

ACTIVIST ALERT

• The 34th annual **Public Interest Environmental Law Conference** on the UO campus begins Thursday, March 3, and runs through Sunday with numerous local experts on panels and participating in discussions. For example, Beyond Toxics is involved in a panel on “Fighting Aerial Pesticide Sprays and Water Quality Violations on State and Private Lands” at 9 am Saturday, March 5, in LAW 184. Find a schedule at pielc.org. Last-minute changes in the schedule can be found listed in the lobby of the UO Law School. Free.

• **Affordable housing** is the topic at City Club of Eugene at noon Friday, March 4, at the Baker Downtown Center, 975 High Street. Speakers include Terry McDonald of St. Vincent de Paul, and Jacob Fox of HACSA, the agency that facilitates housing for about 4,300 families a year. \$5 for non-members.

• A **Eugene mayoral candidate forum** will be from 6 to 8 pm Thursday, March 3, at First Christian Church, 1166 Oak Street. Sponsored by CALC, NACP, GLAD and AFL-CIO. Email phil@oraficio.org

• Ward 1 City Council **candidate Josh Skov** will be available to meet from 11 am to noon Saturday, March 5, at Hot Mama's Wings, 420 W. 13th Ave. Find the event on Facebook.

• A rally to **“Ditch Racism, Build a Better Future”** will be at noon Saturday, March 5, in the Park Blocks, 8th and Oak, in response to an announced Confederate Flag Day event happening at the same time across the street at the Wayne Morse Free Speech Plaza. “The Confederate battle flag has become a preeminent symbol of racism for many,” reads a statement from Community Alliance of Lane County. “It honors not Southern heritage, as many proclaim, but segregation and slavery. For many residents of Lane County, displays of the confederate flag cause intimidation and fear.” The rally will be a safe, peaceful, family-friendly event. For more information call CALC at 485-1755.

• **“Rebel Revelry”** is a fundraiser for the Civil Liberties Defense Center from 7 pm to midnight Saturday, March 5, at the Eugene Garden Club, 1645 High Street. Sliding scale with suggested donation of \$20. The event is expected to draw climate and social justice activists in town for the Public Interest Environmental Law Conference.

• **Jesse Hagopian** of Black Lives Matter and author **Dr. Wayne Au** are discussing the issues of “Institutional Racism and Standardized Testing” at 7 pm Friday, March 4, at the First Christian Church in downtown Eugene. Free and open to the public.

LANE COUNTY AREA SPRAY SCHEDULE

• ODOT is currently spraying roadsides. Call Tony Kilmer at ODOT District 5 at 744-8080 or call (888) 996-8080 for herbicide application information. Hwy. 99 near Creswell was recently sprayed. Hwy. 101 will soon be sprayed with Aquamix and Milestone for Scotch broom and gorse.

• ODOT sprays chemicals including Rodeo, Accord and Honcho Plus containing glyphosate, Milestone VM Plus containing aminopyralid and triclopyr, Esplanade 200 SC containing indazifam, Payload containing flumioxazin, Escort/Escort XP containing metsulfuron methyl and Dyne-Amic adjuvant.

Compiled by Jan Wroncy and Gary Hale, ForestlandDwellers.org, 342-8332.

POLLUTION UPDATE

Oregon Department of Environmental Quality (DEQ) issued a civil penalty of \$6,451 to **Rexius Forest By-Products, Inc.** on Feb. 17 for Clean Water Act violations at its Bailey Hill Road facility. Specifically, DEQ penalized Rexius for negligently failing to monitor for arsenic in its stormwater discharges. Rexius can appeal the penalty, pay it or offset it by implementing a “supplemental environmental project.” Examples of such projects include stream restoration and replacement of pavement with rain gardens to improve water quality.

Doug Quirke/Oregon Clean Water Action Project

NEWS

PARENTS CONCERNED ABOUT ELEMENTARY CLASS SIZES

Fixing large class sizes in Eugene School District 4J can be like “moving around deck chairs on the Titanic,” 4J School Board Chair Anne Marie Levis said at a Feb. 25 meeting.

Parents, teachers and staff from across the district filled the library at Edison Elementary School last Thursday to discuss class sizes in the 30s at the elementary school level. No clear answers came out of the meeting, although school officials suggested that parents write letters to 4J’s Budget Committee and to the Oregon Legislature.

Parents from Camas Ridge and Gilham elementary schools, among others, voiced their concern with the large elementary class sizes they observe in their children’s classrooms.

According to data from the Oregon Department of Education, the median class size at Camas Ridge is 30.5 students, although fourth and fifth grade classes see a median of 32 students. At Gilham, the numbers show a median of 37.5 students in kindergarten.

It’s difficult to pinpoint an ideal number for elementary class sizes, but research suggests that large class sizes can impede learning. A study co-authored by former University of Oregon education professor Douglas Ready indicated that children in large classes, defined as 25 or more students, learn less than children in medium or small classes.

Levis and Kerry Delf with 4J identified two barriers to lowering class sizes: finding additional classroom space and allocating funding for hiring more teachers.

Levis said the School Board will discuss putting another school bond to Eugene voters in order to fund new schools or additional classrooms, but 4J has to wait until the current bond sunsets, so the bond wouldn’t appear until the 2018 ballot.

“The answer is really at the state level,” said Tom Maloney, principal of Camas Ridge. “That’s where the money is.”

He pointed out that in order for 4J to allocate resources to reduce class size at the elementary level, the district would have to remove funding from some other area.

The meeting concluded with discussion among parents of state-level funding fixes like Initiative Petition 28, which proposes to raise taxes on corporations. Other suggestions included a statewide gas tax and the reallocation of Oregon’s “kicker” tax rebate to K-12 education.

“The meeting left me feeling like 4J understands and hears our

concerns, but we still have a lot of work to do to advocate for our youngest students and their teachers,” says Heather Sielicki, a Camas Ridge parent. “It doesn’t make sense to me that the ratio of students assigned to elementary, middle and high school home room teachers varies so little. We know K-3 students are the ones who benefit most from smaller class sizes.”

The next 4J Budget Committee meeting is in May. See 4J’s website for more details. — *Amy Schneider*

‘We know K-3 students are the ones who benefit most from smaller class sizes.’

— HEATHER SIELICKI,
CAMAS RIDGE PARENT

WHAT? PET FEES ARE NO LONGER LEGAL IN OREGON?

It may come as a surprise to some landlords, renters and even attorneys in Oregon that pet fees have not been permitted by Oregon statutes for the past five or six years. But confusion about the law remains, most likely because Oregon Revised Statutes 90.302 does not actually declare that pet fees are prohibited; rather, the list of “Fees allowed for certain landlord expenses” no longer includes non-refundable pet fees.

Pet *deposits* are still OK, says Jim Straub of Acorn Property Management, LLC of Eugene and Portland, and there’s “no statutory limit on those deposits,” but the deposits need to be refunded if there’s no damage. And landlords are not supposed to charge against deposits for normal wear-and-tear during tenancy, he says.

Landlords can legally charge higher rent to tenants who have pets, and Straub says the typical rent hike is \$10 to \$20 a month. In the past, landlords have often charged \$200 to \$300 non-refundable pet fees, and many landlords still use rental contracts with language that pre-dates the legislative changes. Rental agreements can still go into great detail about acceptable pet sizes, ages, numbers, breeds and behavior (such as noise and aggression), and set penalties for unauthorized pets. (Sneak in that cute kitten and it might cost you.)

The Oregon rules are complex, of course, and address many landlord-tenant issues surrounding fees. For example, landlords can charge “non-compliance fees of up to \$50 for a tenant’s failure to clean up pet waste from premises,” according to the Bluestone & Hockley Real Estate Services blog.

And service animals that assist renters with disabilities are exempt from pet policies, according to federal housing regulations: “Examples include guide dogs for persons with vision impairments, hearing dogs for persons with hearing impairments and emotional assistance animals for persons with chronic mental illness.”

Who determines whether an animal qualifies? Landlords have some discretion, but they could require a letter from an appropriate professional, such as a therapist or physician, according to HUD rules.

Sometimes lawyers get involved, and Straub says he’s heard of “therapeutic horses and even an alligator” getting approved as a “prescriptive aid animal” needed by renters for their “equal enjoyment” of their home under the Americans with Disabilities Act.

EW has not tracked down that therapeutic alligator for the mentally ill, but we did ask some advice: What should a landlord or tenant do now if a non-refundable pet fee has already been charged?

“If the fees were collected prior to Jan. 1, 2009, then they are perfectly legal,” says Straub. “Fees are ‘spent’ the minute you received them.” But he goes on to say, “If there have been any fees collected after this date, I would inform the tenants that this amount has been converted to a deposit, and will be accounted for when they vacate.”

Local property management companies Chinook Properties and the Jennings Group did not respond to requests for comments about their pet policies by press time. A number of local attorneys deal with landlord-tenant issues surrounding pets, and it’s a good idea for landlords to check to see if their insurance policies deal with pet issues, including breed-specific dog bans. — *Ted Taylor*