramids, or a choir learning Handel's Messiah, or the lessons learned from studying The Crusades. The way I have chosen to advance this agenda is by using my money to send two of my children on proselyting missions where they are talking to people about the benefits of religion, the blessings of religion, and the moral necessity of religion. I am paying for them to spread this message all day, every day for 2 years. As private citizens, it is our right to speak and practice any or no religion. I think that by sending them into the world with the message of the love of God, that more people will engage with God and religion, thereby influencing the curriculum taught and increasing the organic presence of religion in our society. I do not go into the classroom and teach a Sunday School lesson, I do use the school newsletter to invite parents to pay tithing to my church, and I do not ask the school to change "Spring Break" back to Easter Break to increase awareness of this special holiday because it isn't Easter Break anymore. I further my agenda and point of view as a private citizen, and they are welcome to do the same.

At the end of this journey, I would like to understand Andy and Alisha's position on the necessity and prudence of their actions. They obviously think they are doing what is right, just as I think my position is right. As they have not shared with me any justification for their actions, I am still at a loss to understand. I do not claim to have all the answers, but if they won't counter my concerns with information explaining why I shouldn't be concerned, then I am left to assume my point of view is correct and they must change their actions.

If you have any more questions or information to share, I am always available.
Thanks,
April Johnson

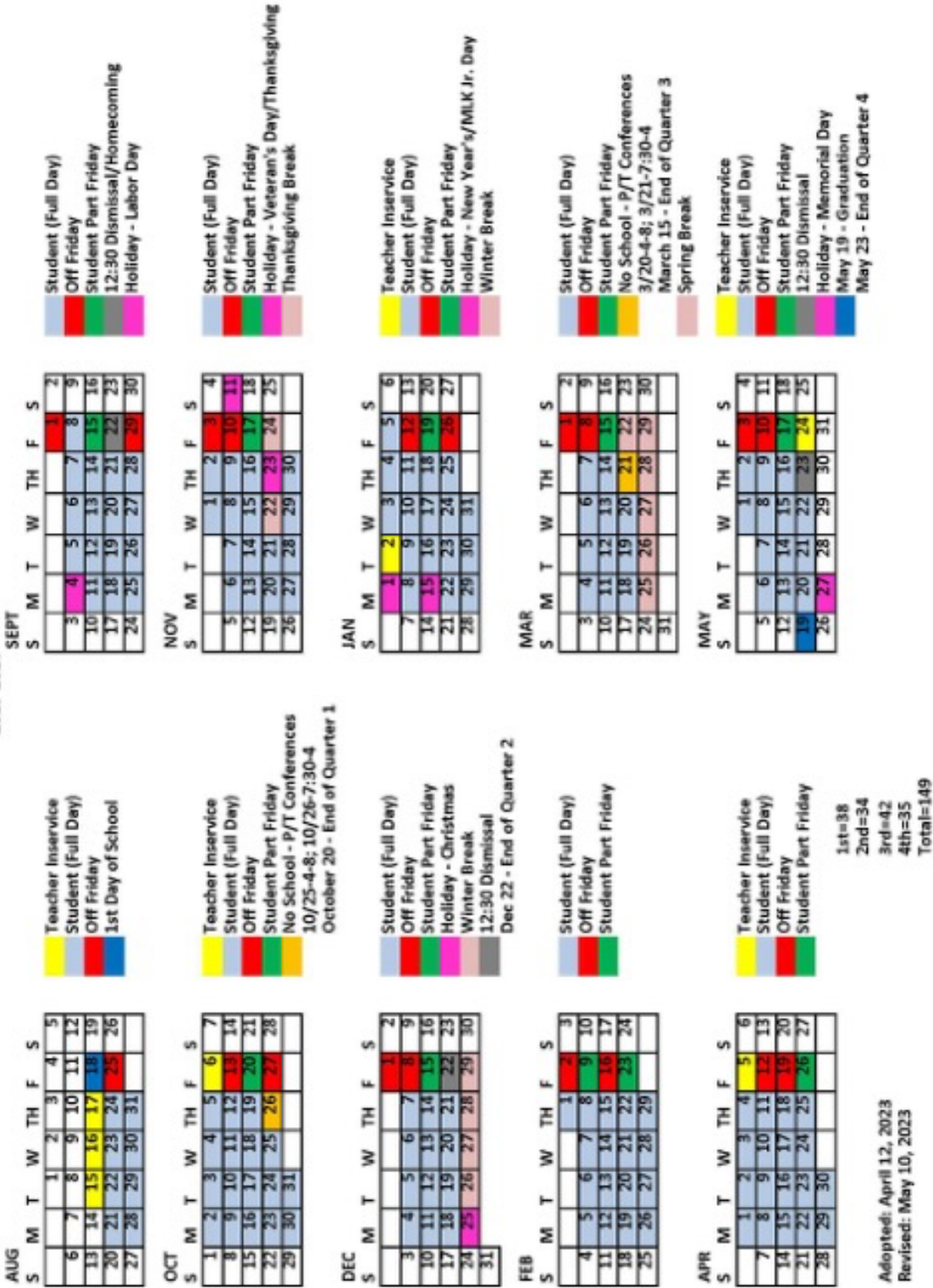
Appendix:

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UC-1224-112

VALE SCHOOL DISTRICT #84

2023-2024



October 2024 – Report on Vale School District #84 Public Records

Vale School District has produced 290 pdfs in response to my public records request. After reviewing it is concluded that Superintendent Alisha McBride and Vale Education Association President Andy Hally made a verbal agreement that violates the First Amendment by agreeing to censor the word “Christmas” from the district calendar when labeling Christmas Break.

Their agreement violates the free speech right of students, parents, and stake holders in the district because public education must be free from government censorship. In this case a government employee made an agreement to advance an opinion of a special interest group suppressing a reality they don't approve of. While the school has a right to adopt the value of inclusion, the way Mrs. McBride applied it to the label of Christmas Break violates the First Amendment by suppressing speech Mr. Hally doesn't like.⁶

After three years of secretly banning a certain word regarding a certain break, their agreement is now public. The superintendent and union president are trying to run interference, claiming their agreement is about being “more inclusive”.⁷ They have left their written explanation vague to avoid accountability. Their agreement is to label Christmas Break with any other word except the word Christmas.

The Secret Agreement

During the Vale School Board meeting on March 13, 2024, school board director Ryan Bates made a motion to label Christmas Break as “Christmas/Winter/Holiday Break” so as to be as inclusive as possible.⁸

If the secret agreement made between McBride and Hally was only about being inclusive, this motion could have been considered. Instead, Director Darlene McConnell told Bates that she could not vote for a label that included the word Christmas. McConnell said the Superintendent made an agreement with the teacher's union not to use the word Christmas and the board needed to obey that. Bates said that he was not part of that agreement and asked what the teacher's union would do if the school used the word Christmas. There was no response from the superintendent or the union president, who were attending the meeting.

Since this was a secret, verbal agreement made a few years ago, it is important to note how school board members have applied the agreement to figure out what the agreement actually is. Since the agreement, Christmas Break has been renamed. When McConnell said “the superintendent made an agreement not to use the word Christmas,” nobody tried to correct her. If this was an inaccurate description of the agreement, McBride or Hally could have set the record straight. They did not, indicating she had truthfully described the agreement and precisely applied the agreement. According to McBride, the whole school board also knows about her agreement.⁹ Director Jason Chamberlain and Michael McCourtly could have corrected McConnell at the meeting if her description wasn't right, they did not. To date, no one, including the speaker herself, has ever claimed the agreement

⁶ See Public Records pdf #0000107

⁷ See Public Records pdf #0000110

⁸ See Public Records pdf #0005257

⁹ See Public Records pdf #0000107 pg. 2 and #0000139

was described or applied incorrectly. McBride's vague and misleading written explanation of her verbal agreement is an attempt to avoid responsibility for her actions.

The Problem

This agreement is problematic because government officials, like the superintendent of a public school, do not have the power to censor what we can say, hear, or even read on the school calendar. It violates our free speech rights. Policies that discriminate on the basis of content and viewpoint are almost always impermissible.¹⁰

This censorship is further proved in an email McConnell wrote to McBride on February 16, 2024, asking “So if we went back and named the breaks or off days as they truly are would that cause the Union to file a grievance against the Board?”¹¹

McConnell is asking McBride if the Union will throw a fit if they use the label Christmas Break. This is a condemning email as it shows school leadership knows full well that Christmas Break is truly a break taken for the federal holiday Christmas, though they have refused to say that for the last 3 years.

Our right to free speech in public schools is protected by the First Amendment to the U.S. Constitution. In America, the courts have said schools do not have unrestricted authority to subjectively censor the written word, for example by arbitrarily banning books in the library.¹² The First Amendment is implicated when speech is banned arbitrarily. This agreement bans one word in one instance based on one person's opinion: Mr. Hally. It was wrong of the superintendent to enter into such an agreement.

Teacher's Union Response

McConnell got an answer to her question. Union President Andy Hally has signed two letters, one written by OCA and one written by himself, threatening to “file a grievance at Level 4... and a complaint KL, KL-AR, with the process moving directly to step 4” if the school uses the word Christmas to label Christmas Break.¹³

Hally has deemed himself the language police in the district. He would like a stigma placed on the phrase Christmas Break as dirty, unacceptable, and intolerant. In his letter Hally urges VSD to “consider the implications of using descriptors that restrict inclusion” meaning in order to be inclusive, he wants the school to exclude the phrase Christmas Break.

If the inclusive language argument doesn't get him what he wants, Hally also claims that if the school uses the label Christmas Break it is “endorsing a specific religious holiday,” and “favoring one religious holiday over others”.¹⁴ This shows a lack of understanding of the separation of church and state. This is concerning as Mr. Hally is the social studies teacher at the middle school.

¹⁰ See Reed v. Town of Gilbert 576 U.S. 155, 163 (2015); Simon & Schuster, Inc. v. Members of the N.Y. State Crime Victims Bd., 502 U.S. 105, 116 (1991)

¹¹ See Public Records pdf #0000155

¹² See Board of Education, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853, 102 S.Ct. 2799, 73 L.Ed.2d 435 (1982)

¹³ See Public Records pdf #0016801 pgs 6-9

¹⁴ See Public Records pdf #0016801 pgs 6-9

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Hally has deemed himself the language police in the district. He would like a stigma placed on the phrase Christmas Break as dirty, unacceptable, and intolerant. In his letter Hally urges VSD to "consider the implications of using descriptors that restrict inclusion" meaning in order to be inclusive, he wants the school to exclude the phrase Christmas Break.

If the inclusive language argument doesn't get him what he wants, Hally also claims that if the school uses the label Christmas Break it is "endorsing a specific religious holiday," and "favoring one religious holiday over others". This shows a lack of understanding of the separation of church and state. This is concerning as Mr. Hally is the social studies teacher at the middle school.

⁶ See *Reed v. Town of Gilbert* 576 U.S. 155, 163 (2015); *Simon & Schuster, Inc. v. Members of the N.Y. State Crime Victims Bd.*, 502 U.S. 105, 116 (1991)
⁷ See Public Records pdf #0000155
⁸ See *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, 102 S.Ct. 2799, 73 L.Ed.2d 435 (1982)
⁹ See Public Records pdf #0016801 pgs 6-9
¹ See Public Records pdf #0016801 pgs 6-9

The Establishment Clause and the Free Exercise Clause are two provisions in the First Amendment that concern religion. They work in tandem. They define the delicate balance between religious freedom and government neutrality.

The Establishment Clause prevents government entities, like public schools, from endorsing, promoting, or establishing a state religion. The clause requires that public institutions remain neutral. The label Christmas Break does not establish a state religion, or even promote or endorse a religion as the school does not track, grade, or care what students do during the break.

These clauses also do not require religion to be left out of public school, as Hally would have you believe. The union wants to eradicate all mention of religious expression in public schools starting with Christian religious expression. This approach does not meet the three-part test set forth by the Supreme Court in the 1970s as Hally is actively trying to inhibit religion. They call this approach neutral. But favoring a non-religious existence over a world where religion exists (and religious holidays exist) is not neutral. It is clear bias for the secular over the spiritual, inhibiting religious expression.

Public schools remain neutral by not mandating religious activity, not by censoring the mere mention of religion. Vale teachers don't grade student's according to their observance of Christmas, they don't keep a list of students who celebrate, and they don't treat students differently depending on their activities over the Christmas Break. Conversely, censoring a religious label inhibits the expression of religion.

I encourage members of the teacher's union to rethink their leadership.

Inclusivity

Feeling included and being included are not the same thing. In this case, the school schedules a break based on the federal Christmas holiday to facilitate school attendance for students and teachers. The break is for everyone, thus being inclusive.

Claiming a certain word isn't inclusive is a false premise and part of the ideology being sold by Hally. Words do not include or exclude people.

The union doesn't have a problem with taking Christmas Break. They know teachers work harder if half of their class is absent. They know teachers agree with common sense practices to avoid absenteeism. Mr. Hally has not asked the school to end the practice of scheduling a Christmas Break. Instead, he has demanded the name change to further his ideology of victimhood. The union is of the opinion that students who do not observe Christmas have been harmed by the mere mention of its existence; that their feelings are hurt by its existence. Hally claims feelings are something he can control and by excluding the phrase Christmas Break he can "ensure that everyone feels respected and included".¹

This ideology is wrong. Andy Hally's claim to make everyone feel included has failed. Instead, folks feel excluded by the censorship of Christmas Break. It took less than a week to raise \$1,000 to pay for these public records about his inclusive agreement – these people don't feel included when the word Christmas is banned. Where is Andy Hally defending these feelings? Don't their feelings count? Apparently, feelings are only valid if they fit into the union's agenda of removing the mention of Christianity from schools.

The union, as a private organization, has a right to their opinion. I think their stance is deplorable and anti-American, but in America the teacher's union has a right to deplorable

NitPicky Details

To make matters worse, the superintendent and union are claiming that the staff approve this censorship by 87%.¹ This is a falsehood. Yes, 87% of the 60 teachers who voted on the proposed calendars approved it. No, naming it Christmas Break was not part of the vote.² The teachers have never been polled, asked for their opinion, or educated on the issue. It is outrageous to claim otherwise.

But more importantly, neither have the parents. The school is violating their own policy IC/ICA School Year/School Calendar. It states that the calendar will be adopted after "input from staff, parents and the community."³ Input from staff? Yes. Input from parents or the community? No. In all the 290 public records produced, there wasn't one piece of input from parents about the 2022-23 calendar when the agreement took effect. Nothing for the 23-24 calendar either. Last year's calendar had input from me and two other community members asking for the censorship to stop.

The superintendent claims that since the calendar is discussed at public board meetings, the *opportunity* for parent/community input is all that is required.⁴ This is also false. The policy clearly states "input", not "opportunity for input." With as many Remind notifications I get in a week from our local schools, it wouldn't take much to send the draft calendars to parents asking for their input. Currently, the superintendent has done nothing to get the input required by district policy.

I call on the Vate School District to (1) publicly revoke their agreement with the teacher's union, (2) apologize to students, parents and stakeholders for violating their constitutional rights, (3) end the violation of policy IC/ICA School Year/School Calendar by taking steps to gain calendar input from parents and the community, (4) restore the name of Christmas Break on the 24-25 district calendar; and (5) inform staff that religious expression on the school calendar, in the music program, and in the classroom, etc. can be educational, appropriate and legal.

Sincerely,



April Johnson

¹ See Public Records pdf #0000110 and #0016801 pg 6

² See Public Records pdf #0003984 pg 124

³ See <https://policy.osba.org/vale/search.asp?ai=75853865&order&nsb=1&n=0&charset=windows-1252&cd=56f7&s=vale&query=calendar>

⁴ See Public Records pdf #0000107 pg 2

opinions. The union doesn't have the right to make an agreement with the government to carry out their agenda by censoring words they say are not inclusive.

Understanding Free Speech

The First Amendment to the U.S. Constitution allows a school to limit speech that (1) causes a "substantial disruption" at school (meaning it interrupts school activities in a serious way), or (2) interferes with the rights of others at the school. A school can't limit speech just because it's controversial, disrespectful, or upsets people, this includes feeling of not being included. Speech that interferes with the rights of others means speech that seriously threatens or harasses other people, or it spreads false information about someone. In addition, the First Amendment allows a school to restrict student speech when it's vulgar or obscene. None of these limitations apply to the label Christmas Break.

Feelings are not protected by the First Amendment. Feeling "included" is not a right, nor is it something a government official or union can make you feel. Andy Haly and Alisha McBride would like to violate your right to free speech in favor of people's feelings. This threatens freedom at its very core. If they can control language, they control people. They want inclusivity to be the determining factor for words allowed in school and have deemed the label Christmas Break as not inclusive and therefore censorable. The superintendent and union president do not have the authority to decide what is inclusive,¹ which is completely arbitrary.

Free speech allows multiple voices and perspectives. In this case, our right to free speech includes the right to label a break on a calendar for what it actually is. But to suppress speech in the name of inclusivity is harmful as it prohibits reality for the advancement of an opinion.

In a society governed by free speech, bad/wrong ideas are not to be censored by the government, just as good/true ideas are not to be compelled by the government. To do so would put the government in the driver's seat of deciding what is good or bad, right or wrong. Instead, people counter bad ideas with robust debate using positive and truthful ones. When more people speak up for the truth, false and worthless statements are recognized for what they are. In this case, it is false to label Christmas Break as something else. It is also worthless because it pretends an accurate label has victimized someone. Who has been harmed by the reality that is Christmas Break? There are no victims here. ~~Everyone~~ in the school district is included in taking Christmas Break. You can't be more inclusive than that.

Conclusion

This agreement between the superintendent and the union that bans labels they deem as not inclusive enough unconstitutionally restricts speech on the district calendar.

Those in government who ban words they find offensive threaten a lot more than our right to free speech. They menace the freedom to think and function. This kind of education will not prepare students for life. It teaches them that people are victims if they hear something they don't like. The important part of free speech is not protecting speech that everyone agrees with; it is protecting speech that people find objectionable.

¹ See Public Records pdf #0000139

#0000107 pg 1 of 2

To: Steven Mitchell(steven@malheurenterprise.com)
From: Alisha McBride
Sent: Mon 7/1/2024 9:46:02 PM
Subject: Re: Fact-check email for accuracy and one quick question

Steven,

Please see my responses below in red.

Alisha McBride, Ed.D.,
Superintendent
Vale School District #84
(541) 473-0201, ext. 9
alisha.mcbride@valedist.org
Every kid is one caring adult away from being a success story. ~ Josh Shipp



On Mon, Jul 1, 2024 at 4:55 PM Steven Mitchell <steven@malheurenterprise.com> wrote:

Hi, Ms. McBride,

It was good to talk to you.

As promised, here is what we have in the story from you in story. I also had one question at the bottom.

- In an email on Thursday, June 13, you said the district and the board informally agreed with the local teachers union in 2021 to remove the word Christmas from the calendar to be more "inclusive." For clarification, Christmas Day is still identified on the calendar. The verbal agreement only applied to the name of the break.
- You said the district's informal 2021 pact with the local teachers union dovetails with Vale's non-discrimination policies for staff and students.
- Regarding the public records request, you said a keyword search identified nearly 17,000 emails that could be relevant to Johnson's request. You said district officials don't know if those emails contain sensitive information such as student names or other personal information that would be exempt from public disclosure. That's why outside legal help has been retained. Counsel will help the District ensure that any documents produced are first, within the scope of the requests, and second, redacted or excluded to ensure compliance with all laws.
- "The district will need to ensure that any documents produced are, first, within the scope of the requests, and second, redacted or excluded to ensure compliance with all laws," you said.

Steven Mitchell
Reporter
Malheur Enterprise
971-263-3444

#0000107 pg 2 of 2

One thing I wanted to give you an opportunity to respond to is April's statement that she was not told about the 2021 informal agreement. Is that correct? Did you want to comment on that?

On March 14, 2024, Mrs. Johnson contacted me and requested information about the agreement that was made with the Association. Here is the information that was provided to Mrs. Johnson about the agreement:

- A written record of the agreement does not exist. An informal, good-faith agreement was made with Vale Education Association leadership when the 2022-2023 calendar was being developed.
- The Directors reviewed calendar drafts and discussed the 2024-2025 calendar at length at the January 10, 2024 regular meeting. During the discussion, I communicated the request you made on October 9, 2023 for the Directors to consider labeling the break in December/January as Christmas Break instead of Winter Break on the 2024-2025 calendar. Following discussion, the Directors requested that the labels for all breaks in the calendar be modified to simply read "Break". There was an opportunity to provide public comment during the meeting. Calendar drafts were then distributed to all staff for feedback. Prior to the adoption of the calendar at last night's meeting, a second opportunity for public comment was offered. Each month, the preliminary board meeting agenda is posted on the District's website at least three days prior to the meeting. This provides the public with the opportunity to view the items that will be discussed and considered for action by the board at the regular meeting and determine whether they would like to attend the meeting and offer public comment on any of the agenda items.
- The informal, good-faith agreement was made to change the name of the break on the District calendar from Christmas to a title that was more inclusive. The Board members are aware of the agreement that was made.
- The good-faith agreement was made with Vale Education Association leadership; therefore, the discussion regarding reinstating the phrase Christmas Break in the calendar would need to be routed back through Vale Education Association leadership.
- The processes that were used to develop the district calendar aligned with applicable policies and laws. If you believe a policy or law has been violated, the procedures for filing a complaint are outlined in Board Policy KL found here: <https://policy.oshu.org/vale/kl/kl%20da.pdf>.

Thank you,

To: Steven Mitchell<steven@mailheurenterprise.com>
From: Alisha McBride
Sent: Sun 6/16/2024 1:50:09 PM
Subject: Re: Collective bargaining agreement

Steven,

According to the Collective Bargaining Agreement between the Vale School District and Vale Education Association, "The Board shall set the school calendar after it is submitted to the staff for review and recommendation" (p. 14). When the 2022-2023 calendar was being developed, the Vale Education Association, which represents certified and classified staff, made a request that the District utilize a more inclusive title, when referring to the break. As a result of the request, an informal, good-faith agreement was made with the Vale Education Association to use a more inclusive term when identifying the break on the calendar. As noted in the March 13, 2024 meeting minutes, 87% of staff who offered feedback related to the 2024-2025 calendar were in favor of the calendar that was adopted by the Board of Directors.

District policies and laws prohibit discrimination based on a number of factors. Vale School District strives to create learning and working environments that are welcoming and inclusive of all cultures, beliefs, and backgrounds. The shift that was made in 2022 to use a more neutral term when referring to the break was made in response to a request made by the Vale Education Association to ensure that all students, staff, and families felt represented when they viewed the District calendar. Of note, Christmas Day, and other school holidays identified under ORS 336.010, that fall within the school year, are identified on the calendar.

Alisha McBride
Superintendent
Vale School District #84
(541) 473-0250, ext. 9
alisha.mcbride@valed.org

Every kid is one caring adult away from being a success story. - Josh Shipp



On Fri, Jun 14, 2024 at 2:15 PM Steven Mitchell <steven@mailheurenterprise.com> wrote:

Mrs. McBride,

Was taking out the word Christmas from the calendars aligned with collective bargaining agreement? If so, can you tell us how? Les said it's crucial to the story if that's the case.

Also, how does removing the word align with the non-discrimination policy and the policy you referenced earlier?

To: Ryan Bates<ryan.bates@valed.org>
From: Steven Mitchell
Sent: Thur 6/27/2024 9:29:51 AM
Subject: Re: Following up - calendar labels

Thanks, Mr. Bates.

Steven Mitchell
Reporter
Malheur Enterprise
971-263-3444

From: Ryan Bates <ryan.bates@valed.org>
Sent: Wednesday, June 26, 2024 8:51 PM
To: Steven Mitchell <steven@mailheurenterprise.com>
Subject: Re: Following up - calendar labels

Mr. Mitchell,

Thank you for the question regarding our March 13, 2024 Vale School Board meeting minutes. My decision to request adding labels to specific dates on the 2024-2025 school calendar was an attempt to improve clarity of all identified breaks in the school year and include a naming convention that was as inclusive as possible. While attaining complete and total inclusivity for all people groups is infeasible, it seemed reasonable to add one or more names to specific breaks allowing community members to choose how to interpret the school calendar for themselves. My dissenting vote for the school calendar as presented was nothing more than a reflection of my stance as stated above.

v/r,

Ryan Bates

On Monday, June 24, 2024, Steven Mitchell <steven@mailheurenterprise.com> wrote:

Ryan,

Thanks for calling. Below is what we're looking for you to comment on.

According to the attached meeting minutes, you made a motion to add labels to the calendar breaks. The motion didn't get a second and it died. Then, Darlene McConnell moved to approve the calendar as presented (without any labels). It appears that you were the lone

dissenting vote, per the minutes.
Can you tell us why you moved to add the labels to the calendar and voted against it as presented?

Thanks,

Steven Mitchell
Reporter
Malheur Enterprise
971-263-3444

To: April Johnson<apriltime@hotmail.com>
From: Alisha McBride
Sent: Fri 3/15/2024 6:01:05 AM
Subject: Re: School Board meeting 3.13.24

Mrs. Johnson,

1. The informal, good-faith agreement was made to change the name of the break on the District calendar from Christmas to a title that was more inclusive. The Board members are aware of the agreement that was made.
2. If you believe a policy has been violated, the procedures for filing a complaint are outlined in Board Policy KL found here: <https://policy.osba.org/vale/KL/KL%20Dn.PDF>.
3. The Public Employee Collective Bargaining Act guides these interactions. If you have questions pertaining to the Vale Education Association, they will need to be directed to Mr. Hally.

Alisha McBride
Superintendent
Vale School District #84
(541) 473-0201, ext. 9
alisha.mcbride@valed.org
Every kid is one caring adult away from being a success story. - Josh Shipp



On Thu, Mar 14, 2024 at 3:05 PM April Johnson <apriltime@hotmail.com> wrote:

Mrs. McBride,

Thank you for your responses. I have some additional questions.

1. As a written record of the agreement does not exist, please advise what the agreement is. If this is not a written agreement how do the board members know about it? What is the scope? How long is the agreement to last?
2. Thank you for communicating my request to label it Christmas Break at the January 10, 2024 meeting. However, if you already had an agreement not to do so, would it have been appropriate for you to communicate that to me at any time after my initial request on October 9, 2023? Also, the policy requires "input" but what you have described is "opportunity" for input. They are not the same thing. Have you taken any actions to obtain "input" from parents and the community about the calendar?
3. What policy are you referencing that directs the need to route a discussion of phrases through Vale Education Association leadership? Who else is the Vale Education Association leadership other than Andy Hally?

#0000139 pg 2 of 3

Thank you,
April Johnson

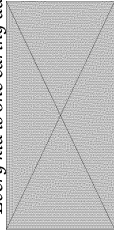
From: Alisha McBride <alisha.mcbride@valed.org>
Sent: Thursday, March 14, 2024 4:47 PM
To: April Johnson <apriltime@hotmail.com>
Subject: Re: School Board meeting 3.13.24

Mrs. Johnson,

Please see my responses below:

1. A written record of the agreement does not exist. An informal, good-faith agreement was made with Vale Education Association leadership when the 2022-2023 calendar was being developed.
2. The Directors reviewed calendar drafts and discussed the 2024-2025 calendar at length at the January 10, 2024 regular meeting. During the discussion, I communicated the request you made on October 9, 2023 for the Directors to consider labeling the break in December/January as Christmas Break instead of Winter Break on the 2024-2025 calendar. Following discussion, the Directors requested that the labels for all breaks in the calendar be modified to simply read "Break". There was an opportunity to provide public comment during the meeting. Calendar drafts were then distributed to all staff for feedback. Prior to the adoption of the calendar at last night's meeting, a second opportunity for public comment was offered. Each month, the preliminary board meeting agenda is posted on the District's website at least three days prior to the meeting. This provides the public with the opportunity to view the items that will be discussed and considered for action by the board at the regular meeting and determine whether they would like to attend the meeting and offer public comment on any of the agenda items.
3. The good-faith agreement was made with Vale Education Association leadership; therefore, the discussion regarding reinstating the phrase Christmas Break in the calendar would need to be routed back through Vale Education Association leadership.

Alisha McBride
Superintendent
Vale School District #84
(541) 473-0201, ext. 9
alisha.mcbride@valed.org
Every kid is one caring adult away from being a success story. ~ Josh Shipp



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On Thu, Mar 14, 2024 at 9:38 AM April Johnson <apriltime@hotmail.com> wrote:

Hello Mrs. McBride,

I was glad to catch the last half of the school board meeting last night. It brought up some questions.

1. Darlene based her motion to adopt the calendar as-is on an agreement between you and the union to replace the word "Christmas" with "Winter". When was this agreement made? Is the agreement public? Can I have a copy of the agreement?
2. Please advise how last night's vote by the board to adopt the calendar complies with policy IC/ICA requiring "input from staff, parents, and the community".
3. You gave direction to Jason that his request to poll the teachers for their opinion on what to call Christmas Break needs to go through the union to be "proper". But you just took a similar poll of the teachers' opinions on the proposed calendars without going through the union. Why is it proper in one case and not the other?

Thank you,
April Johnson

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DISCUSSION ITEMS

STEBJ: 2021-2022 District Calendar

BACKGROUND INFORMATION

Attached are three draft calendars for the 2021-2022 school year for your review. The Board is responsible for adopting a calendar for the upcoming school year no later than the May meeting. According to the Collective Bargaining Agreement, "The Board shall set the school calendar after it is submitted to the staff for review and recommendation." I would like to gain your feedback regarding the three drafts at the March meeting. Following the meeting, the draft calendars will be presented to staff for input. Below are the highlights from each draft:

Draft #1

- First day of school - August 19
- Last day of school - May 26
- Five full Fridays
- One 12:30 dismissal Friday (homecoming)
- Graduation - May 22

*provided - student/staff
full Fridays - attendance data*

Draft #2

- First day of school - August 23
- Last day of school - May 27
- Four full Fridays
- Two 12:30 dismissal Fridays (homecoming/last day of school)
- Graduation - May 22

Draft #3

- First day of school - August 19
- Last day of school - June 2
- One full Friday
- One 12:30 dismissal Friday (homecoming)
- Graduation - May 29

#0000155

To: Darlene McConnell[darlemcconnell@gmail.com]
From: Alisha McBride
Sent: Sun 2/18/2024 8:46:27 AM
Subject: Re: Calendar questions

Darlene,

Thank you so much for submitting a question. I will send it to the District's legal counsel for review.

Alisha McBride
Superintendent
Vale School District #84
(541) 473-0201, ext. 9
alisha.mcbride@valed.org

Every act is one carry away from being a success story. ~ Josh Shipp



On Fri, Feb 16, 2024 at 12:50 PM Darlene McConnell <darlemcconnell@gmail.com> wrote:

Alisha

I think my questions for the attorney would be around naming the week of Christmas as "Christmas Break". I read in the bargaining agreement that staff have seven paid holidays and each of the holidays are named. And the Union ratified the contract. So if we went back and named the breaks or off days as they truly are would that cause the Union to file a grievance against the Board?

Thank you

Darlene

Spark interest. Ignite curiosity. Fuel dreams.

VALE SCHOOL DISTRICT #84
2021-2022 - Draft #1

AUG

S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Teacher Inservice
Student (Full Day)
Off Friday
1st Day of School

SEPT

S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Student (Full Day)
Off Friday
Student Part Friday
12:30 Dismissal/Homeschooling
Holiday - Labor Day

OCT

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday
No School - P/T Conferences
October 14 - End of Quarter 1

NOV

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Student (Full Day)
Off Friday
Student Part Friday
Holiday - Veteran's Day
Thanksgiving Break

DEC

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Student (Full Day)
Off Friday
Student Part Friday
Holiday - Christmas
Christmas Break
12:30 Dismissal/End of Quarter 2

JAN

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday
Holiday - New Year's/M.L.K. Jr. Day

FEB

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Student (Full Day)
Off Friday
Student Part Friday

MAR

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Student (Full Day)
Off Friday
Student Part Friday
No School - P/T Conferences
March 10 - End of Quarter 3

APR

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Teacher Inservice
Student (Full Day)
Off Friday

MAY

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday
12:30 Dismissal
Holiday - Labor Day
Graduation
May 26 - End of Quarter 4

1st=35
2nd=35
3rd=40
4th=39
Total=149

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Quar #2

move Veterans Day to Aug. 20

VALE SCHOOL DISTRICT #84
2021-2022 - Draft #2

AUG

S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Teacher Inservice
Student (Full Day)
Off Friday
1st Day of School

SEPT

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Student (Full Day)
Off Friday
Student Part Friday
12:30 Dismissal/Homeschooling
Holiday - Labor Day

OCT

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday
No School - P/T Conferences
October 21 - End of Quarter 1

NOV

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Student (Full Day)
Off Friday
Student Part Friday
Holiday - Veteran's Day
Thanksgiving Break

DEC

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Student (Full Day)
Off Friday
Student Part Friday
Holiday - Christmas
Christmas Break
12:30 Dismissal/End of Quarter 2

JAN

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday
Holiday - New Year's/M.L.K. Jr. Day

FEB

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Student (Full Day)
Off Friday
Student Part Friday

MAR

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Student (Full Day)
Off Friday
Student Part Friday
No School - P/T Conferences
March 10 - End of Quarter 3

APR

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Teacher Inservice
Student (Full Day)
Off Friday

MAY

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday
12:30 Dismissal
Holiday - Labor Day
Graduation
May 27 - End of Quarter 4

1st=36
2nd=31
3rd=40
4th=40
Total=148

May

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FOR ACTION

SUBJ: Approve Revised 2024-2025 District Calendar

BACKGROUND INFORMATION

During the March meeting, the Board requested feedback from the Yale Education Association regarding their position on adding the word "Christmas" back to the title of the break in December and January. Attached are two letters in response to that request.

Additionally, despite hundreds of calendar views, it was not noticed until after the 2024-2025 calendar was finalized that the Martin Luther King, Jr. holiday was on the wrong Monday in January. After consulting with the YEA President, the decision was made to flip the two weeks in January to correct the error. The revised calendar was distributed to staff with an explanation and an opportunity to provide feedback. The revised 2024-2025 District Calendar is being presented for approval to correct the mistake.

Suggested Resolution: I move that the Yale School District #84 Board of Directors approve the Revised 2024-2025 District Calendar, as presented.

Motion by: _____
Supported by: _____
Yes _____
No _____

June 2 - End of Quarter 4	Graduation	12:30 Dismissal	Student Part Friday	Off Friday	Teacher Inservice
March 30 - End of Quarter 3	Holiday - Labor Day	No School - P/T Conferences	Student Part Friday	Off Friday	Student (Full Day)
March 30 - End of Quarter 3	Holiday - Martin Luther King Jr. Day	Student (Full Day)	Off Friday	Teacher Inservice	Student Part Friday
November 12 - Thanksgiving	Holiday - Thanksgiving	Student (Full Day)	Off Friday	Teacher Inservice	Student Part Friday
November 12 - Thanksgiving	Holiday - Thanksgiving	Student (Full Day)	Off Friday	Teacher Inservice	Student Part Friday

SEP	S	M	T	W	TH	F	S
26	27	28	29	30			
19	20	21	22	23	24	25	26
12	13	14	15	16	17	18	19
5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

NOV	S	M	T	W	TH	F	S
26	27	28	29	30			
19	20	21	22	23	24	25	26
12	13	14	15	16	17	18	19
5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

DEC	S	M	T	W	TH	F	S
29	30	31					
22	23	24	25	26	27	28	29
15	16	17	18	19	20	21	22
8	9	10	11	12	13	14	15
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday

Teacher Inservice
Student (Full Day)
Off Friday
Student Part Friday

JAN	S	M	T	W	TH	F	S
29	30	31					
22	23	24	25	26	27	28	29
15	16	17	18	19	20	21	22
8	9	10	11	12	13	14	15
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

FEB	S	M	T	W	TH	F	S
27	28						
20	21	22	23	24	25	26	27
13	14	15	16	17	18	19	20
6	7	8	9	10	11	12	13
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

MAR	S	M	T	W	TH	F	S
27	28	29	30	31			
20	21	22	23	24	25	26	27
13	14	15	16	17	18	19	20
6	7	8	9	10	11	12	13
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

APR	S	M	T	W	TH	F	S
27	28						
20	21	22	23	24	25	26	27
13	14	15	16	17	18	19	20
6	7	8	9	10	11	12	13
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

MAY	S	M	T	W	TH	F	S
27	28	29	30	31			
20	21	22	23	24	25	26	27
13	14	15	16	17	18	19	20
6	7	8	9	10	11	12	13
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

JUNE	S	M	T	W	TH	F	S
24	25	26	27	28	29	30	31
17	18	19	20	21	22	23	24
10	11	12	13	14	15	16	17
3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8
15	16	17	18	19	20	21	22
22	23	24	25	26	27	28	29
29	30	31					

YALE SCHOOL DISTRICT #84
2021-2022 - Draft #3

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Dear Vale School Board,
I am writing on behalf of the Vale Education Association to express concerns regarding using the phrasing "Christmas" versus "winter" break for the school calendar. The Oregon Education Association advocates for inclusivity and nondiscrimination, and this issue has potential ramifications of favoring one religious holiday over others.

The term "winter break" is more inclusive as it acknowledges the diverse religious and cultural backgrounds of students and staff within the district. While Christmas is significant for many, it is not universally celebrated by all community members. By adopting a more neutral term such as "winter break," we ensure that everyone feels respected and included, regardless of their beliefs.

Public schools are constitutionally required to remain neutral in matters of religion. Referring to the winter break as "Christmas break" may be perceived as endorsing a specific religious holiday, potentially leading to legal challenges regarding the separation of church and state. Using a secular term like "winter break," the district demonstrates its commitment to upholding this principle and avoids potential legal conflicts. The Oregon School Board Association's recommended policy AC—Nondiscrimination clearly outlines OSBA's expectations for the School District.

Based on my conversation with Mr. Hally, at the previous board meeting it was mentioned that legal counsel was given to the board on this matter. Please also note in our certified bargaining agreement under Article 6 Section 1 C, "The Board shall set the school calendar after it is submitted to the staff for review and recommendation, etc. The staff has already been asked to vote on this issue twice, with 87% approval. The staff has made their decision clear, and any

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other action by the board will be viewed as questioning the ability of a Superintendent who has done everything to elevate Vale School District's reputation, and discourage the Association from possibly filing a grievance at Level 4 for interference with Article 6 Section C1 of the CBA and a complaint KL, KL-AR, with the process moving directly to step 4. In a time of disrupted learning issues, lack of qualified staff entering the profession, and budgetary matters at the state and local level, we are appalled that this is an issue that the Board has chosen to focus on.

We urge the Vale School Board Association to consider the implications of using descriptors that restrict inclusion in school policies and to promote inclusive practices that respect the diverse religious beliefs and cultural traditions of all students and families. By embracing a more inclusive approach to language and policy-making, we can create learning environments that celebrate diversity, foster mutual respect, and promote a sense of belonging for all community members.

Thank you for hearing the concerns of the Association on this matter.
Sincerely,

Brita Scott Eastern Oregon UniServ Consultant Oregon Education Association	Andy Hally President on behalf of the Vale Education Association
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#0016801 pg 8 of 23

Dear Vale School Board,

In reaching out to a community member per their request in regards to the calendar, she questioned why I wouldn't discuss the matter if there wasn't anything wrong or something to hide. She has attacked my integrity and is trying to make something of a non issue due to the failure of the board not supporting the decision making of their superintendent and most importantly the equity of their students. I will attempt to explain why.

To recap, a couple years ago a question was posed on why the calendar showed "Christmas break". I never thought about it much, and a good point was brought up about having students of different backgrounds in the class. I felt a good point was raised so I brought it to the attention of Mrs. McBride and we came to the agreement that it would be more equitable for all students and staff to say winter break.

Much to my surprise last year the board went into executive session only to come out and vote for the calendar presented that evening that showed "winter break". This year there was another discussion at the board meeting and it was mentioned that the board sought council. Despite that, a board member wanted to "weigh the risks." Based on that, I can only assume the board's own council told them to leave "Christmas Break" off the calendar.

So at this time, on these last two calendars the board has had recommendations from the Superintendent with the support of the union, with the opportunity from feedback from staff and community over the last two years with no mention of the issue and overwhelming support for the calendars.

It was mentioned in the board meeting by multiple members that they are "tired of dealing with this issue". I will remind you, the only ones keeping this alive are the members themselves by continuing to give a platform to people over a non issue. It is important for a board to listen to its constituents, and they have. The board has questioned and sought input from the Superintendent on this issue. Based on the previous board meeting it sounds like the board has sought their own council. The board has gone above and beyond to answer any questions or concerns of any patron on this issue. It's time for the board to support and trust their Superintendent. I know the Union supports the Superintendent, staff and ALL students.

On another note, this is based on my own observations so take it as you will. It is a known political tactic to throw multiple unfounded accusations to cause confusion and disagreement on otherwise simple matters in hopes to lead to perceived dysfunction in an organization or institution. I have been attending board meetings for

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several years now, and I do not recall a time when a vote by the board wasn't unanimous. With everything that is going on, I feel this happening to the district at this time. Rather than falling victim, the best thing you can do is remain unified and support the decision making of your Superintendent. Let me be clear by what I mean by falling victim. If people don't feel supported, why would they remain at any organization or institution. This issue on hand is not a name on a calendar, it's the support of the decision making of your Superintendent.

If this is a matter that some still think needs to be discussed I am going to pose a few questions to think about:

1. Is Vale School District a public school institution?
2. Is the Vale School District a religious institution?
3. If Vale School District is not a religious institution and instead a public one, why has this taken so much of the board's time?

Sincerely,
Andy Hally

FOR ACTION

SUBJ: Approve 2024-2025 District Calendar

BACKGROUND INFORMATION

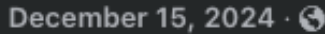
Following the discussion regarding the 2024-2025 calendar at the January meeting, the revisions were made to use the term "Break" throughout the calendar and the two calendars were distributed to staff for review and feedback. Staff were able to vote for one or both calendar options. Seventy-seven staff members provided a response, with 54 staff members preferring Draft 1. During the feedback period, multiple staff members suggested scheduling the in-service days at the beginning of the school year on Tuesday, Wednesday, Thursday instead of Wednesday, Thursday, Friday.

Which calendar(s) do you prefer? You are welcome to select more than one.

77 responses



Based on the suggestions, Draft 1.1 was created and staff were asked to vote again between Draft 1 and Draft 1.1. The only difference between the two calendars is the placement of the in-service days at the beginning of the school year. Of the 60 staff members who provided feedback during round two, 52 staff (87%) preferred Draft 1.1. There was an opportunity for members of the public to provide input during the public comment portion of the January Board Meeting. As such, I recommend that the Board approve Draft 1.1.



October 2024 - Report on Vale School District #64 Public Records

UC-1224-112



April Johnson

November 3, 2024 · 🌐

...

Here's the opt out form. You can also call the school and decline the survey verbally your child can also verbally decline to participate in the survey.

ODE's FAQ has a hilarious response about youth surveys having the same accuracy as adult surveys. Umm, do you remember the last time you took a government survey to help guide policies and tax dollars? Nope. Adults vote.



SEED Survey Participation Form

PARENT/GUARDIAN RIGHTS FOR SURVEY PARTICIPATION

Oregon law (House Bill 2656) permits parents or guardians to decline, either verbally or in writing, to have their student participate in the SEED Survey. The school shall provide any student who is excused from participating in the SEED Survey with supervised study time (or another learning activity) while other students are completing the survey.

- If you would like your student to participate in the SEED Survey, **no further action is required.**
- If you do not want your student to participate in the SEED Survey, **please complete one of the options below.**
 - To help your student's school efficiently plan, please submit this form or contact your student's school at least one day prior to the first day of survey administration.

OPTION 1

To decline in writing, please complete this section and return this form to your student's school.

Student's Legal Last Name: _____

Student's Legal First Name: _____

Student's Enrolled Grade: _____

Student's School: _____

I understand that by signing this form I am declining to have my student participate in the SEED Survey for the current academic year only.

Parent/Guardian Signature: _____ Date: _____

Parent/Guardian Printed Name: _____

OPTION 2

To decline verbally, please contact your student's school by phone or visit in-person. Be prepared to provide the following information:

- Student's legal name (first and last)
- Student's enrolled grade
- Your name (as the student's parent/guardian)
- Verbal confirmation that you would like to decline participation in the SEED Survey for your student



April Johnson

October 14, 2024 · 🌐

It seems like my concerns with public education keep growing. Parents of 6th, 8th, and 11th graders should have gotten an email or text with the Student Health Survey Parental Notification Letter.

My children will not be taking the survey. Some of it is pure propaganda so lawmakers can justify using our tax dollars for climate change response. Some of it is utter nonsense, like asking a 6th grader if they are transgender AND what their sexual orientation is. All of it is ove...
See more

with Survey 11TH GRADE

CHANGE

Questions ask about climate change.

How confident are you that climate change is or is not happening?

Very confident it IS NOT happening
Somewhat confident it IS NOT happening
Don't know if it is happening or not
Somewhat confident it IS happening
Very confident it IS happening
I don't know what this question is asking
I prefer not to answer

How often do you feel emotionally stressed (for example, about the future because of climate change)?

Never
Rarely
Sometimes
Often
Very often
I am not sure
I don't know what this question is asking
I prefer not to answer

Over the last 12 months, have your feelings about climate change (for example: ability to focus or concentrate) changed?

Never
Rarely
Sometimes
Often
Very often
I am not sure

Student Health Survey 11TH GRADE

DEMOGRAPHICS – GENDER IDENTITY AND SEXUAL ORIENTATION

What is your gender identity? You can choose more than one.

Two Spirit **SHOW ONLY IF INDIGENOUS ALASKA NATIVE**
Girl or Woman
Boy or Man
Demigirl/Demiboy
Nonbinary
Genderfluid
Genderqueer
Questioning
Agender/No gender

SHOW 20-25 ONLY IF NATIVE HAWAIIAN/PACIFIC ISLANDER

Fa'afafine
Fa'atane
Leiti
Mahu kane
Mahu wahine
Takatapu
Something else fits better (Please tell us more) _____

I am not sure of my gender identity
I don't know what this question is asking
I prefer not to answer

Are you transgender?

Yes
No
I am not sure
I don't know what this question is asking
I prefer not to answer

Student Health Survey

What is your sexual orientation? You can choose more than one.

Straight
Gay
Lesbian
Bisexual
Pansexual
Asexual
Demisexual or Aromantic
Questioning
Something else fits better (Please tell us more) _____

I am not sure of my sexual orientation
I don't know what this question is asking
I prefer not to answer

11TH GRADE

HEIGHT AND WEIGHT

Height. Health is not based on weight.

Weight. Health is not based on weight.

So we can calculate BMI for all students.

Look at BMI for all students.

What size shoes do you wear? You can choose more than one.

👍👎👤 30

38 comments 4 shares

👍 Like

💬 Comment

📧 Send

➦ Share



April Johnson

October 7, 2024 · 🌐

The report is in. Conclusion: Censorship at [Vale School District](#). If you'd like the 24-page copy of the report with the public records attached, DM me your email. It takes many voices to protect our freedom. Please consider sending a quick email to the superintendent or school board in support of the First Amendment.

October 2024 - Report on Vale School District #34 Public Records

Vale School District has produced 290 pdfs in response to my public records request. After reviewing it is concluded that Superintendent Alisha McBride and Vale Education Association President Andy Hally made a verbal agreement that violates the First Amendment by agreeing to censor the word "Christmas" from the district calendar when labeling Christmas Break.

Their agreement violates the free speech right of students, parents, and stake holders in the district because public education must be free from government censorship. In this case a government employee made an agreement to advance an opinion of a special interest group suppressing a reality they don't approve of. While the school has a right to adopt the value of inclusion, the way Mrs. McBride applied it to the label of Christmas Break violates the First Amendment by suppressing speech Mr. Hally doesn't like. *

After three years of secretly banning a certain word regarding a certain break, their agreement is now public. The superintendent and union president are trying to run interference, claiming their agreement is about being "more inclusive".²⁴ They have left their written explanation vague to avoid accountability. Their agreement is to label Christmas Break with any other word except the word Christmas.

The Secret Agreement

During the Yale School Board meeting on March 13, 2024, school board director Ryan Bates made a motion to label Christmas Break as "Christmas/Winter/Holiday Break" so as to be as inclusive as possible.⁴

If the secret agreement made between McBride and Helly was only about bringing inclusive, this motion could have been considered. Instead, Director Darlene McConnell told Bates that she could not vote for a label that included the word Christmas. McConnell said the Superintendent made an agreement with the teacher's union not to use the word Christmas and the board needed to obey that. Bates said that he was not part of that agreement and asked what the teacher's union would do if the school used the word Christmas. There was no response from the superintendent or the union president, who were attentive to the question.

Since this was a secret, verbal agreement made a few years ago, it is important to note how school board members have applied the agreement to figure out what the agreement actually is. Since the agreement, Christmas Break has been renamed. When McConnell said "the superintendent made an agreement not to use the word Christmas," nobody tried to correct her. If this was an inaccurate description of the agreement, McBride or Hally could have set the record straight. They did not, indicating she had truthfully described the agreement and precisely applied the agreement. According to McBride, the whole school

was described or applied incorrectly. McBride's vague and misleading written explanation of her verbal agreement is an attempt to avoid responsibility for her actions.

The Problem

This agreement is problematic because government officials, like the superintendent of a public school, do not have the power to censor what we can say, hear, or even read on the school calendar. It violates our free speech rights. Policies that discriminate on the basis of content and viewpoint are almost always impermissible.*

This censorship is further proved in an email McConnell wrote to McBride on February 16, 2024, asking "So if we went back and named the breaks or off days as they truly are would that cause the Union to file a grievance against the Board?"²⁰

McConnell is asking McBride if the Union will throw a fit if they use the label Christmas Break. This is a condescending email as it shows school leadership knows full well that Christmas Break is truly a break taken for the federal holiday Christmas, though they have refused to say that for the last 3 years.

Our right to free speech in public schools is protected by the First Amendment to the U.S. Constitution. In America, the courts have said schools do not have unrestricted authority to subjectively censor the written word, for example by arbitrarily banning books in the library.⁶ The First Amendment is implicated when speech is banned arbitrarily. This agreement bans one word in one instance based on one person's opinion: Mr. Haily. It was wrong of the superintendent to enter into such an agreement.

Teacher's Union Response

McConnell got an answer to her question. Union President Andy Helly has signed two letters, one written by OEA and one written by himself, threatening to "file a grievance at Level 4... and a complaint KL, KL-AR, with the process moving directly to step 4" if the school uses the word Christmas to label Christmas Break.²⁶

Hally has deemed himself the language police in the district. He would like a stigma placed on the phrase Christmas Break as dirty, unacceptable, and intolerant. In his letter Hally urges VSD to "consider the implications of using descriptors that restrict inclusion" meaning in order to be inclusive, he wants the school to exclude the phrase Christmas Break.

If the inclusive language argument doesn't get him what he wants, Hally also claims that if the school uses the label Christmas break it is "endorsing a specific religious holiday," and "favoring one religious holiday over others." This shows a lack of understanding of the separation of church and state. This is concerning as Mr. Hally is the social studies teacher at the middle school.

The Establishment Clause and the Free Exercise Clause are two provisions in the First Amendment that concern religion. They work in tandem. They define the delicate balance between religious freedom and government involvement.

The Brazilian constitution guarantees government neutrality, the public schools, from endorsing, promoting, or establishing a state religion. The clause requires that public institutions remain neutral. The label Christmas Brazil does not establish a state religion, or even promote or endorse a religion as the national church of Brazil, unlike, for example, churches that claim the title.

These clauses also do not require religion to be left out of public school, as Italy would have you believe. The clause wants to guarantee all members of religious expression in public schools to belong with the Italian religious experiences. This approach does not mean the clause just need to be in the American Court in the 1970s as Italy is and only by rights in civil religion. They call this approach neutral, but however primary religious activities are seen as religion and not civil (and religious holidays are not neutral). It is clear bias for the secularists over the religious, which is not a neutral position.

Public schools cannot avoid religion by not celebrating religious activity, not by removing the mere mention of religion. Vile teachers do not grade students according to their observance of Christmas; they don't have a list of students who celebrate, and they don't treat students differently depending on their abilities over the Christmas break. Conversely, removing a religious label of sorts is the express goal of religion.

Flexibility
Meeting individual and learning-related needs of the learner. In this sense, the school schedules a break, based on the Federal Christmas holiday to facilitate an absence for students and teachers. The break offers students, their teachers and

Distancing is a natural and built-in behavior in a false pandemic and part of the ideology being sold by Hufsky. We do not need to make people.

The article describes a problem with teaching social studies, that many teachers were hardly familiar with their plans to present. They chose what they agree with common sense practices to control classroom. Mr. Wally had not considered the nature and degradation of teaching in 12th grade class. Instead, he had descended the same straight to the line the ideology of victimhood. The article is at the expense that students who do not share the victimhood have been harmed by the mere mention of it; otherwise, that the ideology is fed by its victims. Wally states he feels guilty concerning what he can control and by excluding the present Christian Bible from a "secular" text, because they are required and excluded. The ideology is wrong. Andy Hahn's claim to state everyone who is included has failed. The article is a failure.

options, the union doesn't have the right to make an agreement with the government to carry out their agenda by censoring words that are not inclusive.

Unsubstantiated Press Reports

[illegible]

Free speech allows multiple voices and perspectives. In this case, our right to free speech includes the right to label a trend on a calendar for what it actually is. But to require speech in the name of neutrality is to violate the principle of neutrality by imposing one set of values on others.

In a society governed by free speech, leadership ideas are not to be censored by the government, but as government ideas are not to be compelled on the government. To do so would put the government into the client's mind of deciding what is genuine thought, right or wrong. Instead, people own the final choice to be correct, false, or using good and bad of their own. When *no* people speak *after* the truth, false and virtuous statements are recognized to whether they are, in this sense, to be labeled *Chinua Achebe* based on something else. It is also one thing because if people do not consider false and true to be in a sense. What has been learned by the truth that is *Chinua Achebe*? There are no rules, but, *however*, in the absence of a rule, a rule is not a rule. This is not a rule, but a rule is a rule.

Commentary

There is agreement between the superintendant and the principal here: labels they deem as not inclusive enough and constitutionally restrict speech on the district council.

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See Product Details

To make matters worse, the superintendent and union are claiming that the staff approve this censorship by 87%. This is a falsehood. Yes, 87% of the 80 teachers who voted on the proposed calendar approved it. No, running Christmas classes was not part of the vote.¹⁴ The teachers have never been polled, asked for their opinion, or educated on the

[illegible]

The superintendent admits that since the calendar is discussed at public board meetings, the opportunity for potential misinterpretation is almost inevitable. "This makes sense. The only clearly stated 'input' isn't 'input' for input," WBB as many National notifications (get in a week from our local schools, it wouldn't take much to send the draft calendar to parents asking for their input. Currently, the superintendent has done nothing to get the board members to do their job.

read on the line (in bold brackets) [5] publicly revoke their agreement with the teacher's union, [2] apologize to students, parents and stakeholders for violating their constitutional rights, [2] read the statement of joining MCTE's Richard Wood/Richard [5] [6] apologize by listing links to give evidence to [5] [6] present to an anti-sectarian [2] [6] restore the name of *Chlorine Leak* on the *24-25 DISTRICT COUNCIL*; and [5] inform staff their religion is oppressive on the school premises in the music program, and in the classrooms, etc. can be reconfirmed, appropriate and legal.

Signature



27

2 comments 13 shares



April Johnson

September 30, 2024 · 🌐



You can add "Ban the word Christmas" for our school district. [#FirstAmendmentRights](#)



The Babylon Bee ✓

September 30, 2024 · 🌐

Here are clues to look for:



The Babylon Bee Guide

HOW TO TELL A



PRISON
from a
PUBLIC
SCHOOL



BABYLONBEE.COM

Infographic: How To Tell A Prison From A Public School

These days, people are having a harder and harder time discerning the difference betw...



6

1 share

**April Johnson**

September 27, 2024 · 🌐



We waited patiently and the records have finally been produced! Thanks to everyone who pitched in to help me pay the \$1,000 fee. Over half are duplicates, so don't let the 290 pdf count scare you. Download them and take a look for yourself! The [Vale School District](#) and the teacher's union made an agreement to CENSOR the word Christmas from Christmas Break. This secret agreement is now out in the open - and sunlight is the best medicine. While the school has a right to adopt t... [See more](#)



Vale School District Public Records -Produced-

We have the right to know what government employees do in our schools with our children. These public records offer transparency & accountability to protect us from tyranny.

The records are for everyone! All 290 pdfs are in the Dropbox link in the comments. They show that our school has agreed with the teacher's union to restrict speech they don't like on the calendar, which violates the First Amendment.

Speak up now! Board member emails are in the comments.

34

4 comments 14 shares

**April Johnson**

July 10, 2024 · 🌐



Wow! A big thank you to everyone who gave their support! In the first 24 hours many generous people donated a total of \$350. Friday will be the last day to pitch in as there is a community member willing to cover the balance. Our community is filled with good people who expect honesty and accountability from our school.

Once I receive the public records I'll share them with anyone who asks, and I'll report what I find out about the superintendent's secret agreement.



23

4 comments 3 shares

**April Johnson**

July 8, 2024 · 🌐



EDIT: Thank you! We quickly made it to \$1,000 and I took it into the school to pay. Receipt is in hand! Now we wait for the school to produce the records.

Many people have contacted me wanting to help. I hope this makes it easy. I've set up a savings account at US Bank if you want to donate anonymously or you can Venmo me. It would send a powerful message to the school if 100 people each donated \$10. Freedom isn't free.



Vale School District is charging **\$1,000** to hand over public records about their agreement to ban the word Christmas.

If you'd like to donate go to US Bank or use Venmo



Account No.
253663748569



@April-Johnson-160



9 comments 24 shares

**April Johnson**

July 3, 2024 · 🌐

...

I appreciate the **Malheur Enterprise** bringing this to the community's attention. I think the Superintendent doesn't want to talk about her secret agreement with the teacher's union to ban the word Christmas because it violates our 1st Amendment rights. Public school districts are not allowed to regulate speech the same way private companies do because the First Amendment applies to government entities. Regulating speech is a big deal. I'm not ready to give up my 1st Amendment rights. Are you?

**Malheur Enterprise**

July 3, 2024 · 🌐

A Vale parent's crusade for Christmas.



MALHEURENTERPRISE.COM

What's in a name? Vale woman takes up crusade for Christmas – Malheur Enterprise

35

9 comments 1 share

**April Johnson**

June 2, 2024 · 🌐



It may look like I want you to think about Christmas in June, but actually I want you to think about a gag order the superintendent agreed to with the teacher's union president. Let me know if you have questions.



IPETITIONS.COM

Can you take a moment to help April Johnson?

Show your support in asking the DA to waive the fee from Vale School District 84 for acces...



7

12 comments 8 shares



April Johnson

May 7, 2024 · 🌐



I got a text blast from [Vale School District](#) informing me about a student survey they are administering from Oregon Dept of Ed. I have a few problems with it.

1. By their own description, this survey is "an equity tool that meets the moment", and my family doesn't participate in equity tools. ODE thinks the tried-and-true American principle of equality is lame and equity is hot, as long as the minority gets extra inclusion, extra funding, extra attention, extra everything. ... [See more](#)

education
equality.



April Johnson is with Vale Pride.

December 13, 2023 · 🌐

...

If you'd like me to send you a copy of the superintendent's report, send me a DM. It's sad that religious freedom has been attacked by our small town school district. The decision makers should have to explain themselves. [#AskTheSchoolBoard](#)



Two things can be True at Once

1. They don't have to call it a Christmas Concert or teach any Christian Christmas carols.
2. When they decided to do #1 it was *religiously motivated* - a violation of anti-discrimination school policy & state/federal law.

The principal & music teacher made these choices based on the religious beliefs of students & families.

- November 29, 2022 report from Alisha McBride



April Johnson

December 9, 2023 · 🌐

***12 of the 25 most popular
Christmas Carols were
written by
Jews***



Music with Mar.'s Brain Facts Page

December 9, 2023 · 🌐

#musicwithmar



April Johnson

November 23, 2023 · 🌐



Religious freedom is paramount in America. Thankful.



Butler, Looney & Martinsen, P.C.

November 23, 2023 · 🌐



20

1 comment

**April Johnson**

April 5, 2023 · 🌐



Being nice is not a value system. It does not discriminate between good and bad. It does not provide anything by way of moral values or a sense of the purpose of life, especially for children. Children need boundaries and purpose. Children use to be taught boundaries and the purpose of life in the home. That happens less and less as families choose not to participate in a church or religious community. The Oregon Dept of Education would like to take over for you as parents and teach your child to be nice, but also teach them what is good and bad, right and wrong. They want to teach them a new secular religion. The new standards will require teachers to tell our kids that they discriminate against others just by their existence in society, that if they are part of a majority group then they have done something wrong to a person in the minority group, and that people are victims even when no wrong-doing has occurred. There are two more days to take their survey. Please consider taking it. The standards were hard for me to understand and I had to do some research to figure out the terms and euphemisms, so if you'd like to read/use my responses, send me a DM and I'll share them with you.

ARGUS OBSERVER

[ARGUSOBSERVER.COM](https://argusobserver.com)

Weigh in on Social Emotional Learning for K-12

ONTARIO — The window of time is closing to weigh in on a survey regarding how Oregon D...



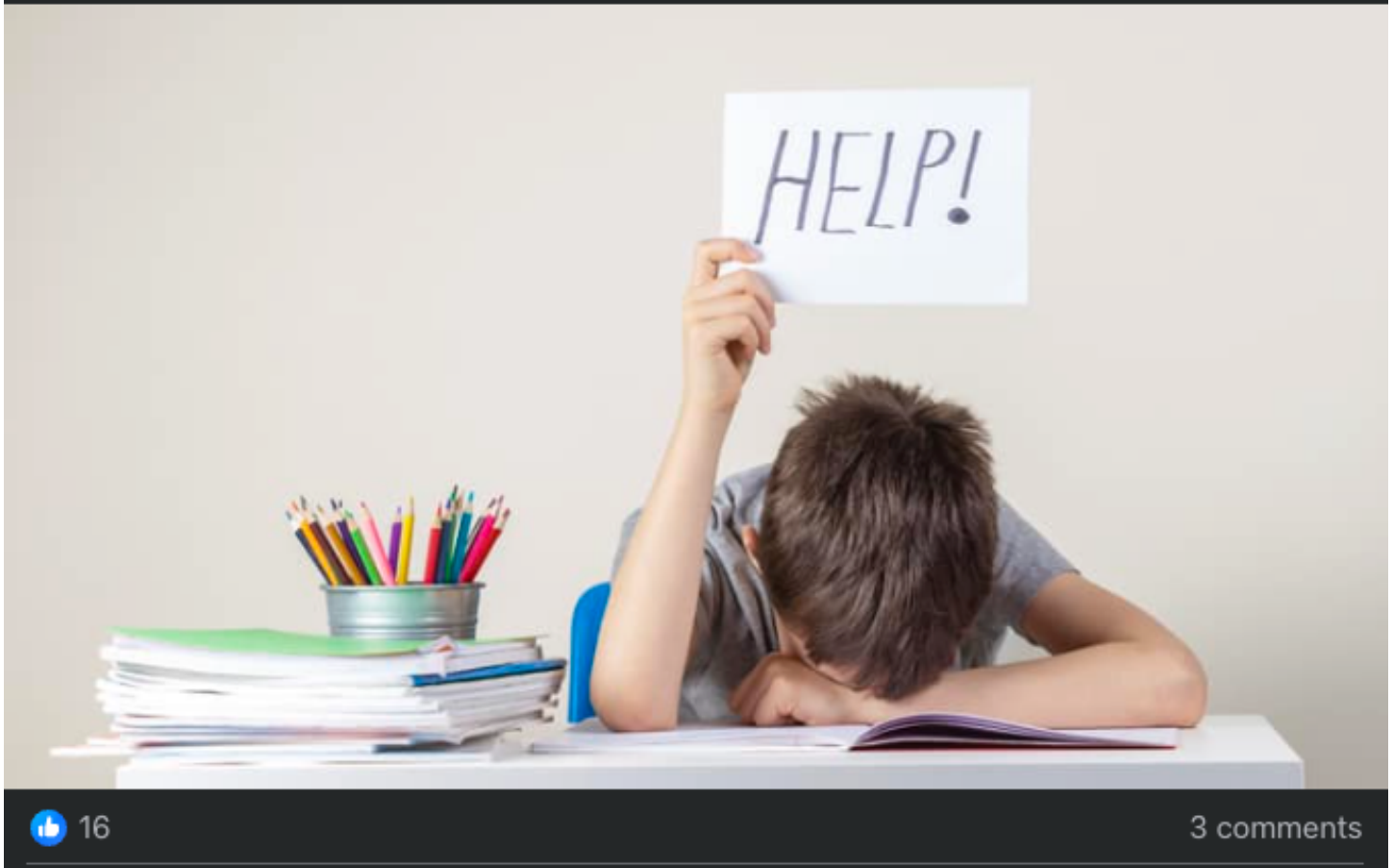
**April Johnson**

March 24, 2023 · 🌐



It's no secret that I have some strong opinions about what is and is not happening in my child's classroom. I often feel frustrated with the direction forced by the Oregon Dept of Education, and while I don't expect a miracle from this, at least I can sleep at night knowing I stood up for what's right.

ODE is asking for feedback before they finalize the SEL Standards (Social Emotional Learning). Most of it is fine, although I think this is the right and responsibility of pa... [See more](#)



16

3 comments

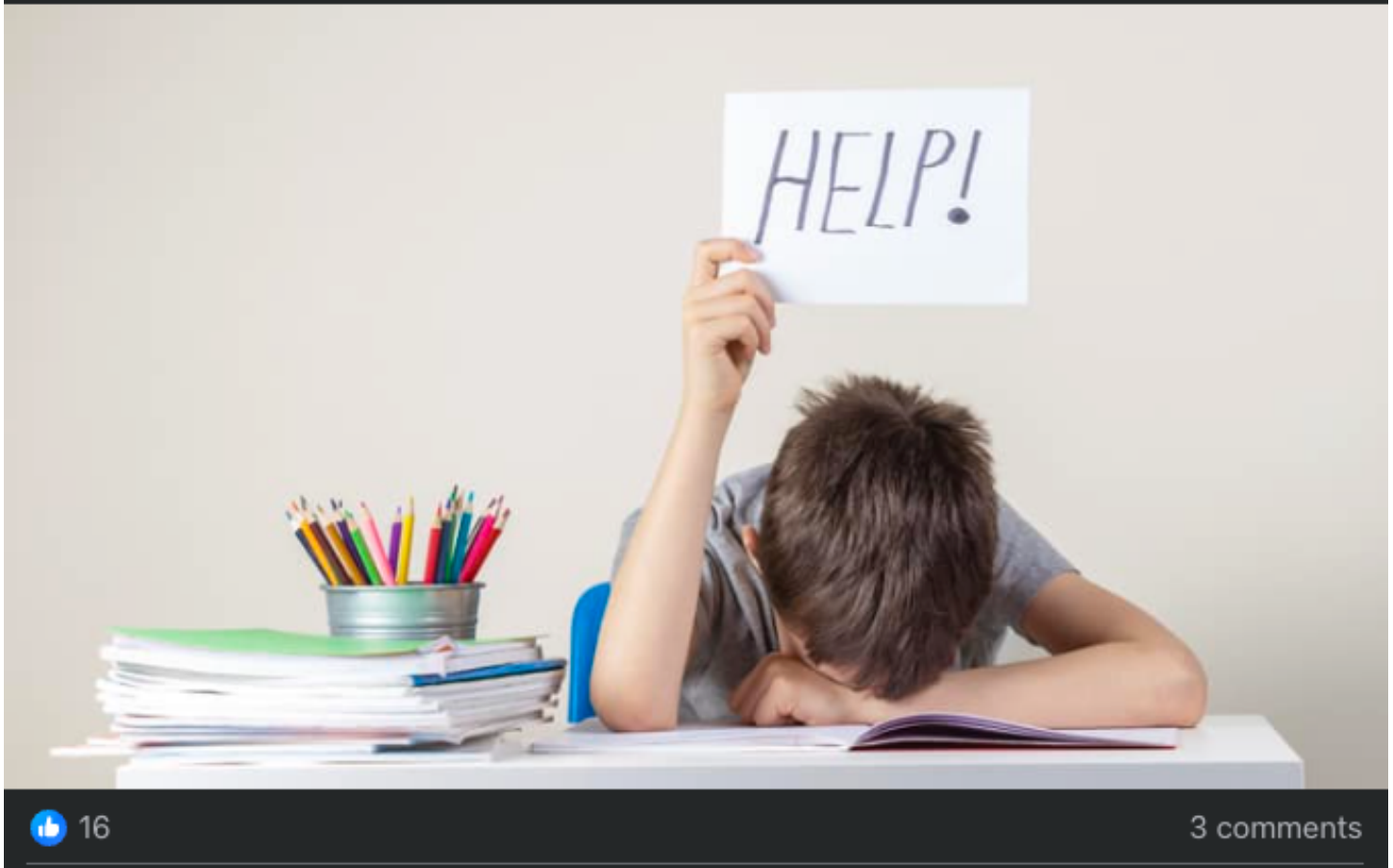
**April Johnson**

March 24, 2023 · 🌐



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ODE is asking for feedback before they finalize the SEL Standards (Social Emotional Learning). Most of it is fine, although I think this is the right and responsibility of pa... [See more](#)



16

3 comments



April Johnson

October 17, 2021 · 🌐

We are not alone.



CALIFORNIAGLOBE.COM

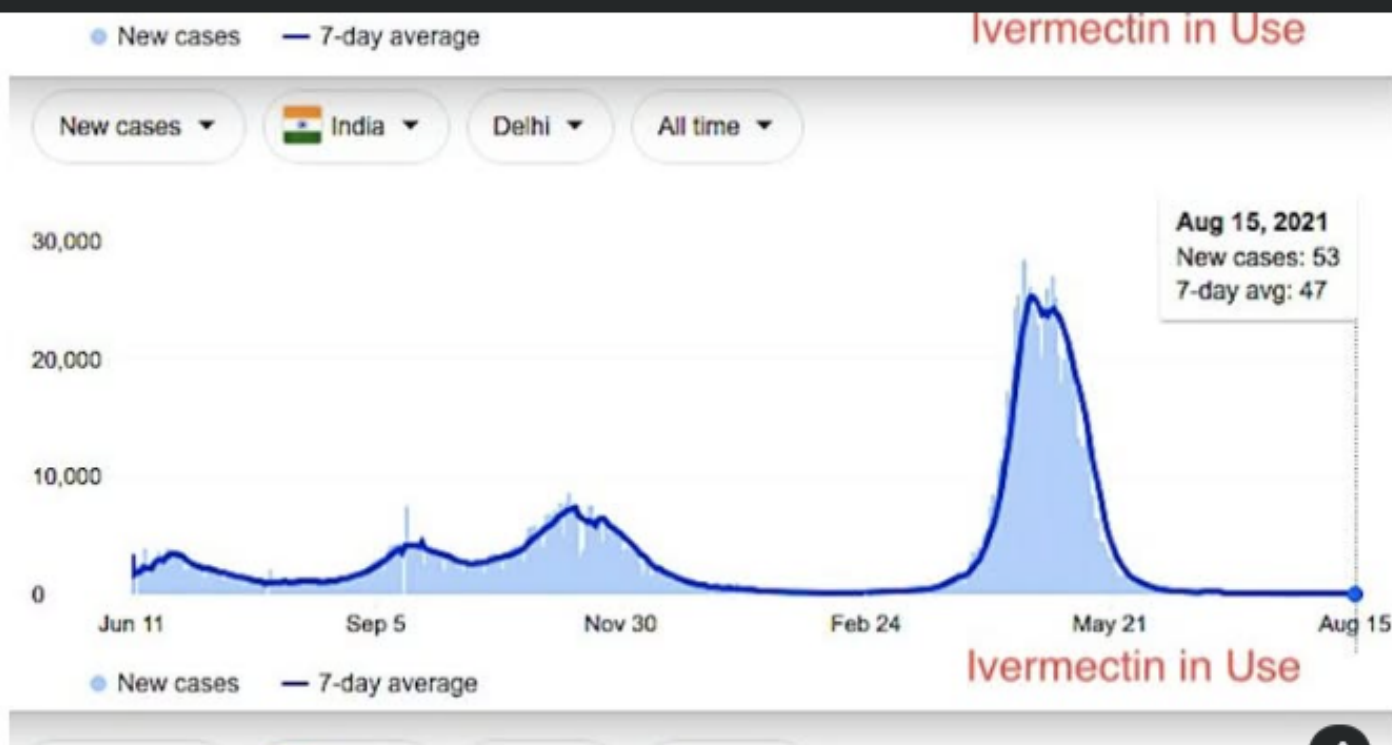
Massive Statewide School Vaccine Walkout Protest Planned Monday October 18th - California Globe



**April Johnson**

September 3, 2021 · 🌐

While the Oregon government and the media are screaming "death, disaster, COVID" to coerce people into giving up their freedoms, I want to share a more balanced perspective. Yes, the beds are filling up in the hospitals. Yes, the health care workers are exhausted, and rightly so. Thank you so much for taking care of sick people. And finally, yes, people are suffering needlessly. But not because they refuse the shot, or won't wear a mask. It's because the US is ignoring ... [See more](#)



THEDESERTREVIEW.COM

India's Ivermectin Blackout - Part III: The Lesson of Kerala

The Ivermectin Effect

15

1 comment 1 share



April Johnson

September 1, 2021 · 🌐



THEBLAZE.COM

Study finds mask mandates have no substantial effect on slowing COVID-19 spread



Like



Comment



Send



Share



April Johnson shared a quote.

August 4, 2021 · 🌐



New Mexico school district bucks Dem governor who had threatened to remove local school board for not complying with mask guidance



THEBLAZE.COM

New Mexico school district bucks Dem governor who had threatened to remove local school board for not complying with mask guidance



1



April Johnson

August 4, 2021 · 🌐



I agree with Floyd's school board. I hope our school board does the same thing. I know my kids would be sad to have to go to a different school district.



WESTERNJOURNAL.COM

Exclusive: NM School Board Stands Up to Dem Gov, Refuses Mask Mandate Despite Takeover Threat



7

3 comments 2 shares

-END-