



BOARD OF  
EDUCATION  
Portland Public Schools  
**Regular Meeting**  
May 25, 2021

VIRTUAL MEETING

*In light of current public health concerns related to COVID-19, this meeting will take place virtually.\**

Under the provision of ORS 192.670, the meeting will be streamed live:  
<https://www.youtube.com/user/ppscmms/live>

To request to sign-up for public comment please send an email with your first and last name, and topic to [PublicComment@pps.net](mailto:PublicComment@pps.net), or call Kara Bradshaw at 503-916-3906. Requests for Public Comment will be processed in the order that they are received, and should be received by 12:00 pm on the day of the meeting. Once your spot is confirmed, instructions for addressing the board will be sent to you via email.

Public comment related to an action item on the agenda will be heard immediately following staff presentation on that issue. Public comment on all other matters will be heard during the "Public Comment" time. This meeting may be taped and televised by the media.

**AGENDA**

- I. 6:00 pm - Opening - 5 min.
- II. 6:05 pm - Resolution to Recognize May as Asian American and Pacific Islander Heritage Month (*Resolution 6304*) *Vote - Public Comment Accepted*
- III. 6:15 pm - Resolution Affirming Support for the Albina Vision and Authorizing Right of First Offer (*Resolution 6303*) *Vote - Public Comment Accepted*
  
- IV. 6:45 pm - Consent Agenda: Resolutions 6305 through 6312 *Vote- Public Comment Accepted*
  - 1. Resolution 6305: Approval of the Index to the Minutes
  - 2. Resolution 6306: Expenditure Contracts
  - 3. Resolution 6307: Revenue Contracts
  - 4. Resolution 6308: 2021/2022 Board Meeting Calendar
  - 5. Resolution 6309: Approval of Head Start Policy Council Recommendation
  - 6. Resolution 6310: Lease Termination Agreement
  - 7. Resolution 6311 - District Council of Unions and School District No. 1J Letter of Agreement - As proposed for consideration
  - 8. Resolution 6312: Resolution Accepting the Superintendent's Designee's Emergency Declaration and Approving an Exemption from the Competitive Bidding Requirements to Allow the District to Utilize Funds from COVID-19 Public Health Emergency Allocations.
- V. 6:55 pm - Student and Public Comment
- VI. 7:30 pm - Student Representative's Report
- VII. 7:35 pm - Superintendent's Report
- VIII. 7:45 pm - Board Committee and Conference Reports
- IX. 7:55 pm - Budget Committee Approval of the 2021-22 Budget and The Imposition of Property Taxes (*Resolution 6317*) *Vote - Public Comment Accepted*
- X. 8:40 pm - Resolution to Urge Legislators to Adequately Fund K-12 Public Schools (*Resolution 6313*) *Vote - Public Comment Accepted*
- XI. 8:55 pm - Authorizing Pension Bonds and Related Matters (*Resolution 6314*) *Vote - Public Comment Accepted*
- XII. 9:15 pm - Southeast Enrollment and Program Balancing Process Phase 2 Process and Charge (*Resolution 6315*) *Vote - Public Comment Accepted*
- XIII. 9:35 pm - Resolution to Prepare for Full-Time Reopening of In-Person Learning for the 2021-22 School Year (*Resolution 6316*) *Vote - Public Comment Accepted*
- XIV. 9:50 pm - First Reading of Policy Revisions
  - 1. 4.50.032-P Complaint Policy
  - 2. 8.60.040-P Responsible Technology Use Policy
  - 3. 1.80.020-P Anti-Harassment / Non-Discrimination Policy
  - 4. 4.30.060-P Student Anti-Harassment and Dating Violence Policy
  - 5. 5.10.060-P Workplace Harassment
  - 6. 5.10.064-P Professional Conduct Policy
- XV. 10:05 pm - First Reading of Policy Rescissions
  - 1. 4.30.070-P Teen Dating Violence/Domestic Violence Policy
  - 2. 5.10.030-P Grievance Procedure - Sex Discrimination
  - 3. 5.10.062-P Sexual Harassment-Staff to Student
- XVI. 10:10 pm - Other Business / Committee Referrals
- XVII. 10:15 pm - Adjourn

**Portland Public Schools Nondiscrimination Statement**

Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society. The District is committed to

*equal opportunity and nondiscrimination based on race; national or ethnic origin; color; sex; religion; age; sexual orientation; gender expression or identity; pregnancy; marital status; familial status; economic status or source of income; mental or physical disability or perceived disability; or military service.*

**Resolution No. 6304**

Resolution to Recognize May as Asian American and Pacific Islander Heritage Month

**RECITALS**

- A. Asian American and Pacific Islander Heritage Month in the United States was celebrated beginning in 1978 and was made into a month-long event in 1992, to honor and recognize the contributions of the diverse Asian Americans and Pacific Islanders community.
- B. Asian & Pacific encompasses all of the Asian continent and the Pacific islands of Melanesia (New Guinea, New Caledonia, Vanuatu, Fiji and the Solomon Islands), Micronesia (Marianas, Guam, Wake Island, Palau, Marshall Islands, Kiribati, Nauru and the Federated States of Micronesia) and Polynesia (New Zealand, Hawaiian Islands, Rotuma, Midway Islands, Samoa, American Samoa, Tonga, Tuvalu, Cook Islands, French Polynesia and Easter Island). The identity and fluidity of AAPI community members is diverse and complex.
- C. During Asian American and Pacific Islander (AAPI) Heritage Month, we acknowledge people of Asian and Pacific Islander heritage who live and work in Oregon, contributing meaningfully to Oregon's and the United States' economy, culture, education, politics, arts, literature, science and technological developments despite institutional and systemic injustices designed to prevent and limit these achievements and contributions.
- D. Asian Americans and Pacific Islanders are among the fastest growing communities in Oregon and Multnomah County. This migration has been both voluntary and forced due to war, economic opportunity, environmental degradation and other circumstances in their native countries.
- E. During AAPI Heritage Month we acknowledge the additional determination, hard work, and perseverance, people of AAPI heritage must put forth to be heard and seen and that these additional efforts are a result of inequitable institutional and systemic injustices.
- F. The historic lack of a curriculum reflecting the diverse AAPI cultures and heritages and the harm of stereotypes has an adverse impact on AAPI students, who need culturally-relevant social, emotional and academic supports to achieve and thrive in our schools. The adoption and implementation of a culturally-relevant curriculum benefits Asian American & Pacific Islander students as well as mental health supports that are language inclusive and culturally specific and greater data disaggregation, especially for Pacific Islander communities.
- G. Portland Public Schools has many enrolled Asian American, Pacific Islander students, and students who identify with AAPI heritage;
- H. Asian American and Pacific Islander employees serve PPS students in a diverse cross section of roles and contribute to the accomplishment of PPS's mission at every level within every department and division of the District; students benefit from continuing efforts to elevate AAPI teachers, principals, school and central office staff as representation from these diverse communities is important for all our students, especially AAPI students.
- I. Our families and our school communities honor and preserve the linguistic and cultural assets of students through student clubs, programs such as our Dual Language Immersion, Ethnic Studies, Critical Race Theory courses, and the option to obtain a Seal of Biliteracy upon graduation

- J. The Dual Language Immersion programs in PPS honor and enrich the diverse backgrounds of our heritage and native Chinese, Japanese and Vietnamese speakers, while exposing non-native speakers to diverse multilingual and multicultural perspectives;
- K. Our district and our community is strengthened by the support and advocacy of organizations like IRCO Asian Family Center and Asian Pacific American Network of Oregon (APANO).
- L. Oregon has a long history of discrimination against members of the AAPI community, and racially motivated discrimination and harassment is at a high with a national and local spike in hate crimes against the broader Asian American Pacific Islander community.
- M. AAPI community members have been disproportionately impacted by incidences of hate and discrimination during the COVID-19 pandemic, and these experiences have disproportionately impacted our AAPI youth.

### **RESOLVED**

The Portland Public Schools Board of Education recognizes May as Asian American and Pacific Islander Heritage Month and strongly encourages our staff and community to observe, recognize, and celebrate the culture, heritage, and contributions of Asian American and Pacific Islanders to our country, our state, our cities, and our schools.

The PPS Board of Education and Superintendent Guerrero sees our diverse Asian American and Pacific Islander students and staff, strongly denounces this violence against our Asian American and Pacific Islander community members, and continues to explore and embrace ways to support Asian American and Pacific Islander students in our schools.

The PPS Board of Education supports Oregon State Representative Khanh Pham's legislative proposal to combat anti-Asian hate and bias crimes by fully funding a culturally-responsive bias response hotline, enhancing data collection efforts, establishing a bias crime victim's relief fund and continuing to invest in culturally-specific affordable housing.

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## 第6304号决议

### 承认5月份为亚裔美国人和太平洋岛民传统月的决议

#### 陈述

- A. 在美国，亚裔美国人和太平洋岛民传统月庆祝始于1978年，并于1992年成为一项为期一个月的活动，以表彰和认可多元化的亚裔美国人和太平洋岛民对社区所作出的贡献。
- B. 亚太地区包括所有亚洲大陆和美拉尼西亚太平洋岛屿（新几内亚、新喀里多尼亚、瓦努阿图、斐济和所罗门群岛）、密克罗尼西亚（马利亚纳、关岛、威克岛、帕劳、马绍尔群岛、基里巴斯、瑙鲁和密克罗尼西亚联邦）和波利尼西亚（新西兰、夏威夷群岛、罗图马、中途群岛、萨摩亚、美属萨摩亚、汤加、图瓦卢、库克群岛、法属波利尼西亚和复活节岛）。AAPI社区成员的身份和流动性是多样且复杂的。
- C. 在亚裔美国人和太平洋岛民（AAPI）传统月期间，我们感谢在俄勒冈州生活和工作的亚裔人士和太平洋岛民，他们为俄勒冈州和美国的经济、文化、教育、政治、艺术、文学、科学和技术发展做出了有意义的贡献，尽管他们面临着防止和限制这些成就和贡献的体制和系统不公平性。
- D. 亚裔美国人和太平洋岛民是俄勒冈州和摩特诺玛县发展最快的社区之一。他们的迁移既是自愿的，也是受战争、经济机会、环境退化和其祖国的其它情况所迫。
- E. 在AAPI传统月期间，我们承认来自AAPI背景的人士必须付出额外的决心、艰苦工作和毅力，才能被听到和看到，且这些额外的努力是不公平的制度和系统不公正所造成的结果。
- F. 历史上缺乏反映多样化的AAPI文化和传统的课程以及陈规定型观念的危害对AAPI学生造成了不利影响，他们需要具有文化相关性的社交、情感和学术支持，以在我们的学校取得成功并茁壮成长。采用和实施具有文化相关性的课程有利于亚裔美国人和太平洋岛民学生，以及具有语言包容性、文化特定性和更大数据分散的心理健康支持，特别是针对太平洋岛民社区。
- G. 波特兰公立学校招收了许多亚裔美国人、太平洋岛民学生以及自我认同为AAPI背景的学生；
- H. 亚裔美国人和太平洋岛民员工以各种不同的角色为 PPS 学生提供服务，并为PPS完成学区每个部门各个级别的使命做出贡献；学生受益于不断提升AAPI教师、校长、学校和中央办公室员工的努力，因为来自这些不同社区的代表对我们所有的学生，尤其是AAPI学生都很重要。
- I. 我们的家庭和学校社区通过学生俱乐部、双语沉浸项目、民族研究、批判性种族理论课程等课程，以及在毕业时获得双语印章的选择来尊重和保护学生的语言和文化资产。

- J. PPS的双语沉浸课程尊重并丰富了我们母语为汉语、日语和越南语学生的多元化背景，并在同时让非母语人士接触多语言和多文化的视角；
- K. IRCO亚洲家庭中心和俄勒冈亚太裔美国人网络 (APANO) 等组织的支持和倡导加强了我们的学区和社区。
- L. 俄勒冈州歧视AAPI社区成员的历史久远，出自种族动机的歧视和骚扰正处于高潮，针对更广泛的亚裔美国人和太平洋岛民社区的仇恨犯罪在全国和地方激增。
- M. AAPI社区成员在COVID-19大流行期间受到了仇恨和歧视事件不成比例的影响，这些经历对我们的AAPI青年产生了不成比例的影响。

### 决议

波特兰公立学校教育董事会将5月视为亚裔美国人和太平洋岛民传统月，并强烈鼓励我们的员工和社区遵循、认可和庆祝亚裔美国人和太平洋岛民的文化和遗产以及对我们的国家、州、城市和学校的贡献。

PPS教育董事会和校监 Guerrero 看到了我们多元化的亚裔和太平洋岛民学生和教职员工，强烈谴责针对我们亚裔和太平洋岛民社区成员的暴力行为，并继续探索和接受支持我们学校的亚裔和太平洋岛民学生的方法。

PPS教育董事会支持俄勒冈州代表Khanh Pham的立法提案，通过全额资助具有文化响应性的偏见回复热线、加强数据收集工作、成立一个偏见犯罪受害者救济基金并继续投资于具有文化特色的经济住房，来打击反亚洲的仇恨和偏见犯罪行为。

## 決議番号 6304

### 5月を「アジア・太平洋諸島系米国人の文化遺産継承月間」として認識する決議

#### 前文

- A. 米国の「アジア・太平洋諸島系米国人の文化遺産継承月間」は1978年から祝われるようになり、多様なアジア系アメリカ人および太平洋諸島人コミュニティの貢献を称え認識するために、1992年には1ヶ月間のイベントとなりました。
- B. アジア・太平洋地域には、アジア大陸全体と、メラネシア（ニューギニア、ニューカレドニア、バヌアツ、フィジー、ソロモン諸島）、ミクロネシア（マリアナ諸島、グアム、ウェーク島、パラオ、マーシャル諸島、キリバス、ナウル、ミクロネシア連邦）、ポリネシア（ニュージーランド、ハワイ諸島、ロトマ、ミッドウェイ諸島、サモア、アメリカ領サモア、トンガ、ツバル、クック諸島、フランス領ポリネシア、イースター島）の太平洋諸島が含まれます。AAPIコミュニティのメンバーのアイデンティティと流動性は、多様で複雑です。
- C. アジア・太平洋諸島系（AAPI）米国人の文化遺産継承月間では、オレゴン州に住み、オレゴン州で働き、成果や貢献を妨げ、制限しようとする制度的、システムの不公平にもかかわらずオレゴン州および米国の経済、文化、教育、政治、芸術、文学、科学、技術の発展に有意義な貢献をしているアジア系アメリカ人と太平洋諸島出身者の業績を称えます。
- D. アジア系および太平洋諸島系米国人は、オレゴン州マルトノマ郡で最も急速に成長しているコミュニティのひとつです。自ら進んで移住してきた人もいれば、戦争、経済的機会、環境悪化、その他の母国の事情によりやむなく移住してきた人もいます。
- E. AAPI米国人の文化遺産継承月間において、私たちはAAPIの遺産を継承する人々が意見を聞いてもらうためには更なる決意、努力、忍耐が必要であること、不公平な制度や体制的な不公正のためにこのような努力が必要であることを認識します。
- F. AAPIの多様な文化や伝統を反映したカリキュラムが今までなかったことや、固定観念による弊害は、文化に関連した社会的、情緒的、学業的なサポートを必要とするAAPIの生徒が学校で成果を上げ成長する上で悪影響を及ぼしています。各自の文化に合わせたカリキュラムの採用と実施、包括的な言語と各文化に特化したメンタルヘルスサポート、特に太平洋諸島のコミュニティのためのデータ集計の強化により、アジア系および太平洋諸島系米国人の学生に良い効果をもたらします。
- G. ポートランド公立学校には、アジア系アメリカ人、太平洋諸島出身の生徒、そしてAAPIの遺産を継承する生徒が多数在籍しています。
- H. アジア系アメリカ人と太平洋諸島出身の職員は、多岐にわたる役職においてPPSの生徒に奉仕し、地区のあらゆる部門や部署でPPSミッションの達成に貢献しています。これらの多様なコミュニティからの代表者は当校の全生徒、特にAAPIの生徒たちにとって重要であり、生徒たちはAAPIの教師、校長、学校や中央局の職員の地位を高めるための継続的な取り組みにより恩恵を受けています。
- I. 私たちの家族と学校のコミュニティは学生クラブや二重言語イマージョン、民俗学、批判的人種理論などのプログラム、卒業時にパイリテラシー標章を取得するオプションを通して、生徒の言語や文化的遺産を尊重し、保護しています。

- J. PPSの二重言語イマージョンプログラムは、中国語、日本語、ベトナム語を母国語とする人々の多様なバックグラウンドを尊重し、豊かにするとともに、英語を母国語としない人々に多言語・多文化の多様な視点を提供しています。
- K. 私たちの地区とコミュニティは、IRCO Asian Family CenterやAsian Pacific American Network of Oregon (APANO) 等の団体のサポートと支援運動により強化されています。
- L. オレゴン州にはAAPIコミュニティのメンバーに対する長い差別の歴史があり、人種的動機による差別やハラスメントが多く、広い層でのアジア系および太平洋諸島系米国人コミュニティに対するヘイトクライムは全国的にもこの地域でも急増しています。
- M. AAPIコミュニティのメンバーは、新型コロナウイルス感染拡大中、いわれのない憎悪や差別の対象となり、AAPIの若者はこれらの体験によりひどい影響を受けています。

### 決議

ポートランド公立学校教育委員会は、5月をアジア・太平洋諸島系米国人の文化遺産継承月間として認識し、職員とコミュニティがアジア系アメリカ人と太平洋諸島人の文化、遺産、国、州、都市、学校への貢献を観察し、認識し、祝うことを強く奨励します。

PPS教育委員会とGuerrero教育長は、多様性に富んだアジア系アメリカ人・太平洋諸島出身の生徒と職員を見て、アジア・太平洋諸島系米国人のコミュニティメンバーに対する今回の暴力を強く非難し、当校にいるAAPIの生徒をサポートする方法を引き続き模索し、採用していくことを表明しました。

PPS教育委員会は、文化的偏見に対応するためのホットラインへの全額資金提供、データ収集活動の強化、ヘイトクライム被害者救済基金の設立、各文化に特価した低所得者住宅への継続的な投資によるアジア系に対する憎悪や偏見に基づいた犯罪に対抗するためのオレゴン州議会議員Khanh Pham氏の立法案を支持します。

## Qaraar Lambar. 6304

### Qaraarka Loo Aqoonsanayo Maayo Bisha Maraykan Aasiyaanka ah iyo Jasiiradaha Baasifiga Dhaqankooda

#### TAXANAHA LIISTADA

- A. Aasiyaan Maraykan ah iyo qawmiyada Jasiiradaha Baasifiga waxay Maraykan uga dabaaldageen bisha dhaqankooda laga soo bilaabo bilowgii sanadkii 1978 iyada oo munaasabadaasi dabaaldega laga dhigay munaasabad soconeysa bil dhan sanadkii 1992, sidii loo sharfi lahaa loona aqoonsan lahaa kala duwanaashaha bulshooyinka Aasiyaanka Maraykan iyo bulshada Jasiiradaha Baasifigaba.
- B. Aasiyaanka iyo Jasiiradaha Baasifigu waxa ay ka kooban yihiin dhammaan qaarada Aasiya iyo Badda Paficif ee Melanesia ( Guinea, New Calendio, Vanuatu, Fiji iyo Jasiiradaha Soloman). Macronesia( Marianas, Guam, Wake Island, Marshall Islands, Kribati, Nauri iyo Gobolada Federaalka ee Micronesia) iyo Polynesia( New Zealand, Hawaiiin Islands, Rotuma, Midway Islands, Samoa, Maraykan Samoa, Tongo, Tuvalu, Cook Islands, French Polynesia iyo Easter Island). Waxaa loo aqoonsadaa loona garan ogyahay xubnaha bulshada AAPI inay kala gedisan yihiin oo ay waliba adag tahay sida loo kala saari karo.
- C. Intii lagu guda jiray Bishaa Hidaha iyo Dhaqanka Aasiyaanka Maraykan ah iyo Jasiirada Baasifiga(AAPI), waxaan aqoonsanahay dhaqanka dadka Aasiyaanka iyo Jasiirada Baasifiga kuwaasi oo ku nool kana shaqeeya Gobolka Oregon, inay ku soo kordhiyeen wax macno leh Oregon iyo wadanka Maraykanba haddii ay tahay dhinaca dhaqaalaha, dhaqanka, waxbarashada, siyaasada, farshaxanka, sayniska iyo horumarinta teknoolajiyada marka laga yimaado iyada cadaalad darada ka jira hay'adaha dawlada ee loo farsameeyey inay laga hortago laguma xaddeeyo guulaha iyo waxyaabaha ay ku soo kordhiyeen wadankaba.
- D. Aasiyaanka Maraykan ah iyo Jasiiradaha Baasifigu waxa ay ka mid yihiin bulshooyinka aad u koraya tiro ahaan Oregon iyo Degmada Multnomah. Muhaajirkooda ay ka soo haajirayaan wadamadoodii waa mid ikhtiyaariya ah iyo kuwa ay ku qasbeen dagaalo ka jira wadamadaasi, fursado dhaqaale, xaalufinta deegaanada iyo duruufo kale oo ka jira wadamooda ay u dhasheen.
- E. Intii lagu gudo jirey Bisha Hidaha iyo Dhaqanka ee AAPI waxaan kale oo aan aqoonsanay sida ay uga go'an tahay sida xooga leh ay hawlarka ay u yihiin, iyo adkaysiga dhaqanka dadka AAPI ay soo bandhigeen sidii loo maqli lahaa loona arki lahaa dadaaladooda dheeraadka ah kuwaasi oo noqday natiijada nidaamyada cadaalad daradda ee hay'adaha ka jira.
- F. Taariikh ahaan iyada oo aysan jirin manhaj ka tarjumaya kala duwaanshaha dhaqanada AAPI iyo waxyaabaha ay hiddo ahaan u leeyihiin iyo waxyeelada lagu shaabadeeyey ayaa la xiriira inay saameyn ku yeeshaan ardayda AAPI, kuwaasi oo u baahan sidii ay ugu guuleysan lahaayeen waxbarasho iskuuladeena oo taageereysa dhaqankooda sidii ay u gaari lahaayeen shucuur ahaan iyo bulsho ahaanba. Qabatinka iyo meelmarinta faa'iidooyinka manhaj ka turjumaya dhaqanka Aasiyaanka Maraykanka ah iyo Jasiiradaha Baasifiga ardaydooda sidoo kalena taageeraya caafimaadka maskaxda ee luqadoodu iyo dhaqankooda u gaar ah iyo kala-soocida xogta oo ballaaran, gaar ahaan bulshooyinka Jasiiradaha Baasifiga.
- G. Dugsiyada Dadweynaha Portland arday fara badan oo ka mid ah Aasiyaan Maraykanka, Jasiiradaha Baasifiga ah ayaa iska diiwaangaliyey kuwaasi iyagu isku aqoonsan inay asalkoodu yahay AAPI;

- H. Shaqaalaha Aasiyaanka Maraykanka ah iyo kuwa Jasiiradaha Baasifiga waxa ay u addeegaan ardayda PPS iyaga oo xilal kala gedisan gudanaya sidoo kalena horumarinaya higsiga PPS ee heer kasta kana mid ah waax kasta iyo qeyb kasta oo degmada ah; ardaydu waxa ay ka faa'iideyaan sii wadista dadaaladaa ay kor ugu qaadayaan macallimiinta AAPI, maamulayaasha, iskuulka iyo shaqaalaha xarunta dhexe maadaama ay lagama maarmaan u yihiin bulshooyinka kala gedisan dhammaan ardeydeena, gaar ahaan ardayda AAPI.
- I. Qoysaskeena iyo bulshooyinka iskuuladeenu waxa ay sharfayaan iyaga oo ilaalinaya luqad ahaan iyo hanti ahaan dhaqankooda ardayda iyaga oo loo marayao naadiyada ardayda, barnaamijyada sida Barnaamijka Labada Luqadood Ardayda Wax Lagu Baro, Barashada Hidaha iyo Asalka, Koorsooyinka Aragtida Jinsiga, ikhtiyaarka in ardayda la siiyo abbaalmarin inay luqad kalena barten marka ay qalin-jabinayaan

*Dib loo eegay 05/25/2021*

- J. Barnaamijka Labada Luqadood Wax Lagu Dhigto wuxuu sharaf u yahay PPS iyo kobcinta ardayda kala gedisan yahay dhaqankoodu iyo shiinaha asalka ah, Jabaaniiska iyo kuwa ku hadla Fiitnaamiiska, iyaga oo isku dhigaya inay yihiin kuwa aan ku hadlin luqadii ay ka soo jeedeen oo luqadaha fara badan ku hadlayey lahaana dhaqano aragtidoodu ay kala duwan tahay;
- K. Haddii aanu nahay Degmadeena iyo bulshadeenu waxaanu xoojineynaa taageerada hay'adaha u dooda sida Xarunta Qoyska Aasiyaanka ee IRCO iyo Isku Xirka Maraykanka Jasiiradaha Baasifiga ee Oregon (APANO).
- L. Oregon waxa ay leedahay taariikh fog oo dhinaca midbtkoorka ah oo ay takooraan xubnaha bulshada ee AAPI, cunsurimidaasi waxaa sabab u ah iyaga oo jinsigooda loo fageynayo iyo waliba handadaad halkii ugu sarreysay taasi oo haddii ay noqoto dalka dhammaantiis ay keentay inay gobol ahaana dambiyada nacaybku ay kor u kaceen lagu hayo dadka ka soo jeeda Aasiyaan Maraykanka ah iyo bulshada Jasiiradaha Baasifiga ah.
- M. Xubnaha bulshada AAPI waxay saameyn ugu yeeshen si aan caqli gal ahayn dhacdooyinkaasi nacaybka ah iyo takooridu intii lagu guda jiray xanuunka faafayey ee COVID-19, iyada oo waliba dhibtani ay iyaguna si xoog leh u saameysay dhallinyaradeena AAPI.

### **WAXAA LA GO'AAMIYEY**

Golaha Waxbarashada Dugsiyada Dadweynaha Portland wuxuu u aqoonsanayaan Maayo inay tahay Bisha Hidaha iyo Dhaqanka Aasiyaanka Maraykanka ah iyo Jasiiradaha Baasifiga iyada oo si xoogan loogu dhiirgalinayo shaqaalaheena iyo bulshadeena inay u dabaaldegaan dhaqankooda, aqoonsadaan, hiddaha iyo waxyaabaha ay ku soo kordhiyaan Aasiyaan Maraykanka ah iyo Jasiiradaha Baasifiga wadankeena, gobolkeena, magaalooyinkeena, iyo iskuuladeena.

Guddoomiyaha Waxbarashada Guerrero PPS iyo Golaha Waxbarashadu waxa ay arkaan kala duwanaashaha ardayda iyo shaqaalaha Aasiyaanka Maraykanka iyo Jasiiradaha Baasifiga iyaga oo si adag u cambaareynaya xadgudubyada rabshadaha wata ee lagu qaadayo xubnaha bulshadeena ee Aasiyaankeena Maraykanka iyo Jasiiradaha Baasifiga, iyo sii wadista in si qoto dheer looga wada hadlo lana soo dhaweenayo dariiqooyin aan ku taageerayno ardayda Aasiyaanka Maraykanka iyo Jasiiradaha Baasifiga ee iskuuladeena.

Golaha Waxbarashada PPS waxa ay taageerayaan soo jeedinta xeerka uu soo jeediyey Khanh Pham oo ka mid ah Golaha Wakiilada Gobolka Oregon sidii loola dagaalami lahaa nacaybka ka dhanka ah Aasiyaan iyo in si buuxda dhaqan ahaan loo maalgaliyo waxna looga qaban lahaa dambiyada ay keenaan nacaybka iyada oo la abuurayo khad si degdeg ah loogala soo xiriiro sidii jawaab looga bixin lahaa, kor u qaadista dadaalada lagu ururinayo xogta, la aasaasayo sanduuq laga gargaaro dhibanayaasha wax ka soo gaaraan dambiyada nacaybka ku salaysan iyo sii wadista maalgalinta guryo la awoodi karo oo dhaqan ahaan ka jawaabaya dhaqanka gaarka ah ee ay leeyihiin.

## **Resolución N. ° 6304**

### Resolución para reconocer mayo como el Mes de la Herencia Asiática y del Pacífico

#### **CONSIDERANDO**

- A. *El Mes de la Herencia Asiática y del Pacífico en los Estados Unidos se celebró a partir de 1978 y se convirtió en un evento de un mes de duración en 1992 para honrar y reconocer las contribuciones de la diversa comunidad de asiáticos americanos e isleños del Pacífico.*
- B. *Asia y el Pacífico abarcan todo el continente asiático y las islas del Pacífico de Melanesia (Nueva Guinea, Nueva Caledonia, Vanuatu, Fiyi y las Islas Salomón), Micronesia (Marianas, Guam, Isla de Wake, Palau, Islas Marshall, Kiribati, Nauru y los Estados Federados de Micronesia) y Polinesia (Nueva Zelanda, Islas Hawaianas, Rotuma, Islas Midway, Samoa, Samoa Americana, Tonga, Tuvalu, Islas Cook, Polinesia Francesa e Isla de Pascua). La identidad y flexibilidad de los miembros de la comunidad AAPI es diversa y compleja.*
- C. *Durante el Mes de la Herencia Asiática y del Pacífico (AAPI, por su sigla en inglés), reconocemos a las personas de ascendencia asiática y de las islas del Pacífico que viven y trabajan en Oregón y que contribuyen de manera significativa a la economía, la cultura, la educación, la política, las artes, la literatura, la ciencia y los desarrollos tecnológicos de Oregón y de los Estados Unidos, a pesar de las injusticias institucionales y sistémicas establecidas para impedir y limitar estos logros y contribuciones.*
- D. *Los estadounidenses de origen asiático y de las Islas del Pacífico son una de las comunidades de más rápido crecimiento en Oregón y en el condado de Multnomah. Esta migración ha sido tanto voluntaria como forzada debido a la guerra, las oportunidades económicas, la degradación medioambiental y otras circunstancias en sus países de origen.*
- E. *Durante este mes, reconocemos la determinación adicional y la perseverancia que deben tener y el duro trabajo que tienen que hacer las personas de herencia AAPI para ser escuchadas y vistas y también que estos esfuerzos adicionales son el resultado de injusticias institucionales y sistémicas que favorecen la desigualdad.*
- F. *La falta histórica de un plan de estudios que sea representativo de las diversas culturas y herencias de los AAPI y el daño provocado por los estereotipos afectan negativamente a los estudiantes AAPI que necesitan apoyos sociales, emocionales y académicos culturalmente relevantes para lograr y prosperar en nuestras escuelas. La adopción y puesta en práctica de un plan de estudios culturalmente relevante, disponer de apoyos para la salud mental que incluyan el idioma y sean específicos para su cultura y una mayor desagregación de los datos, especialmente para las comunidades de las islas del Pacífico, beneficia a los estudiantes estadounidenses de origen asiático y de las Islas del Pacífico.*
- G. *Las Escuelas Públicas de Portland tienen muchos estudiantes estadounidenses de origen asiático y de las Islas del Pacífico y estudiantes que se identifican con la herencia AAPI;*
- H. *Los empleados estadounidenses de origen asiático y de las Islas del Pacífico interactúan con los estudiantes de PPS en una sección representativa y diversa de funciones y contribuyen al logro de la misión de PPS en todos los niveles dentro de cada departamento y división del distrito; los estudiantes se benefician de los esfuerzos continuos para destacar a los maestros, directores, personal de la escuela y de la oficina central AAPI, ya que la representación de estas diversas comunidades es importante para todos nuestros estudiantes, especialmente los estudiantes AAPI.*
- I. *Nuestras familias y nuestras comunidades escolares honran y preservan los activos lingüísticos y culturales de los estudiantes en los clubes estudiantiles, en programas que ofrecemos, como el de inmersión bilingüe y el de Estudios Étnicos, en cursos como el de Teoría Crítica de la Raza y ofreciendo la opción de obtener el Sello de Bilingüismo al graduarse.*
- J. *Los programas de inmersión bilingüe de PPS honran y enriquecen los diversos orígenes de nuestra herencia y de los hablantes nativos de chino, japonés y vietnamita, a la vez que exponen a los hablantes no nativos a diversas perspectivas multilingües y multiculturales.*



- K. Nuestro distrito y nuestra comunidad se ven fortalecidos por el apoyo y la defensa de organizaciones como el Centro para Familias Asiáticas de la Organización Comunitaria para Refugiados e Inmigrantes y la Red de Estadounidenses de Origen Asiático y del Pacífico de Oregón (APANO, por su sigla en inglés).
- L. Oregón tiene una larga historia de discriminación contra los miembros de la comunidad AAPI y la discriminación y el acoso por motivos raciales se encuentra en un punto alto y han alcanzado un pico nacional y local en los crímenes de odio contra la comunidad estadounidense de origen asiático y de las Islas del Pacífico en general.
- M. Los miembros de la comunidad AAPI se han visto desproporcionadamente afectados por incidencias de odio y discriminación durante la pandemia del COVID-19 y estas experiencias han afectado desproporcionadamente a nuestra juventud AAPI.

### **SE RESUELVE**

La Junta de Educación de PPS reconoce el mes de mayo como el Mes de la Herencia Asiática y de las Islas del Pacífico y alienta firmemente a nuestro personal y a la comunidad a respetar, reconocer y celebrar la cultura, la herencia y las contribuciones que han hecho los estadounidenses de origen asiático y de las Islas del Pacífico a nuestro país, a nuestro estado, a nuestras ciudades y a nuestras escuelas.

La Junta de Educación de PPS y el superintendente Guerrero tienen en cuenta la diversidad de nuestros estudiantes y del personal estadounidense de origen asiático y de las islas del Pacífico, denuncia fuertemente esta violencia contra los miembros de esta comunidad y continúa buscando y adoptando formas de apoyarla en nuestras escuelas.

La Junta de Educación de PPS apoya la propuesta legislativa del Representante del Estado de Oregón, Khanh Pham, para combatir los crímenes de odio y los prejuicios contra los asiáticos, financiando en su totalidad una línea telefónica de respuesta a los prejuicios que es adecuada a la cultura, mejorando los esfuerzos de recolección de datos, estableciendo un fondo de alivio para las víctimas de crímenes de prejuicios y continuando la inversión en viviendas asequibles para cada cultura.

## **Nghị Quyết Số 6304**

### Nghị Quyết Công Nhận Tháng Năm là Tháng Di Sản của Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương

#### **GHI NHẬN**

- A. Tháng Di Sản của Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương tại Hoa Kỳ được tổ chức bắt đầu từ năm 1978 và được tổ chức thành một sự kiện kéo dài một tháng vào năm 1992, nhằm tôn vinh và ghi nhận những đóng góp của cộng đồng Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương đa dạng.
- B. Châu Á & Đảo Thái Bình Dương bao gồm tất cả lục địa Châu Á và các đảo Thái Bình Dương bao gồm Melanesia (New Guinea, New Caledonia, Vanuatu, Fiji và Solomon Islands), Micronesia (Marianas, Guam, Wake Island, Palau, Marshall Islands, Kiribati, Nauru và Federated States of Micronesia) và Polynesia (New Zealand, Hawaiian Islands, Rotuma, Midway Islands, Samoa, American Samoa, Tonga, Tuvalu, Cook Islands, French Polynesia và Easter Island). Bản sắc và tính linh hoạt của các thành viên cộng đồng AAPI rất đa dạng và phức tạp.
- C. Trong Tháng Di Sản của Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương (AAPI), chúng tôi ghi nhận những người Mỹ Gốc Châu Á và Thái Bình Dương sống và làm việc tại Oregon, đóng góp có ý nghĩa cho sự phát triển kinh tế, văn hóa, giáo dục, chính trị, nghệ thuật, văn học, khoa học và công nghệ của Oregon và Hoa Kỳ, bất chấp những bất công theo thể chế và hệ thống được thiết kế để ngăn chặn và hạn chế những thành tựu và đóng góp này.
- D. Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương là một trong những cộng đồng phát triển nhanh nhất ở Oregon và Multnomah County. Sự di cư này vừa là tự nguyện vừa bị ép buộc do chiến tranh, cơ hội kinh tế, suy thoái môi trường và các hoàn cảnh khác tại quê hương của họ.
- E. Trong Tháng Di Sản AAPI, chúng tôi thừa nhận những người AAPI phải quyết tâm làm việc chăm chỉ và kiên trì hơn để được lắng nghe và nhận thấy và những nỗ lực bổ sung này là kết quả của những bất công theo thể chế và hệ thống.
- F. Sự thiếu sót một chương trình giảng dạy phản ánh các nền văn hóa và di sản đa dạng của AAPI trong quá trình lịch sử và sự tác hại của định kiến có tác động tiêu cực đến các học sinh AAPI, những người cần hỗ trợ xã hội, tình cảm và học thuật phù hợp với văn hóa để thành đạt và phát triển mạnh trong các trường học của chúng tôi. Việc áp dụng và thực hiện một chương trình giảng dạy phù hợp với văn hóa mang lại lợi ích cho các học sinh Người Mỹ Gốc Châu Á & Đảo Thái Bình Dương cũng như các hỗ trợ sức khỏe tâm thần bao gồm ngôn ngữ và văn hóa cụ thể và sự phân tách số liệu tường tận hơn, đặc biệt là đối với các cộng đồng người Đảo Thái Bình Dương.
- G. Sở Học Chánh Portland có nhiều học sinh người Mỹ Gốc Châu Á và Đảo Thái Bình Dương và các học sinh nhận dạng với di sản AAPI.
- H. Nhân viên Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương phục vụ các học sinh PPS trong nhiều vai trò đa dạng và đóng góp vào việc hoàn thành nhiệm vụ của PPS ở mọi cấp độ trong mọi phòng ban và bộ phận của Sở Học Chánh; các học sinh được hưởng lợi từ những nỗ lực không ngừng để nâng cao vị thế của các giáo viên, hiệu trưởng, nhân viên trường học và nhân viên văn phòng trung ương từ cộng đồng AAPI vì sự đại diện từ các cộng đồng đa dạng này rất quan trọng đối với tất cả các học sinh của chúng tôi, đặc biệt là các học sinh AAPI.

*Chỉnh Sửa 05/25/2021*

- I. Các gia đình và cộng đồng trường học của chúng tôi tôn vinh và bảo tồn tài sản ngôn ngữ và văn hóa của các học sinh thông qua các câu lạc bộ học sinh, các chương trình như Song Ngữ Hội Nhập, các khóa học Nghiên Cứu Dân Tộc, Lý Thuyết Chứng Tộc Quan Trọng và tùy chọn để có được Bằng Tốt Nghiệp với Dấu Ấn Thông Thạo Song Ngữ.
- J. Các chương trình Song Ngữ Hội Nhập trong PPS tôn vinh và làm phong phú thêm nguồn gốc đa dạng về di sản của những người bản ngữ tiếng Trung Hoa, tiếng Nhật và tiếng Việt, đồng thời giúp những người không phải là người bản xứ trải nghiệm những quan điểm đa ngôn ngữ và đa văn hóa.
- K. Sở học chánh và cộng đồng của chúng tôi được củng cố nhờ sự hỗ trợ và vận động của các tổ chức như IRCO Asian Family Center và Asian Pacific American Network of Oregon (APANO).
- L. Oregon có một lịch sử lâu dài về phân biệt đối xử với các thành viên của cộng đồng AAPI, và sự phân biệt đối xử và quấy rối vì kỳ thị chủng tộc đang ở mức độ cao vì sự thù ghét đối với cộng đồng người Mỹ Gốc Châu Á và Thái Bình Dương đang gia tăng trên toàn quốc và ở địa phương.
- M. Các thành viên cộng đồng AAPI đã bị tác động quá mức bởi những trường hợp thù ghét và kỳ thị trong đại dịch COVID-19, và những trải nghiệm này đã ảnh hưởng quá mức đến các thanh thiếu niên AAPI.

### **QUYẾT NGHỊ**

Hội Đồng Quản Trị Giáo Dục của Sở Học Chánh Portland công nhận Tháng Năm là Tháng Di Sản của Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương và đặc biệt khuyến khích các nhân viên và cộng đồng của chúng tôi làm lễ kỷ niệm, công nhận và tôn vinh văn hóa, di sản và những đóng góp của Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương cho quốc gia, tiểu bang, các thành phố và các trường học của chúng tôi.

Hội Đồng Quản Trị Giáo Dục PPS và Tổng Giám Đốc Guerrero nhận thấy các học sinh và nhân viên Người Mỹ Gốc Châu Á và Thái Bình Dương đa dạng, cực lực lên án bạo lực này đối với các thành viên cộng đồng Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương, đồng thời tiếp tục khám phá và đón nhận các cách để hỗ trợ các học sinh Người Mỹ Gốc Châu Á và Đảo Thái Bình Dương trong các trường học của chúng tôi.

Hội Đồng Quản Trị Giáo Dục PPS ủng hộ đề xuất lập ra luật của cô Khanh Pham, Dân Biểu Tiểu Bang Oregon, để chống lại những tội ác thù ghét và kỳ thị người Châu Á bằng cách tài trợ đầy đủ một đường dây nóng phù hợp văn hóa để đối phó với sự kỳ thị, tăng cường nỗ lực thu thập dữ liệu, thành lập quỹ cứu trợ nạn nhân tội ác kỳ thị thù ghét và tiếp tục đầu tư vào nhà ở phù hợp văn hóa với giá cả phải chăng.

## Резолюция No. 6304

### Резолюция о признании мая месяцем наследия американцев азиатского происхождения и уроженцев островов Тихого океана

#### ОСНОВАНИЯ

- A. Месяц наследия американцев азиатского происхождения и уроженцев островов Тихого океана в Соединенных Штатах (Asian American and Pacific Islander, AAPI) отмечается с 1978 года, а в 1992 году он превратился в мероприятие продолжительностью в месяц с целью признания вклада разнообразных общин американцев азиатского происхождения и уроженцев островов Тихого океана.
- B. Азиатско-Тихоокеанский регион включает весь азиатский континент и Тихоокеанские острова: Меланезию (Новая Гвинея, Новая Каледония, Вануату, Фиджи и Соломоновы острова), Микронезию (Марианские острова, Гуам, остров Уэйк, Палау, Маршалловы острова, Кирибати, Науру и Федеративные Штаты Микронезии) и Полинезию (Новая Зеландия, Гавайские острова, Ротума, острова Мидуэй, Самоа, Американское Самоа, Тонга, Тувалу, Острова Кука, Французская Полинезия и остров Пасхи). Идентичность и подвижность американцев азиатского происхождения и уроженцев островов Тихого океана очевидны.
- C. Во время месяца наследия американцев азиатского происхождения и уроженцев островов Тихого океана в Соединенных Штатах (AAPI) мы отдаем дань уважения американцам азиатского происхождения и уроженцам островов Тихого океана, которые живут и работают в Орегоне и вносят значительный вклад в экономику, культуру, образование, политику, искусство, литературу, науку и технологические разработки Орегона и Соединенных Штатов, несмотря на институциональную и системную несправедливость, призванную предотвратить и ограничить эти достижения.
- D. Американцы азиатского происхождения и уроженцы островов Тихого океана являются одной из самых быстрорастущих общин в Орегоне и округе Мултнома. Эта миграция была как добровольной, так и принудительной из-за войны, экономических возможностей, ухудшения состояния окружающей среды и других обстоятельств в их родных странах.
- E. В течение месяца наследия американцев азиатского происхождения и уроженцев островов Тихого океана в Соединенных Штатах мы отмечаем дополнительную решимость, упорный труд и настойчивость, которые они должны приложить, чтобы их услышали и увидели. Эти дополнительные усилия являются результатом несправедливой институциональной и системной несправедливости.
- F. Историческое отсутствие учебной программы, отражающей различные культуры и наследие американцев азиатского происхождения и уроженцев островов Тихого океана в Соединенных Штатах, а также вред стереотипов отрицательно сказываются на учениках азиатского происхождения и уроженцев островов Тихого океана, которым необходима учитывающая культурные особенности социальная, эмоциональная и академическая поддержка для достижения успехов и процветания в наших школах. Принятие и внедрение учебной программы, учитывающей культурные особенности, принесет пользу учащимся

азиатского происхождения и уроженцам островов Тихого океана, а также окажет поддержку в области психологического здоровья, учитывающую языковые и культурные особенности.

- G. В Портлендском школьном округе обучается много учеников из числа американцев азиатского происхождения, уроженцев островов Тихого океана и тех, кто относит себя к этой общине.
- G. Сотрудники азиатского происхождения и уроженцы островов Тихого океана обслуживают учеников Портлендского школьного округа в самых разных сферах деятельности и вносят свой вклад в выполнение миссии школьного округа на всех уровнях в каждом департаменте и подразделении округа; учащиеся получают выгоду от постоянных усилий по повышению профессионального уровня преподавателей, директоров, сотрудников школ и центрального офиса азиатского происхождения и уроженцев островов Тихого океана, поскольку представительство этих разнообразных общин важно для всех наших учеников.
- H. Наши семьи и наши школьные общины чтят и сохраняют языковые и культурные ценности учащихся с помощью ученических клубов, таких программ, как курсы по изучению двух языков, этнические исследования, курсы по теории критических рас, а также возможность получить сертификат о двуязычии по окончании учебы.
- I. Программы двуязычного обучения в Портлендском школьном округе обогащают разнообразный опыт нашего наследия и носителей китайского, японского и вьетнамского языков, а также знакомят неносителей языка с различными многоязычными и мультикультурными перспективами.
- J. Наш округ и община обогащаются знаниями благодаря поддержке и защите таких организаций, как Азиатский семейный центр при IRCO (Asian Family Center) и Азиатско-Тихоокеанская американская сеть Орегона (Asian Pacific American Network of Oregon, APANO).
- K. Орегон имеет долгую историю дискриминации в отношении американцев азиатского происхождения и уроженцев островов Тихого океана. Дискриминация и преследования по расовым мотивам находятся на пике, с национальным и местным всплеском преступлений на почве ненависти против более широкого сообщества американцев азиатского происхождения и уроженцев островов Тихого океана.
- M. На членов общин американцев азиатского происхождения и уроженцев островов Тихого океана непропорционально сильно повлияли случаи ненависти и дискриминации во время пандемии COVID-19, и этот опыт непропорционально сильно повлиял на нашу молодежь азиатского происхождения и уроженцев островов Тихого океана.

## **ПОСТАНОВЛЕНО**

Совет директоров Портлендского школьного округа объявляет май месяцем наследия американцев азиатского происхождения и уроженцев островов Тихого океана, а также настоятельно рекомендует сотрудникам и общине школьного округа признавать и отмечать культуру, наследие и вклад американцев азиатского происхождения и уроженцев островов Тихого океана в нашу страну, в наш штат, наши города и наши школы.

Совет директоров школьного округа и заведующий школьным округом Герреро (Guerrero) видит наших разнообразных учеников и сотрудников из числа американцев азиатского происхождения и уроженцев островов Тихого океана, решительно осуждает насилие в отношении членов общины американцев азиатского происхождения и уроженцев островов Тихого океана, а также продолжает изучать и использовать способы поддержки учеников азиатского происхождения и уроженцев островов Тихого океана в наших школах.

Совет директоров школьного округа поддерживает законодательное предложение представителя штата Орегон Хана Фама (Khanh Pham) по борьбе с преступлениями на почве ненависти и предвзятости, направленными против азиатов, путем полного финансирования горячей линии для реагирования на случаи расизма с учетом культурных особенностей, активизации усилий по сбору данных, создания фонда помощи жертвам расизма и продолжения инвестирования в доступное жилье с учетом культурных особенностей.

## RESOLUTION No. 6303

### Resolution Affirming Support for the Albina Vision and Authorizing First Right of Offer

#### RECITALS

- A. In 2019, the PPS Board of Education adopted “PPS reimagined,” a community-driven vision for what we want to be true for the graduates, system, and educators of Portland Public Schools (PPS). This ambitious vision represents the values and aspirations of thousands of Portland students, families, staff, partners, and members of the community and articulates our foundational and enduring belief in Racial Equity and Social Justice: We believe in the fundamental right to human dignity and also believe that generating an equitable world requires an educational system that intentionally disrupts—and builds leaders to disrupt—systems of oppression.
- B. A decade after the PPS Board of Education adopted a historic Racial Educational Equity Policy that held racial equity and social justice as central tenets to our decisions and actions, PPS is determined to bring about racial justice, pushing a counter narrative for our Black, Native and Students and Families of Color. Through an updated [Racial Equity and Social Justice Framework and Plan](#), PPS continues its steadfast commitment to creating access to an array of possibilities and new opportunities for students, especially students of color, aligning our cultural norms, practices, and structures so that they center the lived experiences and hopes of our Black, Native and Students of Color, developing culturally responsive practices, including equitable budgeting, and strengthening our partnerships with culturally specific community-based providers to tailor individual supports to the needs of our students.
- C. An important aspect of this work is the acknowledgement of the permanence of the cultural and institutional racism that has existed in our system since its inception. Racist practices that advantage white students and disadvantage students of color have been reinforced by racist cultural narratives, beliefs, and norms. Six years before Oregon proposed a state constitution banning Black people from entering, residing, or acquiring property, Portland Public Schools, Oregon’s now-largest school system, was established. For close to 170 years, PPS failed to respond to struggles of communities of color—especially Black and Native American students. This pattern started when William Brown, a resident of Portland in the 1860s, tried to enroll his children in one of Portland’s only two public elementary schools, launching what would be the first recorded case of racism against Black children in Portland Public Schools.
- D. While our commitment to calling out and eradicating systems of oppression is clear in our words, plans, and values, we also know that cultural and institutional racism continues to produce disparities and negatively impact the lives of our students of color, but specifically for Black students. Reflecting on our community’s vision for PPS, our core values and educational system shifts, along with the acknowledgement of persistent, racialized predictors for student outcomes, we are called to strategically utilize and invest resources in a targeted and culturally responsive manner to achieve racial equity and social justice. Grounded in the belief that culturally-specific organizations are uniquely positioned to partner with PPS to support our racial equity and social justice goals, we continue our commitment to partner with culturally-specific and multiracial organizations.
- E. On June 11, 2020, the PPS Board of Education unanimously approved Resolution 6130. In this resolution, the Board declared that the lives of Black students and our Black community matter and committed to working with the Superintendent and the Portland community to create the conditions for every student, especially our Black and Native students who experience the greatest challenges, to realize the vision of the Graduate Portrait. It further commends the Superintendent and the District’s leadership for its bold commitment to center the lived experiences of our students and apply a racial equity and social justice lens to all high-leverage decisions.
- F. On July 28, 2020, the PPS Board of Education unanimously approved Resolution 6150. In that resolution, the Board included in the proposed 2020 bond the modernization of Jefferson High School and the development of a community-inspired Center for Black Student Excellence, as a physically built environment, and as a designated hub for culturally responsive education, immediate and long-term plans, and culturally specific partnerships to advance Black student achievement in PPS. On November 3, 2020, the voters of Portland approved the 2020 general obligation bond,

Bond Measure 26-215, with an overwhelming 75 percent approval, making way for the first phase of design and planning of investments in North and Northeast Portland facilities.

- G. Together, the Center for Black Student Excellence and the Jefferson High School modernization will rally students, families, and community stakeholders to develop a coherent set of strategies that will positively impact student achievement and outcomes while affirming Black student identity, and will include promoting and supporting culturally responsive/sustaining teaching and learning, from cradle to career. These two investments towards the schools in the heart of what was once the Albina community, will serve as a concrete—literally and figuratively--investment in our Black communities. It will reinforce and anchor our schools as centers of our communities, connecting a constellation of community schools, such as Boise Eliot/ Humboldt Elementary, Dr. Martin Luther King Jr. Elementary, Tubman Middle School, and Jefferson High School, and Black-led community-based organizations in the Albina Neighborhood.
- H. Albina was once a thriving, creative, and affordable neighborhood consisting of Black-owned businesses, homes, and faith institutions. It was the cultural capital of Portland with world class jazz venues, environmental justice initiatives, and education models created for and by Black Portlanders. Decades of disinvestment, urban renewal, and racist public policy disintegrated the neighborhood. The Albina Vision Trust (AVT) is a nonprofit organization created to steward the neighborhood's rebirth through the thoughtful transformation of the 94-acres of lower Albina.
- I. The Albina Vision is anchored in a comprehensive and long-term commitment to develop a community where honoring the past inspires us to build a better future. AVT seeks to create a youth-centered community in lower Albina designed to create opportunities for Portland's next generation of Black people to build wealth and reclaim home. A new neighborhood in the city would allow for intentional design for the safety of Black and brown children in the urban environment.
- J. In addition to an array of strategic efforts, Portland Public Schools recognizes that shaping learning environments to elevate Black identity and Black excellence will contribute to eliminating the racial achievement gap for every student.
- K. The Metro Regional Government, City of Portland, and philanthropic partners are current funders of the Community Investment Plan, a year-long district planning process to advance the Albina Vision. The Albina Vision also benefits from broad support across community, civic, advocacy, and business groups.
- L. The work of the Albina Vision Trust and the Black community in Portland to reclaim the Albina community is similar to the push for equitable access to public education, especially for our Black students and their families. This push has long been a key component of the civil rights movement and fight for racial justice and builds on the legacy of advocacy for Black children in Portland, and catalyzed by the social movements for Black Lives.
- M. Additionally, PPS acknowledges that Portland institutions and citizens participated in redlining and structurally organized policies, zoning, and planning that restricted or prevented Black, Indigenous, and communities of color from land ownership, and led to their disproportionate displacement through "urban renewal" or gentrification.
- N. With the recognition of our role, we know that as current caretakers of this ancestral land, the District recognizes its fiduciary responsibility to preserve and maintain its real property assets in a manner that will serve current students and future generations.
- O. The Portland Public Schools real estate property, Blanchard Education Service Center (BESC), sits at the center of the lower Albina neighborhood, and a key to the neighborhood's rebirth towards a youth-centered community.
- P. In June 2000, Multnomah County and Portland Public Schools entered into a 99-year lease for the use and occupancy of a part of the BESC by the County. The lease also granted Multnomah County rights of first opportunity and first refusal to purchase the BESC .



- Q. Institutions—especially Portland Public Schools--have a moment, an opportunity to lead, not with race-neutral plans, but with an anti-racist agenda that amplifies an intergenerational healing process among students, their families, and our community.

**Resolved**

Therefore, be it resolved that the Board:

- A. Authorizes the Superintendent to enter into an agreement with Albina Vision Trust, granting AVT a right of first offer on its lower Albina Blanchard Educational Service Center property.
- B. Authorizes the Superintendent to amend the lease between PPS and Multnomah County to subordinate the County's purchase rights to Albina Vision Trust, if AVT acquires any such rights. The School Board thanks Multnomah County and its Board of Commissioners for its partnership and for generously agreeing to this amendment.
- C. Stands firmly behind the *Albina vision*, a community-led reinvention and transformation of the 94-acres of lower Albina, from which thousands of primarily Black residents were forcibly displaced over decades of urban renewal. In this effort, we will stand shoulder to shoulder with the AVT and the Black community, to develop a youth-centered community in lower Albina that creates opportunities for Portland's next generation of Black people to learn, build wealth and reclaim home. This reinvention of the Albina neighborhood would also allow for intentional design for the safety of Black and brown children in the urban environment while at the same time providing the housing and community stability that supports education.
- D. Stands strongly in its commitment to authentically listen, learn and partner with our community's Black elders and listen to our Black youth to address the cultural and institutional racism that has existed in our system since its inception. This includes Black-led organizations and community based organizations accountable to Portland's Black community.
- E. Commits to affirming our community's long-held belief to lead with a robust Racial Equity and Social Justice agenda to center the lived experiences of our Black students, families, educators, and staff in our actions, decisions, and words.



## PPS Affirms Support for the Albina Vision and Authorizing First Right of Offer Common Questions and Responses

### Additional References:

- [Portland Public Schools reImagined](#)
- [PPS Theory of Action](#)
- ARTICLE: [Bleeding Albina: A History of Community Disinvestment, 1940-2000](#)
- Resolution 6303: [Affirming Support for the Albina Vision and Authorizing First Right of Offer](#)

### Why is the Portland Public Schools Board of Education considering Resolution 6303: Affirming Support for the Albina Vision and Authorizing First Right of Offer?

As a public institution we have a duty to examine the complex, interwoven systems that have resulted in harm to Portland's Black community and to take responsibility and bold decisive action to address this harm. PPS understands and acknowledges that the school district is one of many public institutions that along with private institutions and individuals participated in official policies and unofficial behaviors that actively and intentionally excluded Black, Indigenous and communities of color from full participation in the economy and society, including restricting the ability of members of these groups from owning or maintaining land and property.

The Albina Neighborhood was once a thriving, creative, and affordable neighborhood consisting of Black-owned businesses, homes, and faith institutions. It was the cultural capital of Portland with world class jazz venues, environmental justice initiatives, and education models created for and by Black Portlanders. Decades of disinvestment, urban renewal, and racist public policy disintegrated the neighborhood. The Albina Vision Trust (AVT) is a nonprofit organization created to steward the neighborhood's rebirth through the thoughtful transformation of the 94-acres of lower Albina.

By supporting the mission of the Albina Vision Trust (AVT), PPS Senior Leadership and the School Board is taking action in its continued efforts to repair relationships and actively champion community-led reinvention and transformation of one key local site that figures in an infamous history. The 94 acres of lower Albina upon which the district headquarters is currently situated was a site from which thousands of primarily Black residents were forcibly removed over decades of so-called urban renewal. While undoing the displacement is impossible, AVT offers the opportunity to live into the PPS vision of racial equity and social justice.

**What does it mean to offer AVT a first right of offer and what are the details of the agreement? Why is Multnomah County part of this transaction and why is it relinquishing its first purchase rights to AVT as part of this transaction?**

Offering Albina Vision Trust a first right means that if PPS desires to sell, convey, exchange, grant an option to purchase, lease or otherwise transfer the BESC to another party, it must give notice to AVT and allow AVT first purchasing rights.

In 2000, PPS granted a first right to purchase the BESC to Multnomah County as part of a long term lease agreement. Because Multnomah County shares Albina Vision Trust’s commitment to creating a more equitable future and ensuring that children and families can thrive, it is now relinquishing its first purchase rights to AVT. PPS and its Board of Education are deeply appreciative of Chair Deborah Kafoury, the Board of Commissioners and our County colleagues for agreeing to this and being part of a historic partnership.

**How does this decision align to PPS’ vision, core values, and mission? Will PPS be selling, leasing or taking less money in a future real estate transaction? As a public, taxpayer-funded entity, why not focus only on the financial bottom line and seek the highest bidder?**

Our decision aligns with key elements of the district vision, [PPS reimagined](#). This is a chance for us as leaders to model what our community-created vision states: Educators should strive to be Racial Equity and Social Justice Centered. As our students observe our actions, they can begin to see themselves as the Transformative Racial Equity Leaders described in the vision. Collaborating with AVT is an embodiment of the PPS Core Values of Partnerships and Collaboration, Relationships, RESJ, and, we believe, is Grounded in the Spirit of Portland—at its best and most inclusive.

Part of good stewardship is ensuring that public dollars bring about a collective prosperity, sometimes called “commonwealth.” PPS recognizes in AVT a partner whose values align with our own and who can help to advance a broader set of positive outcomes for children and families.

The agreement states that PPS will expect fair market value from a sale and AVT accepts this position. A partnership between AVT and PPS will help maximize the financial value of any potential redevelopment and advance the wellbeing of our community, first and foremost for people who have been excluded.

**How does this connect with the Center for Black Student Excellence that was approved by Portland voters on the November 2020 PPS Bond?**

PPS is not currently planning to sell the BESC. However, we understand the value of the site *and* recognize the importance of considering what, in the future, might be an inspired and best use of the property. This resolution indicates PPS' commitment to working with AVT on decisions related to the future of this valuable, centrally located and historically important site.

**Is Portland Public Schools (PPS) selling the Blanchard Educational Services Center (BESC)?**

PPS is not currently planning to sell the BESC. However, we understand the value of the site *and* recognize the importance of considering what, in the future, might be an inspired and best use of the property. This resolution indicates PPS' commitment to working with AVT on decisions related to the future of this valuable, centrally located and historically important site.

**Is PPS relocating its central office? If not, why are they even talking about this right now?**

As one of the largest real estate holders in the city, PPS regularly evaluates its holdings and stays informed about Portland's dynamic commercial real estate market. All decisions made regarding property ownership or sale must support the district vision and core values. The district must ensure the responsible management of its real estate assets and provide a safe and functional environment in which PPS can conduct District business and which the community can easily access.

There are no imminent plans to relocate the district's central offices.

###

**RESOLUTION No. 6305**

The Following Index to the Minutes are offered for Adoption

- May 11, 2021 – Regular Meeting



## Index to the Minutes

*(Draft for Approval)*

### Regular Meeting

May 11, 2021

#### Attendance

Present: Chair Lowery, Directors Bailey, Brim-Edwards, DePass, Kohnstamm, Moore, Scott; Student Representative Shue

Absent: None

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Actions Taken

- **Consent Agenda – Resolutions 6291 and 6296 through 6300**

Director Bailey moved and Director Scott seconded the motion to approve the consent agenda, including Resolutions 6291 and 6296 through 6300. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Shue voting yes (unofficial).

- **Resolution 6301**

Resolution 6301 was withdrawn prior to the start of the meeting.

- **Resolution 6302**

Director Brim-Edwards moved and Director DePass seconded the motion to approve Resolution 6302, Resolution to Recognize May 2021 as National Mental Health Awareness Month. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Shue voting yes (unofficial).

**RESOLUTION No. 6291**

Resolution Authorizing Amendment to the Bond Accountability Committee Charter

**RECITALS**

- A. As part of the 2012 Bond Program (Multnomah County Ballot Measure 26-144), Resolution 4651 created a Bond Accountability Committee to assist the Board in monitoring the planning and progress of the 2012 Capital Bond Program.
- B. Resolution 5475 amended the Bond Accountability Committee Charter to extend the scope of the Committee to include monitoring the planning and progress of the 2017 Bond Program (Multnomah County Ballot Measure 26-193).

**RESOLUTION**

- 1. The Board hereby amends the Bond Accountability Charter to expand the scope of the Committee to include review of the 2020 Bond Program (Multnomah County Ballot Measure 26-215), in addition to the other ancillary changes and clarifying edits reflected on Exhibit A.



**RESOLUTION No. 6296**

The Following Index to the Minutes are offered for Adoption

- April 27, 2021 – Regular Meeting

**RESOLUTION No. 6297**Expenditure Contracts that Exceed \$150,000 for Delegation of Authority**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Computer Technology Link Corp (CTL)	5/12/21 through 5/12/26	Materials Requirement MR 90047	Purchase of Chromebooks. Invitation to Bid 2021-2949	\$23,245,000	C. Hertz Fund 458 Dept. 5581 Project DT001
2KG Contractors, Inc.	5/12/21 through 10/15/21	Construction C 90038	Benson HS Modernization – Kenton Swing Site improvements Invitation to Bid – Construction 2021-2948	\$973,200	C. Hertz Fund 457 Dept. 3115 Project DA005
Tecta America Corp (dba ABC Roofing)	5/12/21 through 5/11/24	Flexible Services Contractor Pool FSCP 89792	Flexible Services Contractor Pool – Roofing Request for Proposals 2020- 2849	\$3,000,000	C. Hertz Funding Source Varies
PDX Yellow Cab Co.	5/12/21 through 6/30/26	Services S 90041	Provide specialized transportation services to students who are unable to be served by a school bus as determined by their IEP. Special Class Procurement – Secure and Specialized Transportation PPS-47-0288(20)	\$500,000	C. Hertz Fund 101 Dept. 5560
STA of Oregon	7/1/22 through 6/30/28 Option to renew for up to two additional two- year terms through 6/30/32	Services S 90074	Provide student transportation services for schools and programs west of the Willamette River and for Sellwood and Woodstock regions east of the Willamette River. Request for Proposals 2020- 2903	\$71,000,000 (\$127,000,000 through all renewals)	C. Hertz Fund 101 Dept. 5560
University of Virginia Darden School Foundation	7/1/21 through 6/30/22	Personal Services PS 90025	Provide executive education and tailored support to PPS building leaders. Informal Request for Proposals	\$248,500	K. Cuellar Fund 205 Dept. 5407 Grant G2004

**NEW COOPERATIVE PURCHASING AGREEMENTS**

<b>Contractor</b>	<b>Contract Term, Renewal Options</b>	<b>Administering Contracting Agency</b>	<b>Description of Goods or Services</b>	<b>Estimated Spend During Contract Term</b>	<b>Responsible Administrator, Funding Source</b>
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W.W. Grainger Inc.	5/12/21 through 6/30/23	State of Oregon COA 90044	Maintenance, repair, operation supplies, equipment, and industrial products on an as-needed basis for use by the Office of School Modernization.	\$3,000,000	C. Hertz Funding Source Varies
Roadrunner Home Bake, Inc.	5/12/21 through 6/30/22 May be renewed for up to four additional one-year terms through 6/30/26	Oregon Department of Education COA 90028	Process USDA cheese into end product for Child Nutrition Program	\$310,000 (\$1,550,000 through all renewals)	C. Hertz Fund 202

**NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)**

No New IGAs

**AMENDMENTS TO EXISTING CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Amendment Amount, Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Tigard Music	5/24/18 through 5/24/23	Materials Requirement MR 66356 Amendment 4	Purchase of musical instruments. Extend contract for final two years of maximum five year term. Invitation to Bid 2018-2442	\$1,850,000 \$2,303,603	C. Hertz Fund 101 Dept. 5463

**RESOLUTION No. 6298**

Portland Public Schools Board and Superintendent/Staff Expectations and Operating Protocols

**RESOLUTION**

The Board of Directors of Portland Public Schools approves and adopts the *Portland Public Schools Board and Superintendent/Staff Expectations and Operating Protocols* as attached in Exhibit "A".

## Portland Public Schools Board and Superintendent/Staff Expectations and Operating Protocols

### I. Roles and Responsibilities

As elected members of the Board of Education for Portland Public Schools, our roles and responsibilities are outlined in Board policy and statute; these expectations and protocols do not replace or override Board policies, District administrative directives, or any applicable law.

Highlights of board responsibilities include:

- A. Establishing an overarching educational vision for the district and setting actionable district goals and priorities to equitably provide the highest quality educational experience for each PPS student;
- B. Providing financial oversight and direction for the District, including reviewing and adopting a student-focused annual budget, establishing general financial goals, authorizing bonds, and exercising taxing authority;
- C. Hiring, setting goals for, and evaluating the Superintendent annually, and maintaining a mutually supportive relationship with the Superintendent in pursuit of established district goals;
- D. Focusing on policy making, goal setting, monitoring, and evaluation to further the goals and priorities of the District,
- E. Acting as an ambassador to the community, both sharing District information with the public, including working to make students and the community aware of the goals and priorities, and communicating public thought to the District.

As Board members do this work responsibly, we commit to:

- A. Utilizing the Racial Equity Lens tool in decision-making with the goal of closing the achievement and opportunity gap for Black, Native American and Students of Color.
- B. Respecting the role of the Superintendent as the chief executive officer of the District, which includes sole authority over directing employees with the exception of the employees in the Office of the Independent Performance Auditor whose work is directed by the Board of Education.
- C. Making decisions as a whole Board only at public meetings. Individual members have no authority to take stand-alone action in policy or in district and school administrative matters or to speak on behalf of the Board without express delegation of authority.
- D. Complying with Board policies, understanding our fiduciary responsibilities, and being aware that our actions at all times reflect on the integrity, reputation, and functioning of the District.
- E. Encouraging and modeling constructive public discourse in Board decision making.
- F. Honoring student voice; centering and prioritizing the voices and experiences of our students of color.

Practices of the Board of Education:

### II. Priority Setting and Board and Superintendent Evaluation

- A. Student Outcomes Focused Priority Setting
  1. The Board will align its work with the District vision, theory of action, strategic plan, goals, and adopted budget.

2. The Board will establish, at a public meeting, goals in alignment with the District's vision and will regularly monitor the District's progress in meeting these goals.
3. Board Leadership will meet regularly with the Superintendent and key staff to evaluate past Board meetings and determine the agenda for upcoming Board meetings. The Board Leadership will solicit input from Board members.
4. Board leadership will regularly check in with the full Board regarding the Board meeting structure, progress on Board goals, and addressing Board member priorities.

B. Board Professional Development and Evaluation

1. The Board will self-assess its performance at least annually. Board leadership will regularly evaluate Board meetings and work sessions. All Board members are encouraged to provide feedback to the Board leadership to improve the Board's performance. The Board leadership will annually set expectations and priorities for Board professional development. Board leadership will annually review the Board Office budget to ensure there are sufficient funds to support the Board's professional development.

C. Superintendent's Evaluation

1. The Board will establish annual goals and metrics for the Superintendent's performance and engage in a process that provides for thoughtful and deliberative assessment of the Superintendent's work based on those goals at least annually.
2. The Board will check-in with the Superintendent quarterly to collaboratively assess progress toward achieving district goals, identify any barriers to success, and make course corrections as necessary.

III. Meetings

- A. Board members will be prepared for each meeting by reviewing materials in advance and agree to attend regularly scheduled Board meetings. Board members and board office staff will collaborate on scheduling special meetings and/or work sessions.
- B. The times allotted at board meetings for each agenda item are estimates and are to be used as a guideline by the Chair in managing the meeting; however, there are not specific end times.
- C. Board members agree to strive to start and end meetings on time.
- D. Board members agree to uphold the legal requirement for confidentiality on all matters arising from Board executive sessions and any other confidential communications or information.
- E. Board members agree to listen carefully and with courtesy when other people are speaking during Board meetings. Discussions between Board members will serve as a model for acceptable public dialogue. Members will seek to clarify issues by soliciting each other's points of view.
- F. Board members are expected to cast a vote or abstain on all matters except when a conflict of interest arises and an abstention is dictated by the ethics policy .
- G. If they miss a meeting, Board members and Leadership Team staff agree to review the video of that meeting to remain current on the Board and district's work.

IV. Communication

- A. Board members agree to communicate directly with the Superintendent and/or members of the Superintendent's Leadership Team when Board members have a substantive question, or when a significant concern about PPS operations is voiced by a staff member, student, parent, or other community member. Board members should use their best professional judgment on who to include when communicating with the Superintendent or the Superintendent's Leadership Team.

For emails or other written communications involving substantive issues, copying the Senior Board Manager optimizes communications, and Board members are encouraged to do so.

For administrative, or scheduling issues, it is acceptable to email staff without copying other parties. Board members will not direct staff work and board members should share if an information request is time sensitive, especially if it relates to an action item on a board meeting agenda, an executive session, or a public meeting in which the board is participating.

Board members need adequate time to review materials before , meetings of the board and materials should not arrive or be changed late in the process.

- B. When receiving questions from Board members, the Superintendent and staff will confirm receipt of the communication in a timely way and indicate how and when a response will be made.
- C. Board members will apply the racial equity lens tool to communications with constituents. Board members often field complaints or concerns from individuals and will actively listen and empathize with constituents. Board members may hear more from communities and individuals who already have a lot of social capital in our system. Board members should proactively engage with historically underrepresented communities/constituents to broaden their understanding of the entire system.
- D. The Board and staff should operate on a “no surprises” basis. A high level of communication between board members and senior staff is appropriate, desired, and beneficial.
- E. Board members are requested to communicate directly with the Board Chair(s) or Board Vice Chair(s) when concerns arise about other Board members. If there are concerns about District staff, board members should address that with the Superintendent and Board leadership. When disagreeing with other Board members, Board members and staff should maintain a respectful dialogue in their communications. Board members retain the right to express individual opinions in a variety of settings, and when doing so, will clearly state that the opinion is theirs and not that of the Board unless they are speaking of action that the Board has already taken.
- F. Specific personnel complaints submitted to the Board or individual Board members shall be referred to the Superintendent or designee.
- G. From time to time, the Board may be required to make findings of fact that can be appealed to another government agency (e.g., personnel matters or charter school application hearings). In these situations, no Board member will discuss the substance of the matter with any person(s) directly involved in the issue, other than PPS staff, outside the formal hearing and deliberation process.

#### V. Requests for Information or Decision making

##### A. Information Requests of Staff

1. When a Board member has an information request of staff (but does not require any particular decision to be made), the Board member should feel free to communicate their request to any member of the Superintendent’s Leadership team and the Senior Board Manager and use their best professional judgment on who else to copy on communications, respecting the administrative chain of command. If the information request is unrelated to a future Board action or decision, the timing of the fulfillment is at the discretion of the Superintendent and should not interfere with other staff work. The Superintendent may discuss time consuming requests with the requesting board member to understand the request and then discuss with the board chair to determine if the request, given the resulting resource expenditure, will assist the decision-making of the majority of the board.
2. Board members will share information they receive with other board members. Staff are encouraged to include the entire board when replying to board questions or requests for substantive information.

3. If staff is unable to answer a question that comes up during Board discussion, the Board office will note the question and provide follow up to the Board.

B. Providing Documents to Board for Review in Advance of Meetings.

1. The Board Chair and Vice-Chair(s) in consultation with the Superintendent will establish the agenda and major business agenda items for full Board meetings approximately 10 days prior to the Board meeting.
2. Notes from agenda setting meetings will be sent out to the entire Board by the Board office. Board agendas are made up of action and discussion items, with reports from the Student Representative and Superintendent.
3. The majority of items that require Board action will be first reviewed in a Board Committee meeting, an executive session, or a Board meeting.
4. Staff and the Superintendent will have the Board Book, and any supporting documentation, available at least four days prior to Board meetings except under extenuating circumstances.
5. If a PowerPoint presentation will be given by staff during a Board meeting, it will be included in the Board packet as well, with the understanding that there may be changes at the final Board presentation and any changes will be noted for the Board. Copies of final materials and presentations will be posted as part of the meeting materials.
6. For contracts listed in the Business Consent Agenda, staff will provide memos for each Personal Services Contract and the actual contract will be available electronically to Board Members as requested. Memos and contracts will be posted as part of the meeting materials.

VI. Committee Protocols

- A. At the beginning of each academic year, the full Board determines the committee structure. Board leadership appoints Board members to create the membership and leadership of each committee. Committees represent the full Board and are intended to provide a mechanism for deeper monitoring and analysis of complicated issues. Committees are expected to keep the full Board apprised of important issues under their purview and produce recommendations for action to be considered for adoption.
- B. The annual agenda and meeting agendas for Committee and Task Force meetings are co-developed by the Committee Chair and staff lead[s]. Committee meeting materials will be provided at least 48 hours in advance of the meeting. Absent extenuating circumstances, committee meetings will be publicly noticed 48 hours ahead of time and agendas will be posted prior to the meeting.
- C. Recommendations coming from a Committee should be referenced in staff or committee chair reports for discussion items and resolutions for action items before the full Board.
- D. The Committee Chair will review all minutes before they are sent to the rest of the Committee and posted on the Committee web page.
- E. All Committee meetings will be audio recorded for record keeping purposes and are available upon request, excluding executive sessions.



**RESOLUTION No. 6299**

Ethics and Conflicts of Interest Training and Compliance Statement

**RESOLUTION**

The Board of Directors of Portland Public Schools approves and adopts the *Ethics and Conflicts of Interest Training and Compliance Statement* as attached in Exhibit "A".

**Ethics and Conflicts of Interest Training and Compliance**

1. Members of the Board of Education are public officials under ORS 244.020(15) and, as such, are required to disclose actual and potential conflicts of interest. Under Oregon Revised Statute 244.020(3), a board member has an actual or potential conflict of interest when participating in an official action which would or could, respectively, result in a financial benefit or avoidance of detriment to the public official, a relative of the public official, or a business with which either is associated.
2. Public officials, including school board members and PPS employees need to follow the Oregon Ethics law, ORS 244, and observe the Oregon Government Ethics Commission's "Oregon Government Ethics Law - A Guide for Public Officials." [<https://www.oregon.gov/ogec/Pages/Guide-for-Public-Officials.aspx>]
3. Prior to voting or taking action on an issue before the Board of Education, Board members must disclose any actual or potential conflicts of interest.
4. Board members will annually engage in training related to Oregon Government Ethics, Public Meetings laws, and Public Records laws.
5. Annually Board members will sign an ethics and conflicts of *interest* statement attesting to participating in annual District-provided training relating to ORS chapter 244 and pledging to adhere to the Oregon statutory requirements and District policy on these topics.

***Statement for board members to sign every July (or as soon thereafter as the training is delivered):***

*I have received the annual training related to ORS chapter 244 and I pledge to adhere to the Oregon statutory requirements and District policy regarding Ethics and Conflicts of Interest.*

\_\_\_\_\_  
Board Director Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

May 11, 2021

**RESOLUTION No. 6300**

Board Leadership Elections Process

**RESOLUTION**

The Board of Directors of Portland Public Schools approves and adopts the *Board Leadership Elections Process* as attached in Exhibit "A".

## **Board Leadership Elections**

1. In order to be considered for a leadership position, board members (and members elect) must notify the current Board chair in writing by June 1<sup>st</sup> (for the July election) or December 1<sup>st</sup> (for the January election). The chair will reach out to members elect in May to inform them of this process.
2. At the first board meeting in June/December, the board chair will publicly confirm board members who are interested in serving in leadership. Members elect will be invited to speak at the June meeting if they have declared as leadership candidates
3. The board views the vice-chair role as a leadership development position. In order to give more board members an opportunity to get exposure to a leadership position, the Board encourages the vice-chair rotate every six months.
4. Co-chairs and co-vice chairs will be allowed.
5. Board leadership elections will continue to take place at the first board meetings in July and January.
6. The transition to a new board chair will happen after the board meeting when elections take place is adjourned--there will be no mid-meeting passing of the gavel.

May 11, 2021

**RESOLUTION No. 6301**

WITHDRAWN

**RESOLUTION No. 6302**

Resolution to Recognize May 2021 as National Mental Health Awareness Month

**RECITALS**

- A. Since 1949, May has been designated as National Mental Health Awareness Month.
- B. May 7th is designated as National Children’s Mental Health Awareness Day, to raise awareness of issues surrounding children with mental health concerns.
- C. Youth mental health issues continue to be a growing and worsening trend in America’s schools.
- D. Current research affirms that social, emotional, and behavioral health is a foundation for the holistic development of every student.
- E. A focus on prevention and early intervention could greatly reduce the number of children experiencing serious mental health conditions.
- F. Children today face complex social, emotional, and behavioral conditions requiring intervention, care, support in school and that those conditions have been exacerbated during the Coronavirus Pandemic.
- G. Addressing the complex mental health needs of our children, youth, and families places upon our community a critical responsibility.
- H. Teachers, psychologists, social workers, behavior specialists, school counselors, mental health specialists, nurses, site administrators, classified staff, and other school personnel serve a critical role in ensuring the mental health and well-being of our students.

**RESOLVED**

The Portland Public Schools Board of Education hereby wishes to acknowledge and recognize the month of May, 2021 as National Mental Health Awareness Month and honor the contributions of all district teachers, psychologists, social workers, school counselors, mental health specialists, nurses, site administrators and other school personnel who contribute to the mental health and wellness of all students at Portland Public Schools.

**RESOLUTION No. 6306**

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
2KG Contractors, Inc.	5/26/21 through 10/31/21	Construction C 90117	Partial re-roof and ADA upgrades at MLC. Invitation to Bid – Construction 2021-2957	\$2,758,500	C. Hertz Fund 456 Dept. 5511 Project DS006
2KG Contractors, Inc.	5/26/21 through 10/30/22	Construction C 90115	Seismic rehabilitation at Lent. Invitation to Bid – Construction 2021-2956	\$5,807,000	C. Hertz Fund 458 Dept. 5511 Project DS020
Skyward Construction	5/26/21 through 12/30/21	Construction C 90118	New roof and fall protection at Duniway. Invitation to Bid – Construction 2021-2953	\$2,960,000	C. Hertz Fund 456 Dept. 5511 Project DS006
Luminal Lighting, LLC	5/26/21 through 12/31/21	Construction C 90095	Replace lighting fixtures at BESC. Invitation to Bid – Construction 2021-2951	\$158,690	C. Hertz Fund 101 Dept. 5592
Harrang Long Gary Rudnick P.C.	5/26/21 through 6/30/22	Legal Services LS 90127	Provide legal assistance to the District on an as-needed basis. Direct Negotiation – Legal Services PPS-46-0525(13)	\$300,000	L. Large Fund 101 Dept. 5460
Ameresco, Inc.	7/1/21 through 6/30/24 Option to renew for one additional two year term through 2026	Services S 90130	Provide troubleshooting and repair assessment of BAS/HVAC mechanical issues across all District buildings as needed. Request for Proposals 2021-2950	Original Term: \$1,875,000 Total through renewals: \$3,125,000	C. Hertz Fund 101 Dept. 5592
Curriculum Associates, Inc.	5/26/21 through 5/26/27	Digital Resource DR XXXXX	Purchase of Ready Classroom Teacher Toolbox on a subscription basis. Approved Special Class Procurement – Copyrighted Materials and Creative Works PPS-47-0288(4)	\$4,452,509	K. Cuellar Funding Source Varies

**NEW COOPERATIVE PURCHASING AGREEMENTS**

No New Cooperative Purchasing Agreements

**NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)**

No New IGAs

**AMENDMENTS TO EXISTING CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Amendment Amount, Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Multnomah County Service District (MESD)	3/5/21 through 6/30/21	Intergovernmental Agreement IGA 90000 Amendment 1	Adds equity fund allocation for contracted alternative school to increase the variety of CTE programming and the number of participating students.	\$142,444 \$173,112	K. Cuellar Fund 251 Dept. 5485 Grant HW500
Mt. Scott Learning Center	3/9//21 through 6/30/21	Personal Services PS 89761 Amendment 1	Adds equity fund allocation for contracted alternative school to improve staff compensation packages and staff retention rate.  Request For Proposals 2015-2021	\$113,575 \$160,890	K. Cuellar Fund 251 Dept. 5485 Grant HW500
First Response, Inc.	10/1/19 through 9/30/21	Services S 68554 Amendment 5	Alarm response and patrol. Adding funds for for increased patrols due to vandalism and break-ins as a result of school closures or reduced hours of operation.  Request For Proposals 2019-2661	\$325,000 \$1,095,064	C. Hertz Fund 101 Dept. 5530





## PORTLAND PUBLIC SCHOOLS OFFICE OF STEAM

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3495

**From:** Luis Valentino, OTL Chief Academic Officer  
Sarah Davis, Senior Director STEAM  
Patrice Woods, Director of Mathematics  
Kristin Moon, Interim Program Administrator of Mathematics, STEAM Program Administrator  
Mary Wiener, Manager, Instructional Resource Adoption

**Subject:** K-5 Mathematics Instructional Resource Adoption

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### **BACKGROUND**

The previous K - 5 adoption was completed in 2009, prior to the implementation of Common Core State Standards for Mathematics, known in Oregon as Oregon State mathematics standards. As of the 2018-19 school year, the three-year average for all K - 5 students proficiency was 48.5%, indicating that more than half of our K - 5 students are not grade level proficient. Our historically underserved range from a proficiency level of 13% to 23%. This is not to say that the lack of updated materials alone is the cause for such low proficiency, but the lack of alignment between the mathematics standards and the instructional materials creates conditions such that classroom educators are forced to create their own resources and adjust practice without necessarily being certain they are achieving the goal of alignment to grade level standards. There were also challenges around ensuring the materials reflect cultural relevance that students and educators will benefit from.

### **RELATED POLICIES/BEST PRACTICES**

Best practices in mathematics instruction means that there is a common instructional scope and sequence where each grade is anchored in current standards. Teaching and learning needs to be supported by high-quality instructional resources that develop content knowledge and skills across multiple standards. Opportunities for student engagement need to build on student curiosity so they are encouraged to think, wonder, and participate in the mathematical practices. For learning to engage students, it needs to be relevant and authentic, culturally responsive, build on their cultural and linguistic strengths, and be meaningful to their lives. In a student-centered classroom, students are using mathematical practices such as problem solving, explaining their thinking, computational and mathematical thinking, constructing arguments, and making use of patterns and problem solving. Students are actively developing, testing and refining their thinking. In mathematics, best practices also means that every student has the materials they need to collaborate in engaging hands-on activities.

## **ANALYSIS OF SITUATION**

Centrally providing K-5 mathematics instructional resource materials which are vertically and horizontally articulated to support all students based on evidence-based mathematical best practices. All K-5 teachers are then able to focus on instruction and differentiation rather than spend time searching for instructional resources from various books and websites. Common mathematics instructional resources enables district-wide shared focus on implementing and sustaining culturally relevant teaching practices through ongoing professional development and using student work to reflect on effectiveness of instructional practice and equitable assessment practices for all students. Additionally, common K-5 mathematics instructional resources provide a baseline of instructional materials to ensure all students have access to rigorous, coherent, culturally relevant mathematics instructional materials. This reduces the detrimental effects of learning interruptions for students having to navigate housing or other insecurity, as a common scope and sequence and instructional resources will support familiarity with the district-wide mathematics program. Students will spend less time figuring out how to engage with the instructional materials during these types of transitions. No purchased set of instructional materials will ever provide the full range of supports that are needed for daily classroom instruction and differentiation. Current research tells us that it is the pedagogical practices and moves that teachers make that can have the greatest impact on student success (NCTM, 2019; NCTM 2014, Hattie, 2008). Yet, a comprehensive set of common K-5 mathematics instructional resource serves the instructional core, by allowing for professional development with a strong focus on shifting instruction such that we see better outcomes for all students, especially those historically underserved. Only improvements to our current best practices will support the closing of the perpetual achievement gap we continue to see in PPS. The K - 5 mathematics instructional resource adoption is one small piece of the puzzle.

## **FISCAL IMPACT**

This purchase is part of the Bond funded instructional resources and was approved by the Bond Compensability Committee on 5/04/21. See Attachment C - Curriculum Associates/Ready Classroom Mathematics contract for purchase details.

## **COMMUNITY ENGAGEMENT (IF APPLICABLE)**

The decision to fully adopt Ready Classroom Mathematics K-5 was a highly involved process including a cross-district K-5 Mathematics Adoption of Instructional Resources (AIR) committee and a field test of K-5 mathematics instructional resources. A deep analysis of the instructional resources was completed to evaluate instructional resource alignment with K-5 mathematics standards, RESJ lens, student engagement, and integration of assessment and technology. A brief description of the K-5 Mathematics AIR process and the Field Test are below.

- **K-5 Mathematics AIR committee** - Nine meetings of the AIR committee occurred between February 19, 2020 and December 10, 2020. Selected AIR committee participants convened for full day workshops to learn about instructional materials evaluation, practice using the tools of such evaluation, and apply learned skills to reviewing suggested resources prior to selecting programs for vendor presentations. Using data from these opportunities, the AIR committee narrowed choices down to 4 vendor programs. Just prior to announcing the top 4 vendors, we had to pause the adoption process due to COVID closures. In late fall of the 2020-21 school year, we resumed the adoption process but had to significantly change the professional learning aspect to meet the needs of participants due to changes in the length of time and venue

of offerings relative to comprehensive distance learning. Data analysis of the teacher responses from the evaluation tool indicated that the two instructional resources for the field test were: The Math Learning Center: Bridges 3 and Curriculum Associates: Ready Mathematics K-5..

- **K-5 Mathematics Field Test** - The Field test occurred from January 20, 2021 to April 9, 2021. Teachers were assigned to teach one of the two instructional resources to maximize for the most diverse representation of all grade levels, school clusters, DLI, and student demographics. Classroom observation data collection occurred February 1, 2021 to March 19, 2021. Classroom observations, student artifact collection and teacher feedback using the GIMET, SEAT, and Bias Tool occurred April 9, 2021 - April 22, 2021. All teachers who completed the observations, artifact submission, and the three tools were then asked to complete a final recommendation of the instructional resource with explanations for their recommendation or not.
- **Final Recommendation:** The Decision Matrix has 13 areas for consideration. In six areas Bridges 3 and Ready Classroom Mathematics are equal. Bridges 3 scored higher than Ready Classroom Mathematics in two areas. Ready Classroom Mathematics scored higher than Bridges 3 in five areas. These results have made the recommendation to adopt K-5 Ready Classroom Mathematics.

Community and Family engagement did not occur during the process. During the field test, the time community feedback would typically occur, the district and community were navigating the shift from Comprehensive Distance Learning to Hybrid Learning. This made gathering community and family feedback at this time not possible. The PPS Mathematics Department has developed a plan for community and family engagement starting this summer and over the next several years.

We are phasing into the Adoption Committee's evaluation cycle. Community and Family Engagement will be part of the evaluation of our curriculum adoption process, which is based on strategic actions agreed upon by cross-functional groups and published in the [Instructional Resources Adoption Kit](#). PPS curriculum committees will use this process when making curriculum resource adoption and procurement decisions using consistent and evaluated methods. This comprehensive document will identify those KPIs and will help us measure our progress. The protocol may include: surveys, focus groups, and empathy interviews.

## **TIMELINE FOR IMPLEMENTATION / EVALUATION**

The timeline for implementation begins with the purchase of the Curriculum Associates K-5 Ready Classroom Mathematics instructional resource. As part of the purchase, teachers will have full digital access to all K-5 Ready Classroom Mathematics digital resources. The PPS Math department will be trained on the materials by the vendor at the beginning of June 2021. The PPS Math department will then revise the scope and sequence for each grade level to align with the horizontal and vertical articulation of priority standards present in K-5 Ready Classroom Mathematics. Over the summer, K-5 general education and special education teachers, instructional specialists, and mentors will be able to attend at least 2 days of professional development focused on the mathematical practices and the new K-5 Ready Classroom Mathematics units in June, August or September. During the summer, building administrators and other district level support staff will also receive professional development on the K-5 Ready Classroom Mathematics instructional resource. All manipulative kits and student books will be ready for student and teacher use by the end of August 2021.

This will be followed by a three-year professional development plan with the vendor that will provide 170 6-hour sessions over three years for teachers, administrators, families, and community members to engage in professional learning experiences around K-5 Ready Classroom Mathematics and best practices in elementary mathematics instruction. Part of the goal of this three-year PD timeline is to build a teacher cadre of experts that will facilitate district PD in the future and support school-based Professional Learning Communities focused on using student work to inform instructional decisions to improve student outcomes in mathematics. The PPS Math department will continue to monitor student performance through the SBAC mathematics assessment, MAP growth MAP assessments, teacher and student feedback through surveys and focus groups, and classroom walkthroughs focused on student mathematics learning.

### **BOARD OPTIONS WITH ANALYSIS**

Our recommendation is to approve this Bond purchase. Purchasing Curriculum Associates Ready Classroom mathematics means that we will be able to move very quickly in meeting GVC goals. If not approved, K-5 mathematics will continue with the current model which means we would continue to support Bridges 1.0 resources that are not aligned to the current standards. If we were to restart any part of the instructional resource adoption cycle, this would take another 6 - 18 months to complete.

### **CONNECTION TO BOARD GOALS**

A strong and comprehensive K-5 mathematics instructional resource supports Board Goal #2 - Fifth Grade Mathematics and PPS Graduate Profile, centering engaging mathematics learning opportunities for elementary students. Through mathematics learning, all students increase their innate mathematics ability and achievement at the highest levels in mathematics by providing opportunities to experience the beauty, joy and wonder of mathematics through engaging, culturally-sustaining instructional experiences and real-life contexts.

This curriculum resource adoption will contribute to preparing students for middle-school mathematics. It supports their development in being able to demonstrate mastery of the core academic knowledge and skills they will need to acquire to successfully engage in the middle school experience that includes interdisciplinary core classes and elective exploratory wheels inclusive of the arts, pre-CTE, technology, world-languages, health and well-being. Students will be prepared to communicate effectively by developing advanced organizational, writing, speaking, and presentation skills, while using logical, persuasive, and compelling content as demonstrated in an Eighth Grade Portfolio or Capstone.

If we have a Transformative Curriculum and Pedagogy (Educational System Shift) then we can support all teachers to be Knowledgeable and Committed Lifelong Learners, Inclusive and Responsive to Diverse learners, and are Self-aware and Reflective (Educator Essentials) which will result in students becoming Inquisitive Critical Thinkers with Deep Core Knowledge and Inclusive and Collaborative Problem Solvers (Graduate Portrait).

### **STAFF RECOMMENDATION**

Approve purchase of Curriculum Associates Ready Classroom Mathematics.

*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

\_\_\_\_\_ (Initials)

**References**

*Catalyzing change in early childhood and elementary mathematics: Initiating critical conversations.* (2019). Reston, VA: NCTM, National Council of Teachers of Mathematics

Hattie, J. (2012). *Visible learning for teachers: Maximizing impact on learning.* Routledge/Taylor & Francis Group.

*Principles to actions: ensuring mathematical success for all.* (2014). Reston, VA: NCTM, National Council of Teachers of Mathematics.

ATTACHMENTS

- A. [K-5 Math Ready Classroom Mathematics Adoption Decision](#)
- B. [K-5 Math Community Engagement Plan](#)
- C. K-5 Mathematics Bond Purchase Process Summary
- D. Contract for Ready Classroom Mathematics purchase.

**RESOLUTION No. 6307**

Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$150,000 per contractor are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW REVENUE CONTRACTS**

No New Revenue Contracts

**NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
State of Oregon	3/13/20 through 9/30/23	Intergovernmental Agreement/Revenue IGA/R 90131	Elementary and Secondary School Emergency Relief (ESSER) funds for Columbia Regional Program.	\$1,287,669	K. Cuellar Fund 205

**AMENDMENTS TO EXISTING REVENUE CONTRACTS**

No Amendments to Existing Revenue Contracts

**RESOLUTION No. 6308**

Calendar of Regular Board Meetings School Year 2021-22

**RESOLUTION**

The Board of Education hereby adopts the below calendar as its schedule of Regular Board Meetings for the upcoming 2021-22 school year. Regular Board meetings are held at 501 North Dixon Street, Portland, Oregon, 97227, and, unless otherwise noticed, begin at 6:00pm on Tuesdays. Board meetings may be held in a school building, or virtually. Virtual meetings will also be live streamed.

July 13, 2021	January 11, 2022
July 27, 2021	January 25, 2022
August 10, 2021	February 8, 2022
August 24, 2021	February 22, 2022
September 14, 2021	March 1, 2022
September 28, 2021	March 15, 2022
October 12, 2021	April 5, 2022
October 26, 2021	April 19, 2022
November 2, 2021	May 10, 2022
November 16, 2021	May 24, 2022
December 14, 2021	June 14, 2022
	June 28, 2022

# PORTLAND PUBLIC SCHOOLS BOARD OF EDUCATION

## 2021 - 2022 Regular Meeting Calendar

July				
M	T	W	T	F
		1	2	
5	6	7	8	9
12	13 RBM	14	15	16
19	20	21	22	23
26	27 RBM	28	29	30

AUGUST 2021				
M	T	W	T	F
2	3	4	5	6
9	10 RBM	11	12	13
16	17	18	19	20
23	24 RBM	25	26	27
30	31			

SEPTEMBER 2021				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14 RBM	15	16	17
20	21	22	23	24
27	28 RBM	29	30	

OCTOBER 2021				
M	T	W	T	F
			1	
4	5	6	7	8
11	12 RBM	13	14	15
18	19	20	21	22
25	26 RBM	27	28	29

NOVEMBER 2021				
M	T	W	T	F
1	2 RBM	3	4	5
8	9	10	11	12
15	16 RBM	17	18	19
22	23	24	25	26
29	30			

DECEMBER 2021				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14 RBM	15	16	17
20	21	22	23	24
27	28	29	30	31

JANUARY 2022				
M	T	W	T	F
3	4	5	6	7
10	11 RBM	12	13	14
17	18	19	20	21
24	25 RBM	26	27	28
31				

FEBRUARY 2022				
M	T	W	T	F
	1	2	3	4
7	8 RBM	9	10	11
14	15	16	17	18
21	22 RBM	23	24	25
28				

MARCH 2022				
M	T	W	T	F
	1 RBM	2	3	4
7	8	9	10	11
14	15 RBM	16	17	18
21	22	23	24	25
28	29	30	31	

APRIL 2022				
M	T	W	T	F
			1	
4	5 RBM	6	7	8
11		13	14	15
18	19 RBM	20	21	22
25	26	27	28	29

MAY 2022				
M	T	W	T	F
2	3	4	5	6
9	10 RBM	11	12	13
16	17	18	19	20
23	24 RBM	25	26	27
30	31			

JUNE 2022				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14 RBM	15	16	17
20	21	22	23	24
27	28 RBM	29	30	



**RESOLUTION No. 6309**

Approval of Head Start Policy Council Recommendation

**RECITALS**

- A. Federal requirements call for the Governing Board of a Head Start program to approve recommendations for the program.
- B. The Board of Directors for Portland Public Schools serves as the Governing Board for the PPS Head Start Program.
- C. Portland Public Schools Policy Council recommends the approval of the Budget/Planning Recommendations for Fiscal Year 2022.
- D. Prior to development of the annual budget and submission of the Federal and State grant applications, budget and program priorities are developed with Head Start Parent Policy Council Attached you will find the minutes from the budget priorities meeting developed by the Parent Policy Council with Head Start staff.
- E. Priorities are developed depending on available funding.

**RESOLUTION**

- 1. The Board of Directors for Portland Public Schools, School District No. 1J, Multnomah County, Oregon, approves the Head Start Policy Council recommendations as stated above.



## Policy Council Program Planning Committee Meeting Agenda/Minutes

March 12, 2021

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**Attendees:** Robert Cantwell, Nancy Robles, Christianne Moore, Jon Anderson, Renee Becerra, Jason Roepel, Robert O'Brien, Donald Jackson, Crystal Ball, Rhiannon Martin, Donna Jones, Christie Bailey, Kim Richards

### AGENDA/MINUTES

1. Brainstorm things we consider important in creating or maintaining Head Start sites.
  - maintenance: is security up to date? cameras have been installed at several sites. Custodians are maintaining sites, administrators have been in and out of the building
  - creation: consider Madison hub (building space is an issue) keep Vestal on the list; extending daytime hours for working parents; continue considering transportation support - parent drivers, program vans? parent led carpooling? double check boundaries and gaps to better gauge transport needs/site needs; consider using first student and currently in communication with district transportation
  - zoom parents meeting access - do we have the ability to do a hybrid setup moving forward? is it something that parents would utilize well. what tech support/personnel support would be needed for hybrid? can we rotate meeting sites (maybe quarterly)? keep digital option through end of year - giving word of mouth invites; consider interpretation for online options; recording options?
2. Review planning committee meetings from [2019](#) and [2020](#), parent survey, [2020 Community Needs Assessment key findings](#), [2020 Community Needs Assessment](#)
  - Reviewed
3. Committee agree on program priorities
  - Agreed
4. Discussion of delayed conversion of one double session class at Kelly Center to one extended day classroom at Kelly Center and one extended day 3-year old classroom at Whitman.

The goal is to have this approved by Fall 2021

5. Discussion of ODE SSA Enhancement Funds

- We were not able to establish transportation as outlined in our SSA application. We have submitted a Request for Prior Approval form to adjust our budget this year, so that we can use those funds (\$64,000) for other purposes, i.e. materials/supplies for in-person and CDL services.

#### 6. Discussion of CARES Act/COVID Relief Funds

- This Council approved requesting carryover. PPS School Board approved on 3/9. We are ready to submit a request to carryover remaining funds (\$79,550.74) into next fiscal year. Deadline to spend by 9/30 has been suspended.

#### 7. Discussion of fall 2021

- Expect to re-open at full enrollment of 760 spaces

Approved by PPS Parent Policy Council March 12, 2021



## PORTLAND PUBLIC SCHOOLS

### OFFICE OF Head Start/Early Learners

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-5724

**Date:** May 14, 2020  
**To:** PPS School Board  
**From:** Emily Glasgow, Director of Early Learning  
Robert D. Cantwell, Head Start Director  
**Subject:** Board Approval Letters and Board Resolution

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### **BACKGROUND**

- A. Federal requirements call for the Governing Board of Head Starts to approve recommendations and reports for the program.**
- B. The Board of Directors for Portland Public Schools serves as the Governing Board for PPS Head Start.**

#### **1. Program Planning: Board Resolution Needed**

Annually, the Head Start Parent Policy Council makes recommendations prior to the annual budget and submission of the Federal and State grant applications. Attached you will find the minutes from the planning meeting. Approved by the PPS Head Start Parent Policy Council on March 12, 2021.

#### **2. Oregon PreK State Continuation Grant Application**

Board approval is required to apply for continuation grant funds for Fiscal Year 2022. The amount is \$5,799,811. The Head Start Parent Policy Council approved PPS Head Start applying for these funds on May 14, 2021. Application is due June 1, 2021.

#### **3. Federal Continuation Grant Application**

Board approval is required to apply for continuation grant funds for Fiscal Year 2022. The amount is \$5,686,462. The Head Start Parent Policy Council approved PPS Head Start applying for these funds on May 14, 2021. Application is due August 1, 2021.

### **RELATED POLICIES/BEST PRACTICES**

All items listed above are required to be reviewed, updated, and approved by the Parent Policy Council and Governing Board.

### **ANALYSIS OF SITUATION**

All items listed above support the high quality, comprehensive wraparound services provided to the children and families attending PPS Head Start.

**FISCAL IMPACT**

1. Program planning helps determine Head Start funding priorities and guides funding decisions.
2. State and Federal funds are required to successfully operate PPS Head Start and the services provided to 760 children and families.

**COMMUNITY ENGAGEMENT (IF APPLICABLE)**

PPS Head Start Parent Policy Council reviewed, provided input, and approved these actions/documents on March 12, 2021 and May 14, 2021 as noted above.

**TIMELINE FOR IMPLEMENTATION / EVALUATION**

The timeline for implementation will be the 2021-2022 school year.

**BOARD OPTIONS WITH ANALYSIS**

Board approval needed.

**CONNECTION TO BOARD GOALS**

The goal of PPS Head Start is to prepare the city’s most diverse and resilient young children for successful transitions to kindergarten and beyond by leveraging each child’s strengths, building their social competence, and developing school readiness skills.

Portland Public Schools' vision is this: Every student, every teacher, and every school succeeding. The school district's mission is that every student by name is prepared for college, career, and participation as an active community member, regardless of race, income, or zip code. The Board adopted the following four priorities for the 2018-19 school year to move the school district toward the above aspirations:

- Set a clear vision and strategic plan.
- Create equitable opportunities and outcomes for all students.
- Build management accountability systems and structures.
- Allocate budget, funding, and resources focused on improving outcomes for students.

All of the above items support the district’s and School Board’s vision and priorities.

**STAFF RECOMMENDATION**

Develop Board resolution and obtain signature approval of the Board Chair of the attached documents.

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*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

lv (Initials)

**ATTACHMENTS**

- A. Policy Council Program Planning Budget Committee March 12, 2021 meeting minutes
- B. Budget Planning Board Resolution
- C. Board Signature of approval letter to apply for State OPK Continuation Grant funds

- D. Board Signature of approval letter to apply for Federal Continuation Grant funds
- E. PPS Head Start Parent Policy Council May 14, 2021 meeting minutes
- F. Signed Policy Council approval letters for both State and Federal applications



Kathy Schuknecht  
Regional Program Manager  
Office of Head Start

Subject: Federal Continuation Grant Application

Dear Ms. Kathy Schuknecht,

Portland Public Schools Head Start Policy Council has approved the program's request to apply for the Federal Continuation Grant for Fiscal Year 2022 in the amount of \$5,686,462, for the budget period November 1, 2021 through October 31, 2022.

The signature below is confirmation the Head Start Policy Council has approved this request.

Thank you,

*Robert D. Cantwell*  
\_\_\_\_\_  
Head Start Director

May 14, 2021  
\_\_\_\_\_  
Date

*donald jackson*  
\_\_\_\_\_  
Policy Council Chair

5/17/2021  
\_\_\_\_\_  
Date



Kathy Schuknecht  
Regional Program Manager  
Office of Head Start

Subject: Federal Continuation Grant Application for 2021-2022 - \$5,686,462

Dear Ms. Kathy Schuknecht,

Portland Public Schools Head Start Governing Board has approved the program's request to apply for Federal Continuation Grant funds for Fiscal Year 2022 in the amount of \$5,686,462, for the budget period November 1, 2021 through October 31, 2022.

The signature below is confirmation the Head Start Governing Board has approved this request.

Thank you,

*Robert D. Cantwell*  
\_\_\_\_\_  
Head Start Director

May 14, 2021  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Governing Board Chair

\_\_\_\_\_  
Date





Kathy Schuknecht  
Regional Program Manager  
Office of Head Start

Subject: Oregon PreK State Continuation Grant Application - \$5,799,811

Dear Ms. Kathy Schuknecht,

Portland Public Schools Head Start Policy Council has approved the program's request to apply for the OPK State Continuation Grant for Fiscal Year 2022 in the amount of \$5,799,811, for the budget period July 1, 2021 through June 30, 2022.

The signature below is confirmation the Head Start Policy Council has approved this request.

Thank you,

*Robert D. Cantwell*  
Head Start Director

May 14, 2021  
Date

*donald jackson*  
Policy Council Chair

5/17/21  
Date



HEAD START PROGRAM

PORTLAND PUBLIC SCHOOLS  
Head Start Program  
4800 NE 74th Avenue  
Portland, OR 97218  
503-916-5724 • Fax: 503-916-2670

Kathy Schuknecht  
Regional Program Manager  
Office of Head Start

Subject: Oregon PreK State Continuation Grant Application - \$5,799,811

Dear Ms. Kathy Schuknecht,

Portland Public Schools Head Start Governing Board has approved Head Start's request to apply for the above OPK State Continuation Grant funds for Fiscal Year 2022 in the amount of \$5,799,811, for the budget period July 1, 2021 through June 30, 2022.

The signature below is confirmation the Head Start Governing Board has approved this request.

Thank you.

*Robert D. Cantwell*  
\_\_\_\_\_  
Head Start Director

May 14, 2021  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Governing Board Chair

\_\_\_\_\_  
Date



# Parent Policy Council

## Minutes

**Location:** Zoom Call

**Date and Time:** 5-14-21, 5:30–7:00pm

**Attendees:** Renee Becerra, Jackie Dean, Robert O'Brien, Nicole Poole, Albion, Kim Richards, Caroline, Lauren, Crystal Ball, Rhiannon Martin, Nancy Robles, Robert Cantwell, Jean Borgerding

Information	Welcome Timekeeper:	Chair - Renee Becerra
Action	Minutes: Review	Secretary - Jackie Dean Approved by 8 out of 8
Action	Treasurer's Report	Treasurer - Kim Richards Approved by 8 out of 8
Action	Director's Report	Robert Cantwell Riannon to send flyer out to parents to help recruit more kids. Approved by 8 out of 8
Action	Federal Grant application for FY22; \$5,686,462; due 8/1/21	Robert Approved by 8 out of 8
Action	State Grant application for FY22; \$5,799,811; due 6/1/21	Robert Approved by 8 out of 8
Action	OnPoint Policy Council Account Signers: need to remove Eileen Isham and Christie Bailey	Nancy Approved by 8 out of 8 parents
Activity	<a href="#">PPS Head Start Mission Statement</a> ; small group input; large group shareout	All See Robert's and Rhiannon's notes
Activity	<a href="#">American Rescue Plan funds</a> ; need Policy Council input	All See Robert's and Rhiannon's notes
Information	Update on Video Blurbs/Fundraising Ideas	Crystal/Kim/Christianne
Information	New/Old News <ul style="list-style-type: none"> <li>• Christianne Moore's last meeting</li> <li>• Summer community outreach @ stores, parks, etc. Anyone interested? Connect with Crystal and/or Rhiannon</li> </ul>	Chair - Renee Becerra

**Next Meeting**  
**June 11, 2021**  
**Policy Council Meeting starts at 5:30pm**



## **RESOLUTION No. 6310**

Authorizing the Early Termination of De La Salle North Catholic High School in Order to Prepare for the Benson Campus at Kenton Elementary School Located at 7528 N Fenwick Avenue, Portland, Oregon

### **RECITALS**

- A. Board Resolution No. 5859 Authorizing Benson Campus Master Plan Revisions & Updates identified Kenton Elementary as a swing site during the modernization of the Benson Campus.
- B. The De La Salle North Catholic High School (De La Salle) lease will expire on July 31, 2021.
- C. De La Salle owes nearly three-hundred thousand dollars in past due rent \$300,000.
- D. The Benson Campus will be relocated to Marshall High School and Kenton during the summer of 2021 in preparation for an August 2021 construction start.
- E. Early termination of the De La Salle lease will assure that De La Salle will vacate Kenton in a timely manner without the need for judicial remedy and will provide time to prepare Kenton for occupancy by Alliance at Benson, DART / Clinton, and Reconnection Services during the construction of the Benson Campus.
- F. Early termination terms will provide for the partial recovery of past due rent without the need for judicial remedy.
- G. The parties have reached the terms of an early termination subject to the approval of the School Board of Education.

### **RESOLUTION**

- 1. The Board hereby authorizes the early termination of De La Salle North Catholic High School lease.
- 2. The Board hereby authorizes the Deputy Clerk to execute the Early Termination Agreement and other required documents in a form approved by District General Counsel and to terminate the De La Salle North Catholic High School lease so that Kenton can be prepared as a swing site for the District's students during the construction of the Benson Campus and some of the past due rent can be recovered without the need for judicial remedy.



**PORTLAND PUBLIC SCHOOLS**  
**OFFICE OF PLANNING AND REAL ESTATE**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-6544

**Date:** May 25, 2021  
**To:** School Board  
**From:** Dan Jung, Chief Operating Officer  
Dana White, Director of Planning and Real Estate  
**Subject:** Approval of the Early Termination of De La Salle North Catholic High School at Kenton Elementary School

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**BACKGROUND**

**KENTON ELEMENTARY SCHOOL:**

Kenton Elementary School (Kenton) is a three-story brick veneer building built in 1913. The gymnasium was added in 1928. The 3.96-acre campus is located at 7528 N Fenwick Avenue, and includes a 33,450 square foot building and three portable buildings (See Attachment A).

Kenton has 20 classrooms (3 of which are portables), a library, an auditorium, and a gym. The site is well served by frequent-service public transit via Interstate MAX line and bus along N Lombard St.

The District closed Kenton after the 2004-2005 school year, and in 2006, Kenton was master-leased to De La Salle North Catholic High School (DLS). The original lease provided tenancy through July 31, 2026, and three ten-year options to renew through 2056. In 2016, at DLS's request, the lease expiration date was amended to July 31, 2021.

**BENSON MODERNIZATION:**

Board Resolution No. 5859 Authorizing Benson Campus Master Plan Revisions & Updates identified Kenton as a swing space during the modernization of the Benson Campus.

Construction of the Campus will begin at the end of the 2020/21 school year, with the majority of the Campus moving to Marshall High School over the next 3 to 4 years.

Kenton will act as the home to Alliance at Benson, DART / Clinton and Reconnection Services, until the new MPG building is completed at the Benson Campus for the 2024/25 school year.

The Benson project team requires access to Kenton in June 2021 in order to have sufficient time to complete the tenant improvements required to prepare the building for the District's students, including upgrades to the IT and security infrastructures and improvements to the kitchen and classrooms.

## DE LA SALLE NORTH CATHOLIC HIGH SCHOOL:

DLS is a private, coeducational, Roman Catholic high school offering a faith-based, college preparatory high school education to underserved students from the Portland area. It was the first school to replicate the innovative Corporate Work Study Program pioneered by Cristo Rey Jesuit High School in Chicago, in which students attend class four days per week and work for a local company one day each week. The school currently serves two hundred and eighty students.

In 2015, due to the withdrawal of its main funding sponsor, DLS requested a substantial reduction in lease rate for Kenton and also requested a long-term lease of at least sixty (60 years with no right to terminate by PPS), in order for it to fundraise for capital improvements and to grow its enrollment to a financially sustainable level. Allowing such a lease amendment would have meant the building would not be available for PPS use for a very long time.

With those avenues closed, DLS decided to purchase its own facility or site on which to build. In 2016, DLS requested a modification of its lease terms and negotiated a termination date of July 31, 2021 (instead of 2026) and relinquished all renewal options.

DLS ultimately found a new home for their new \$23 million dollar campus at St. Charles Parish (5310 NE 42nd Ave) where they hope to expand the student body gradually to 350 over the next few years. The campus is scheduled to open for the 2021/22 school year.

In June 2020, DLS sent a letter to staff requesting that the final year (2020-21) of lease payments be reduced 40%, a reduction of nearly two-hundred thousand dollars (\$200,000), due to the severe revenue loss due to COVID-19. The DLS President later informally requested an 80% reduction, and, in November 2020, DLS stopped paying rent. .

In March 2021, after the update of Board Policy 8.70.040 Preservation, Maintenance, and Disposition of District Real Property, DLS was notified that a rent reduction would not be provided because DLS did not meet the qualifying criteria as set forth in the new Policy.

Although DLS was regularly notified that it was in default of the lease, as of April 2021, DLS owed \$297,354 in back rent. Rent in arrears would grow to approximately \$413,000 by the end of the lease term July 2021 in the event DLS remained in the Kenton building and made no further rent payments. The lease allows for the early termination as a remedy of default; however, a court process to take possession of the building would be costly and not the District's preferred path for resolving tenant disputes.

In addition to the unpaid rent issue, DLS's President indicated to PPS staff that the construction of DLS's new campus at St. Charles may not receive approval for occupancy by July 31, 2021, raising concerns that DLS may not vacate Kenton in a timely manner at the end of the current lease term at the end of July, but instead holdover as prescribed in the lease. This, along with the need to begin tenant improvements in June 2021 to prepare Kenton for the District's students for the school year 2021/22, prompted staff to enter into discussions with DLS about terms for a negotiated early termination of the lease. This would provide assurance of the building possession. It will also provide for the recovery of a portion of the past due rent.

## **RELATED POLICIES/BEST PRACTICES**

Board Policy 8.70.040-P Preservation, Maintenance, and Disposition of District Real Property  
Board Policy 8.70.044-P Capital Asset Renewal Funds and Plans

## **ANALYSIS OF SITUATION**

### **Early Termination of the Lease:**

Staff have negotiated terms under which DLS agrees to a June 18, 2021 termination (approximately 1 ½ months early). They are as follows:

- DLS will vacate Kenton on or before Friday, June 18<sup>th</sup>.
- PPS will provide space, including the gym, for DLS at the Columbia campus weekdays from June 14, 2021 to August 13, 2021.
- PPS will waive rent for the months of May, June, and July, 2021.
- In recognition of costs that DSL will incur relative to moving and storage and including any security paid, PPS agrees to reduce the back rent owed to \$150,033 (a reduction of \$185,189) paid by DLS as follows:
  - \$50,033 by June 18, 2021
  - \$100,000 by December 31, 2021

It is understood that these final terms of a lease termination need to be approved by the Board of Directors and Portland Public Schools Board of Education.

## **FISCAL IMPACT**

### **Cost Increase/Loss of Revenue Estimates**

- |  |            |
|--|------------|
| ● Loss of lease 2020/21 lease revenue (May, June, July)  | \$ 112,165 |
| ● DLS moving and storage costs and return of security deposit<br>(Provided as a credit against past due rent of \$297,354) | \$ 147,321 |

## **COMMUNITY ENGAGEMENT (IF APPLICABLE)**

There has been extensive communication and planning with the Benson community.

## **TIMELINE FOR IMPLEMENTATION / EVALUATION**

Parties must execute an early termination agreement by June 1, 2021, to provide DLS adequate time to execute a move and vacate Kenton by June 18, 2021.

## **BOARD OPTIONS WITH ANALYSIS**

1. Authorize staff to execute the early termination of the DLS lease to provide the Benson Campus a clear path to occupancy for the school year 2021/22 and recover a portion of past due rent from DLS without the need for judicial remedy;



2. Deny the execution of the early termination of the DLS lease and wait for the July 31, 2021 termination as provided in the lease, risking the Benson occupancy for the 2020/21 school year and the recovery of a portion of the rent past due from DLS without the need for judicial remedy.

**CONNECTION TO BOARD GOALS**

NA – Real estate transactions are directed by Board Policies.

**STAFF RECOMMENDATION**

Staff recommends the Board of Education authorize staff to execute the early termination of the DLS lease.

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*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

\_\_\_\_\_ (Initials)

**ATTACHMENTS**

- A. Attachment A - Site Map

Attachment A



**RESOLUTION No. 6311**

District Council of Unions and School District No. 1J, Multnomah County, Oregon,  
Letter of Agreement - quarantine pay

**RECITALS**

- A. The District Council of Unions approached PPS about entering into an agreement so that employees who are required to isolate as a result of COVID-19 do not suffer a loss of pay.

**RESOLUTION**

The Superintendent is authorized and directed to execute the Letter of Agreement between the District Council of Unions and School District No. 1J, Multnomah County, Oregon, as provided to the Board of Education and filed in the record of this meeting.

**LETTER OF AGREEMENT**  
**between**  
**Portland Public Schools**  
**and**  
**District Council of Unions**

The following represents the terms of a Letter of Agreement (LOA) between Portland Public Schools (“District”) and the District Council of Unions (“Unions”) (hereinafter “the Parties”) regarding quarantine leave.

**Background**

1. The Parties have an interest in implementing all preventative measures to reduce both the possible and the actual spread of COVID-19 to District employees and students.
2. Both Parties acknowledge that as a result of COVID-19 illness or exposure, employees may be required to quarantine or isolate by the appropriate public health official to prevent the spread of COVID-19.
3. Due to the nature of COVID-19 as a highly contagious communicable disease, additional precautions are required to ensure the health and safety of everyone at the District, including expanding the provisions of quarantine leave to include absence from work due to isolation.

Currently, Article 16.B.2 reads:

Absence Due to Quarantine: An employee’s absence from work because of quarantine by the appropriate public health official shall not be charged against the employee’s sick leave and the employee shall suffer no loss in pay during such a period as a result of the quarantine; provided, however, that such quarantine is declared solely for the purpose of preventing the spread of a communicable disease to others.

The parties agree to the following:

1. For the duration of this LOA, an employee’s absence from work because of quarantine or isolation due to COVID-19 shall not be charged against the employee’s sick leave and the employee shall suffer no loss in pay during such a period as a result of the quarantine or isolation period.
2. Reasons for quarantine or isolation leave under this LOA are:
  - a. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
  - b. The employee has been advised by a public health official to self-quarantine or isolate due to concerns related to COVID-19;
  - c. The employee is experiencing symptoms of COVID-19 and has been advised by a licensed health care provider to get tested for COVID-19 and refrain from working; or

- d. The employee is diagnosed with COVID-19.
3. Quarantine leave taken under Section 2.d is only available for the duration of the employee's quarantine or isolation period as determined by a public health official. If the employee needs additional time away from work to recover from COVID-19 or related medical issues, the employee may access other paid leave accruals and/or eligible leave under OFLA/FMLA.
  4. The provisions of this LOA shall be in effect from January 1, 2021 until December 31, 2021; the Parties may terminate or extend this LOA by mutual agreement as circumstances warrant.



## PORTLAND PUBLIC SCHOOLS OFFICE OF HUMAN RESOURCES

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3544

**Date:** May 19, 2021  
**To:** School Board  
**From:** Sharon Reese, Chief Human Resources Officer  
Genevieve Rough, Interim Director, Employee and Labor Relations  
**Subject:** District Council of Unions Letter of Agreement – Quarantine pay

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### **BACKGROUND**

#### *Background*

The DCU collective bargaining agreement (CBA) has the following quarantine language:

*An employee's absence from work because of quarantine by the appropriate public health official shall not be charged against the employee's sick leave and the employee shall suffer no loss in pay during such a period as a result of the quarantine; provided, however, that such quarantine is declared solely for the purpose of preventing the spread of a communicable disease to others.*

All of the collective bargaining agreements between PPS and the various unions have similar quarantine language. PPS has consistently interpreted this language to mean that two things must be true in order for PPS to pay for an employee's quarantine period; 1. a public health has determined quarantine is necessary and; 2. the quarantine period is solely to prevent the spread of a communicable disease. To our knowledge, the quarantine language has not been used except in individual cases and very sporadically.

Since the start of the pandemic, PPS in coordination with Multnomah Education Service District (MESD) has developed a process of reporting COVID exposure and/or infection. When an employee becomes infected or is exposed to COVID, they must report it to their supervisor, who then reports it to MESD. MESD determines whether a quarantine or isolation period is necessary. Centers for Disease Control and Prevention (CDC) define quarantine as keeping someone who was in close contact with someone who has COVID-19 away from others and isolation as keeping someone who is sick or tested positive for COVID-19 without symptoms away from others, even in their own home.

#### *Issues*

Based on the contract language and distinction between a quarantine vs. isolation period by MESD, PPS has only been paying employees who are directed to quarantine. If an employee becomes sick with COVID and has to isolate, they must use their own accrued sick leave.

DCU has proposed PPS pay for the isolation period in addition to the quarantine period so that employees do not have to use their accrued sick leave.

**RELATED POLICIES/BEST PRACTICES**

N/A

**ANALYSIS OF SITUATION**

PPS believes it has not violated the CBA, but is willing to enter into an LOA with DCU to continue positive labor relations.

**FISCAL IMPACT**

PPS will pay for employee's that are required to isolate for the period of isolation specified by MESD. If an employee needs additional leave to recover from COVID, they would access their sick leave (and possible other leave under FMLA or OFLA.) There have only been a handful of employees in the DCU workgroup who have been sick with COVID and the entire workgroup has now been given the opportunity to get the vaccination. We believe the fiscal impact will be minimal.

**TIMELINE FOR IMPLEMENTATION / EVALUATION**

ASAP

**STAFF RECOMMENDATION**

We recommend moving forward with the LOA as stated.

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*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

\_\_\_\_\_ *(Initials)*

**ATTACHMENTS**

- A. DCU LOA
- B. Resolution



**PORTLAND PUBLIC SCHOOLS  
OFFICE OF THE DEPUTY SUPERINTENDENT**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3205 / Fax: (503) 916-3699

**Date:** May 25, 2021

**To:** Board of Education

**From:** Claire Hertz, Deputy Superintendent, Business and Operations  
Liz Large, Contracted General Counsel  
Kate Wilkinson, Assistant General Counsel

**Subject:** Resolution re Emergency Contracting Authority to Deliver Summer Learning Programs

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**BACKGROUND**

The pandemic has had an immense and disruptive impact on Oregon’s children. Additionally, COVID-19 has disproportionately impacted Black, American Indian/Alaska Native, and Latino/a/x, Pacific Islander communities; students experiencing disabilities; and students and families navigating poverty. Students, families, and educators have been resilient in the face of the many challenges that have been presented by the pandemic. Nevertheless, many students have experienced interrupted learning and inconsistent connections with their peers. Many students also continue to have basic needs such as food, shelter and wellness, and support for mental, social, and emotional health.

To address these needs, Oregon House Bill 5042A authorizes the Oregon Department of Education (ODE) to make available \$195.6 million General Fund and \$10 million Federal Funds in grant funding to participating school districts for academic summer school to support high school students facing academic credit loss, summer enrichment programs, and wrap-around child care.

On April 23, 2021, ODE issued guidance documents including program parameters describing basic information about the program, how the grant process will work, eligible expenses, funding dates, and funding allocations.

On April 26, 2021, ODE issued the best practice guide and grant application for Summer Learning Programs, and the District has submitted and received approval for its grant in early May 2021. Funds may be spent from May 1, 2021, through September 30, 2021.

**RELATED POLICIES/BEST PRACTICES**

ODE issued the Summer Learning Best Practice Guide Supporting Mental Health, Addressing Unfinished Learning, and Providing Enrichment Opportunities, which can be found [here](#).



## **ANALYSIS OF SITUATION**

The District has an opportunity to utilize Summer Learning Programs grants from ODE to support learning acceleration, extended learning and enrichment, partnerships with culturally specific partners, and safe and engaging summer activities for students. Deputy Superintendent Hertz, as the Superintendent's Designee, has declared an emergency regarding the District's ability to utilize Funds allocated by the Oregon legislature for 2021 summer learning in response to the COVID-19 public health emergency. It would not be possible to begin summer learning programs in mid-June with the length of time needed to complete a competitive process. If programming begins later in the summer, students would receive fewer services. If the District does not use all of the grant funds, they would revert back to the Oregon Department of Education. District counsel has opined that the criteria are met for the Declaration of the Emergency and authorization for emergency contracting.

## **FISCAL IMPACT**

The District has been awarded \$14.7 million in the Summer Learning Grant Program. The District plans to issue contracts that total up to \$10 million for specifically delineated summer educational and enrichment programs and activities designed to mitigate the impacts of the public health emergency, specifically the social and emotional health and welfare of students and families created by the COVID-19 pandemic.

## **COMMUNITY ENGAGEMENT**

There has been a broad, community-wide invitation to apply for funding for summer programs.

## **TIMELINE FOR IMPLEMENTATION/EVALUATION**

The District's application has been approved and leaders presented a [Learning Acceleration presentation](#) to the Board on April 27, 2021. PPS is intentionally implementing a set of strategies to leverage students' assets, strengths, and gifts in order to accelerate learning, provide access to unfinished learning, and move every student towards mastery of key grade-level standards and skills.

The District is receiving applications for summer extended learning and enrichment, partnering with culturally specific and multi-racial organizations, and offering opportunities for youth employment.

Dani Ledezma, Senior Advisor on Racial Equity and Social Justice, will prepare a memo to the Board describing all of the contracted programs being offered and contracts over \$150,000 will be on the business agenda for approval at the June 15, 2021, Board meeting. Summer programming will begin in mid-June.

## **BOARD OPTIONS WITH ANALYSIS**

The Board can approve the Resolution Accepting the Superintendent's Emergency Declaration and Approving an Exemption from the Competitive Bidding Requirements to Allow the District to Utilize Funds from COVID-19 Public Health Emergency Allocations and staff will continue to prepare for summer programs to begin in mid-June. If the Board does not approve the resolution, requiring a competitive bidding process, this will likely delay the start of much

summer programming for six weeks and therefore delay programming and services for students.

**STAFF RECOMMENDATION**

I have reviewed this staff report and concur with the recommendation to the Board.

CH  
\_\_\_\_\_  
**Claire Hertz**  
**Deputy Superintendent**

May 19, 2021  
**Date**

**ATTACHMENTS**

- A. Draft Resolution
- B. Emergency Declaration Memo



**PORTLAND PUBLIC SCHOOLS**  
**OFFICE OF PURCHASING & CONTRACTING**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3421 / Fax: (503) 916-3109  
Mailing Address: P. O. Box 3107 / 97208-3107

**Date:** May 20, 2021

**To:** Superintendent Guadalupe Guerrero

**From:** Claire Hertz, Deputy Superintendent, Business and Operations

**Via:** Emily Courtnage, Director of Purchasing & Contracting

**Cc:** Jonathan Garcia, Chief of Staff  
Dani Ledezma, Senior Advisor on Racial Equity and Social Justice  
Aurora Hymel, Senior Director, College and Career Readiness  
Liz Large, Contract General Counsel  
Kate Wilkinson, Assistant General Counsel

**Subject:** Emergency Declaration

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This is to notify you that pursuant to PPS Contracting Rule PPS-46-0110 (28), the Deputy Superintendent of Business and Operations, in conjunction with the Offices of College and Career Readiness and Racial Equity and Social Justice, is declaring an emergency because the District needs to utilize Funds allocated by the Oregon legislature for 2021 summer learning in response to the COVID-19 public health emergency.

The Oregon legislature has allocated funding for school district use during summer 2021. Those funds must be spent between May - September 2021. The District's normal competitive public bidding and contracting process will impose significant and unacceptable delays in the District's abilities to utilize the funds on a timely basis and for the purposes intended.

The COVID-19 pandemic could not have been reasonably foreseen and, on March 13, 2020, the President declared a national emergency. The COVID-19 pandemic has greatly impacted education and resulted in school closures and disruptions.

The pandemic has created a loss and interruption of public school services and created a substantial threat to the health, welfare and safety of District families and students.

The funds allocated by the legislature for summer learning are intended to assist in countering those threats. In order to utilize those funds for summer 2021, the District needs the ability to contract for services on an expedited basis.

Our declaration is due to emergency circumstances that require prompt execution of a public contract. The situation qualifies as an Emergency because the situation:

1. Could not have been reasonably foreseen;

2. Creates a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
3. Requires prompt execution of a contract to remedy the condition.

The Office of Business and Operations anticipates the costs not to exceed \$10 (ten) million dollars.

We have confirmed with District legal counsel that this Emergency Declaration is in compliance with statute: ORS 279C.320(1), ORS 279B.080, and Public Contracting Rules: PPS-46-0110 (28), PPS-47-0280, and/or PPS-49-0150.

**AD 8.50.105**

**XIII. Emergency Public Contracting**

(1) "Emergency" means circumstances that:

- a) Could not have been reasonably foreseen;
- b) Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
- c) Require prompt execution of a contract to remedy the condition.

(2) Emergency Declaration: The Superintendent's designee may declare that emergency circumstances exist that require prompt execution of a public contract.

- a) The declaration shall be made in writing in a memorandum to the Superintendent describing the circumstances (as shown in XIII(1) above).
- b) A copy shall be issued to the Program Director of Purchasing & Contracting.
- c) The emergency declaration memorandum, public contract, and associated documentation shall be kept on file as a public record.

(3) Designees authorized to declare an emergency as per PPS-46-0110 (29):

<b>Position Title</b>	<b>Scope/Maximum Dollar Value</b>
Superintendent	Unlimited
Deputy Superintendent of Business and Operations	Unlimited
Chief Financial Officer	Unlimited
Chief Operating Officer	Unlimited
Facilities and Asset Management and Office of School Modernization Senior Directors and Directors	Up to \$500,000

## RESOLUTION No. 6312

### Resolution Accepting the Superintendent's Designee's Emergency Declaration and Approving an Exemption from the Competitive Bidding Requirements to Allow the District to Utilize Funds from COVID-19 Public Health Emergency Allocations.

#### RECITALS

A. The Portland Public Schools Board of Education has recognized the tremendous impact that the COVID-19 pandemic has had on the nation, Oregon, and all public entities, including the District.

B. The pandemic has had a significant impact on District students and families, and they need as much support as possible during this time. The Board also specifically recognizes that COVID-19 has disproportionately impacted Black, American Indian/Alaska Native, and Latino/a/x, Pacific Islander communities; students experiencing disabilities; and students and families navigating poverty.

C. Students, families, and educators have been resilient in the face of the many challenges that have been presented by the pandemic. Nevertheless, many students have experienced interrupted learning and inconsistent connections with their peers. Many students also continue to have challenges meeting basic needs such as food, shelter and wellness, and support for mental, social, and emotional health.

D. The Oregon legislature has funded and the Department of Education has allocated approximately \$14.7 million dollars to PPS to be used for specifically delineated summer educational and enrichment programs and activities designed to mitigate the impacts of the public health emergency, specifically the social and emotional health and welfare of students and families, created by the COVID-19 pandemic ("Funds"). These Funds must be used by September 30, 2021, and students need the services these Funds will provide as soon as possible.

E. The Superintendent's Designee has found that the conditions created by the pandemic qualify as an emergency for the purposes of ORS 279B.080 and District Policy and Administrative Directives.

F. Oregon Revised Statutes 279.010(1)(f) and 279B.080 and District Policy 8.50.090-P allow the District to enter into public contracts without competitive bidding if an emergency exists. ORS 279A.010(1)(f) defines emergency as "circumstances that:

(A) Could not have been reasonably foreseen;

(B) Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; **and**

(C) Require prompt execution of a contract to remedy the condition.

District policy 8.50.100-P provides that the Board, as the Local Contract Review Board, has delegated its authority under the Public Contracting Law to the District Superintendent and their Designees, who are required to make all public purchasing processes comply with applicable state public contracting law. The Superintendent's Designee seeks to utilize the District's emergency public contracting provisions for immediate negotiation and execution of contracts with one or more qualified contractors, service providers, and providers of goods and materials for the following purposes:

- a. To assist the District in its response to the public health emergency created by unforeseeable circumstances of the COVID-19 pandemic and the Oregon Legislature's passage of HB 5024-A and companion Senate legislation.
- b. To take all necessary action, including the provision of non-educational services necessary for such support and programs, and to deliver supplemental education and learning support to students during the months of May through September, 2021.

G. The emergency public contracts will enable the District to provide the following services:

- *Summer Academic Support Grants*: Funds to provide summer school programs for high school students to acquire academic credits needed to stay on-track for graduation. Support for students experiencing disability and English learner services also must be provided. Approximately \$71.9 million of state funding will be provided to support 75% of the estimated cost associated with these programs. The remaining 25% will be provided by using other state, local, or federal funds, including, but not limited to, funding from the Elementary and Secondary School Education Relief (ESSER) grants.
- *Summer Enrichment/Academic Program Grants*: Provides funding for the District to offer services for K-8 students for: (1) enrichment activities (including but not limited to: robotics, dance, martial arts, art, music, outdoor programs, etc.); (2) academic learning and readiness supports (including but not limited to: summer school, bridge programs, transition programs, etc.); and/or (3) social-emotional and mental health services. Support for students experiencing disability and English learner services must be provided. Approximately \$93.4 million of state funding will be provided to support 75% of the estimated cost associated with these programs. The remaining 25% will be provided by using other state, local or federal funds, including, but not limited to, funding from the several Elementary and Secondary School Education Relief (ESSER) grants.
- *School Child Care Grants*: Provides a supplemental grant opportunity for Title I eligible school districts to provide wrap-around child care services for K-5 students that participate in summer academic and enrichment programs supported through the Summer Enrichment/Academic Program Grant.

Approximately \$40.0 million in state and federal funds will provide 100% of the costs related to these programs.

## **RESOLUTION**

Therefore, it is resolved that:

1. The Board of Education thanks PPS families and employees for their hard and innovative work to serve and support students to the fullest extent possible during the COVID-19 pandemic. The Board also thanks students for their perseverance, adaptability, and dedication during the pandemic and for their commitment to their education.
2. To address the time constraints created by the unforeseen legislation and take full advantage of the resources available to assist students and families this summer, the District must promptly execute contracts. Use of standard public contracting procedures for services, goods, and materials is not feasible, as it would result in unacceptable delays and possible loss of Funds and resulting loss of services to students. Any delay would have an immediate detrimental impact on students and their families, as well as staff.
3. An emergency declaration accepted by the District's Local Contract Review Board is consistent with the emergency needs of the District. The circumstances presently existing meet those contemplated in ORS 279A.010(1)(f) and ORS 279B.080 as an emergency. The Board hereby approves the Superintendent's Designee's Emergency Declaration and authorizes the Designee to enter into such contracts as necessary to provide the services and allocate the Funds as described above. Such contracts shall not exceed a total value of \$10 (ten) million dollars.



# PORTLAND PUBLIC SCHOOLS

## OFFICE OF INTERNAL PERFORMANCE AUDIT

501 North Dixon Street / Portland, OR 97227  
Telephone: (253) 985-1738

**Date:** 05/14/2021

**To:** PPS Board of Education - Audit Committee

**From:** Janise Hansen, CIA, Senior Internal Performance Auditor  
Mary Catherine Moore, Internal Performance Auditor

**Subject:** Health & Safety Checks Audit – Status Update

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### **Background**

On October 20, 2020, the Portland Public Schools (PPS) Board of Education approved the Office of Internal Performance Audit's (OIPA) 2020-2021 Audit Plan via resolution 6198. The Audit Plan included the Health & Safety Checks Audit. The purpose of the Health & Safety Checks Audit is to determine whether school buildings (where students are participating in in-person instruction) are in compliance with the building safety plan put in place due to the coronavirus pandemic. The audit will not determine the adequacy of the building safety plans, it will only determine compliance with each school safety plan.

In late 2020/early 2021 PPS began to offer in-person instruction utilizing the limited in-person instruction (LIPI) at a limited number of schools; which was subsequently expanded to all schools. OIPA was able to complete 10 tours of schools to determine compliance with the school's LIPI safety plan before the transition to a hybrid model of in-person instruction in April of 2021. OIPA has completed an additional 13 tours of schools to determine compliance with the school's hybrid safety plan.

The purpose of this memo is to provide the Audit Committee a summary of the results of the Health & Safety Check Audit tours (both LIPI and Hybrid) completed as of May 7, 2021.

### **Audit Process**

Selection of Schools for Tours:

- OIPA prioritized the selection of Title 1, TSI, and CSI schools for tours.

Communication:

- OIPA notified the school building administration via email that their schools had been selected for tours. Typically the email was sent out on Wednesday or Thursday stating the tour would take place the following week. The exact date and time of the tour was not provided.
- At the end of the tours, OIPA offered a verbal debriefing to school building administration to discuss all items of concern identified during the tour. This provided school building administration with timely feedback and the opportunity to address any concerns immediately.

- Written results of the tours were emailed to school building administration along with a central office administration team timely; typically within two business days.
- OIPA participated in weekly status update meeting with the central office administration team to discuss and address concerns identified in the tours. See more details on this below in the Follow up on Tour Results section below.
- At the request of the central office administration team, if the tour identifies any items of concern that would be considered significant, OIPI agreed to call the central office administration team to verbally discuss the items immediately following the tour.

Complete details of the audit process will be detailed in the final audit report.

### **Tour Results**

**As of May 7, 2021, the Health & Safety Checks Audit tours has not identified any noncompliance with building safety plans that would be considered significant.**

Below, we listed several examples of non-significant items that were identified in the tours:

- While air filtration units were present in each classrooms and symptom space area, we noted six instances where the air filtration unit was not turned on. At our request, the air filtration units were immediately turned on and building staff stated they would be sure to turn them on each day moving forward.
- We noted one instance where a nurse or school health assistant (SHA) was not onsite while students were participating in hybrid in-person instruction. We noted a SHA was scheduled to be onsite; however, they were sick and no backup was available to cover. The central administration team stated SHA's are employees of Multnomah Education Service District (MESD) and they have been in communication with MESD who is working to fill SHA positions to support PPS' needs.
- We noted two instances where the max capacity for the classroom space was not listed. In both instances we confirmed the max capacity for the classroom space was not exceeded.

We also noted guidance provided to building administrators is not clear as to whether or not a window in classrooms and symptom space areas is required to be opened to increase air circulation.

### **Recommendation:**

We recommend the school district clarify guidance as to whether or not a window in classrooms and symptom space areas is required to be opened to increase air circulation and ensure updated guidance is circulated to building administrators as soon as possible.

Attachment B is the Hybrid Tour Checklist Template that OIPA utilized for the tours.

OIPA would like to acknowledge all of the time and effort of building staff as well as the school district administration team who have worked tirelessly to development and implement guidance to ensure a safe transition to reopening schools for a hybrid model of in-person instruction. We believe the results of tours completed thus far resulting in no significant noncompliance demonstrate the school district's commitment to a safe reopening of schools.



## **Follow up on Tour Results**

OIPA participates in the weekly meetings with a central office administration team where items identified during the tours are discussed and addressed. At the request of the administration team, OIPA is also reviewing evidence that items identified in the tours have been addressed and resolved as the audit progresses. For example, if the building administrators take a picture of the max capacity sign that has been posted for the classroom spaces where they were missing, we consider that item to be resolved.

Due to the unique nature of this audit, we agree with the administration team that reviewing evidence that items identified in the tours have been resolved as the audit progresses is a better approach than waiting until all of the audit tours have been completed. Due to the collaborative approach taken by the administration team we anticipate all of the items identified in the tours will be resolved before the final audit report will be issued. Any items that have not been resolved will be detailed in a final report along with recommendations.

## **Tours Completed**

As of May 7, 2021, OIPA has completed the following tours of building providing in-person instruction:

- 10 buildings providing limited in-person instruction (LIPI)
- 13 buildings providing a hybrid model of in-person instruction

A list of buildings toured as of May 7, 2021 is included in Attachment A.

OIPA is planning to complete an additional 21 tours of buildings providing hybrid in-person instruction. The total number of LIPI and hybrid tours completed before the end of the 2020-21 school year will represent approximately 45 percent of PPS buildings where in-person instruction is being provided.

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## **ATTACHMENTS**

- A. List of School Buildings Toured: page 4
- B. Hybrid Tour Checklist Template: pages 5 - 16

# Attachment A: List of Buildings Toured

<b>LIPI School Tours</b>	<b>Hybrid School Tours</b>
<ol style="list-style-type: none"><li>1. Leodis V. McDaniel H.S. at Marshal Campus</li><li>2. Ida B. Wells-Barnett H.S.</li><li>3. Alliance H.S. at Meek Campus</li><li>4. Benson Polytechnic H.S.</li><li>5. Cleveland H.S.</li><li>6. DaVinci Arts M.S.</li><li>7. Hosford M.S.</li><li>8. Jefferson H.S.</li><li>9. Roosevelt H.S.</li><li>10. West Sylvan M.S.</li></ol>	<ol style="list-style-type: none"><li>1. Abernethy K-5</li><li>2. Dr. Martin Luther King, Jr., PK-5</li><li>3. Boise Eliot/Humboldt E.S.</li><li>4. Chief Joseph Elementary K-5</li><li>5. Grout E.S.</li><li>6. Irvington E.S.</li><li>7. James John E.S.</li><li>8. Kelly E.S.</li><li>9. Lee K-8</li><li>10. Rigler E.S.</li><li>11. Rosa Parks E.S.</li><li>12. Sabin E.S.</li><li>13. Scott E.S</li></ol>

# Attachment B: Hybrid Tour Checklist Template

## \_\_\_\_\_ School Reopening Plan - Hybrid Audit Tour Results

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**Tour Date/Time:**

Hybrid tour scheduled on: (day), (date), at (time) a.m. or p.m.

SCHOOL K-5 – address:

Administrator(s) On Site: \_\_\_\_\_, Principal, and \_\_\_\_\_, Assistant Principal, or \_\_\_\_\_, Vice Principal

**Auditor information:**

Janise Hansen, CIA

[Jhansen2@pps.net](mailto:Jhansen2@pps.net)

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OR

Mary Catherine Moore

[Mmoore7@pps.net](mailto:Mmoore7@pps.net)

Cell: 503-804-3557

**Results:**

The results of each auditor procedure are listed below. Items where some level of concern are in red font to draw then to your attention. Auditor notes we would like to draw your attention to are in blue font.

**Auditor Concluding Thoughts:**

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**Staffing**

<p><b>Staffing Information</b> <i>HR is continuing to bargain with labor partners and finalizing leave options, We know this will impact your staffing needs and will communicate information as it is available.</i></p> <p><i>Please understand there are no guarantees additional staff will be available however, HR will do their best to support the request.</i></p>	<p><b>Auditor Procedures: - N/A</b></p>
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Identify Additional Staffing Needs	Based on the assumption that all your staff will return for in-person hybrid, with the exception of those already on approved leaves, list any additional staff needs you have in order to successfully begin hybrid:	<b>Auditor Procedures:</b> Confirm with building administration that the staffing needs identified have been resolved. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>
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**Building Logistics**

Focus Area	School Plan	
Building Entry: <a href="#">Bus/School Entry Screening SOP</a>	Per page 25 of the <a href="#">RSSI Guidance</a> :  Diligently screen all students and staff for symptoms on entry to bus/school/outside learning space every day. This can be done visually as well as asking students and staff about any new symptoms or close contact with someone with COVID-19. For students, confirmation from a parent/caregiver or guardian can also be appropriate. Staff members can self-screen and attest to their own health, but regular reminders of the importance of daily screening must be provided to staff.  <i>add any details pertinent to your building:</i>	<b>Auditor Procedures:</b>  Confirm school has identified points of entry to buildings to minimize logistical challenges and physical distancing issues prior to entering the school. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> Confirm trained personnel is present at each school entry as students enter to conduct visual screening. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> NOTE: Visual Screening symptoms could include: <ul style="list-style-type: none"> <li>• Unusual coloration (flushed, pale, or dusky)</li> <li>• Unusual behavior (behavior change, lethargy, unusual fatigue)</li> <li>• New or significant coughing</li> <li>• Respiratory symptoms not typical for student</li> <li>• Shortness of breath</li> <li>• Chills</li> <li>• Appearing ill</li> </ul>

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		<ul style="list-style-type: none"> <li>• Vomiting</li> </ul> Visually confirm screening personnel are wearing PPE as required in the PPS Covid-19 PPE SOP. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> Confirm screening personnel briefly observe each individual for symptoms and ask questions if needed. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> Confirm staff are aware of visual and student complaint symptoms associated with COVID-19 upon entry and throughout the day. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> Confirm staff are aware when they observe students or staff with a chronic or baseline cough that has worsened or is not well-controlled with medication are aware that they should be excluded from school. (Do not exclude staff or students who have other symptoms that are chronic or baseline symptoms (e.g., asthma, allergies, etc.) from school). Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> Visually confirm masks, gloves, face coverings, soap or hand sanitizer, sanitizing stations, tissues, cleaning/disinfecting materials, and gowns are adequate (Two/three day supply - based on the number of student per day and how often the building is re-supplied). Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>
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		<p>Confirm the school's front desk staff is trained to visually screen all visitors for symptoms upon entry. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm students wash hands or use hand sanitizer upon entry to the building. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>
<p>Transportation (Bus entry and exit points, as well as adult who will meet the bus)</p> <p>Transportation is a long lead time to set up specific routing.</p> <p>Relevant SOPs: - <a href="#">Bus/School Entry Screening</a> - <a href="#">Loading/Unloading Bus and Vehicles</a></p>	<p>All K-3 Hybrid students will be provided bus tags.</p> <ul style="list-style-type: none"> <li>- Yellow tags for Kinders and other students who MUST be met at the bus stop.</li> <li>- White tags for info and for students who can be let off unattended.</li> <li>- Staff who meet buses:</li> </ul> <p><i>Add any other details pertinent to your school's transportation plan:</i></p>	<p><b>Auditor Procedures:</b></p> <p>Confirm drivers have been trained to conduct visual screening as students enter the bus. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm drivers know the protocol if a student is exhibiting obvious symptoms (the student will be given a disposable mask or face covering if needed, the driver will notify central radio to notify school or home, and the student will sit in one of the front seats, 6 feet away from the driver and other students). Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm bus drivers and any parent or school staff assisting with the securement of student or safety equipment are wearing face shields/coverings. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>

		<p>Confirm students are wearing face coverings while at the bus stop and on the bus. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm driver loads the bus from back to front maintaining physical distancing to the greatest extent possible, and for return trip home, students board and sit in order of drops. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm only one student assigned per seat (unless students live in the same household, siblings should ride together). Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm at school and at bus stops that students remain in their seats until called by the driver to unload one at a time. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm driver keeps track of student riders and attendance daily on the bus roster. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm driver is aware of disinfecting all high touch areas after each run, and again at the bus yard after completion of the route. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>
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		<p>Visually confirm buses have "Go Bags" that contain extra disposable face coverings, face shields, gloves, hand sanitizer, and essential cleaning/disinfecting supplies.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
<p>Symptom Space (if a student feels sick during the day)</p> <p><a href="#">-Symptomatic Student Response</a> <a href="#">-Symptom/Isolation Space Requirements</a></p>	<p><i>Symptom Space Room Number/Location:</i></p> <p>If an individual feels ill, we will immediately separate the ill student/staff from other members of the building. The student will go to the symptom space room and be fully assessed/screened by the school health assistant or trained designated staff. Staff who are experiencing symptoms or develop symptoms during the school day will be sent home. Staff are encouraged to contact their health care provider as needed. <a href="#">The Symptom Tracker Tool</a> will need to be filled out for any symptomatic individuals (staff or student). The school nurse will determine if the student needs to be sent home and provide further exclusion guidance depending on symptoms. If there is a COVID-19 related concern the <a href="#">COVID-</a></p>	<p><b>Auditor Procedures:</b></p> <p>Confirm anyone displaying or reporting symptoms of concern upon entry to bus/school or in the classroom receives further screening by the school nurse. This includes measuring for a temperature over 100.4 degrees F.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm staff or students who have primary COVID-19 symptoms are aware that they must remain home in accordance with the ODE Exclusion Summary Guidance chart.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Visually confirm there is a sign-in/out log to track students/staff use of the symptom space. (Note: This could be a printed log on online log.)</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm building has the Symptom Tracking Tool Log that tracks symptoms for students and staff absent from school or work due to illness, as well as those individuals who develop symptoms of illness while attending school. The school nurse and nurse consultant then conduct additional surveillance which may require intervention and/or reporting to Multnomah County Health Department.</p>

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	<p><a href="#">19 Case Protocol</a> will be activated.</p> <p>Staff and students who come to the Symptom Space and are exhibiting COVID19 related symptoms will be asked to take a COVID 19 rapid test. We will ask for consent and provide the test for self administration. Once the test has been completed and results have been provided, the staff or student will be sent home. For those who do not give consent, they will be referred to their health provider and sent home.</p> <p><i>Add any other details pertinent to your building:</i></p>	<p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm that staff managing the Symptom Space are trained to appropriately log students into a shared Symptom Tracking Log.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Visually confirm Symptom Space has extra disposable face coverings, masks, face shields, hand sanitizer (with 60% or greater alcohol content if soap and water is not accessible), gowns, gloves, and essential cleaning/disinfecting supplies.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm Symptom Space adhere to the following:</p> <ul style="list-style-type: none"> <li>Must be separate from routine health screening room</li> <li>Must have appropriate ventilation (i.e. exterior windows, functional unit ventilators or building HVAC ventilation. Do not use fans if doors and windows are closed and fans are recirculating classroom air.)</li> <li>Students must be supervised (ensure line of sight; keep ill student visible.)</li> <li>Student must have appropriate PPE while in symptom space</li> <li>Appropriate physical distancing and barriers will be in place (Maintain a distance of 6 feet or more between cots, chairs, or isolated individuals.)</li> <li>Staff must have appropriate PPE while in the symptom/isolation space (medical grade mask, gloves, isolation gown, and should be properly removed and disposed or disinfected as appropriate prior to existing the symptomatic/isolation space.)</li> <li>Have a plan for students who parents are unable to pick them up in a timely manner.</li> </ul> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> </ul>
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		<ul style="list-style-type: none"> <li>If No, detail observations:</li> </ul> <p>Confirm staff are aware of the Symptom Space cleaning and disinfecting guidelines, which are: plan disinfection after space has been empty 4 hours; or, disinfect while wearing full PPE (medical grade mask, gloves, isolation gown). After dismissal of ill student, close off areas used by a sick person and do not use these areas until after cleaning and disinfecting.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm the custodian is made aware when the Symptom Space is used for cleaning purposes. How is the custodian informed?</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm designated personnel completed training on identification of COVID-19 symptoms.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
<p>Schools must register with CRRU to enroll in the Testing Program: All testing will be performed under the umbrella of a Clinical Laboratory Improvement Amendments (CLIA) certificate of waiver and a standing physician order held by OHA. In order to test for COVID-19 under this waiver, schools must register by completing and returning the COVID-19 Testing K-12 Registration Form via email to <a href="mailto:Schooltesting.covid@dhsosha.state.or.us">Schooltesting.covid@dhsosha.state.or.us</a>.</p> <p>Schools must have School Testing Administrator trained: The Abbott</p>	<p>This testing must be managed at the school level. Schools must identify a school testing coordinator and a testing reporter, these can be the same person, but there will need to be a back up person for both roles (same person okay again).</p> <p>Daily reports must be submitted to the CRRU by the School Testing Reporter</p>	<p><b>Auditor Procedures:</b></p> <p>Confirm building has a SHA or Nurse on-site at all times students are.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm building has registered with CRRU to enroll in the testing program and testing supplies are onsite.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>

<p>BinaxNOW training modules are <a href="#">available here</a>.</p>	<p>Identify a School Testing Administrator:</p> <p>Identify a School Testing Reporter:</p>	<p>Confirm the building plan has identified a school testing administrator and a school testing reporter, and a back-up for each.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm school testing administrator and school testing reporter have completed the Abbott BinaxNOW training modules.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm school testing administrator is aware there needs to be a consent signed within 24 hours prior to performing the test:</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
<p>Restrooms</p>	<p>Review <a href="#">Restroom Use Requirements</a> and add any details pertinent to your building:</p>	<p><b>Auditor Procedures:</b></p> <p>Visually confirm bathrooms are used by students according to building plan.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm restroom flushers, faucets, and soap dispensers are functioning properly, and that there is enough soap.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
<p>Hand Washing</p>	<p>Review <a href="#">Hand Hygiene and Respiratory Etiquette</a> and add</p>	<p><b>Auditor Procedures:</b></p> <p>Confirm washing stations have hand washing instructions and soap</p>

	<p><i>any details pertinent to your building:</i></p>	<p>dispensing are functioning properly and have enough soap for the number of students.  <b>Confirmed: (Yes/No/NA)</b></p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>Confirm rooms that do not have sinks have hand sanitizer.  <b>Confirmed: (Yes/No/NA)</b></p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>
<p>Nutrition  <a href="#">Table Washing &amp; Sanitation</a></p>	<p>Meals will be made available to students who participate in the hybrid model.</p> <p>Students in each cohort will be offered breakfast and lunch when they leave the school building. Meals cannot be eaten while on the bus.</p> <p>No food will be allowed to be eaten in the school unless a student requires an accommodation which is previously established. The school office may purchase individually wrapped snack foods to be provided in an emergency. Safety and sanitation protocols must be followed when students are eating and removing their masks; hand washing or hand sanitizer before and after eating, student is physically distanced from others and washing/sanitizing the table or</p>	<p><b>Auditor Procedures:</b></p> <p>Confirm no food items (other than water bottles)  <b>Confirmed: (Yes/No/NA)</b></p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul> <p>If the building plan describes specific protocols related to nutrition, confirm compliance with the building plan.  <b>Confirmed: (Yes/No/NA)</b></p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>

	<p>desk if necessary (<a href="#">see SOP</a>).</p> <p>Students may bring their own, filled water bottles but may not refill in the hallway.</p> <p><i>Add any other details pertinent to your building:</i></p>	
Drop Off & Pick-Up	<p><i>Add drop off &amp; pick-up details pertinent to your building:</i></p>	<p><b>Auditor Procedures:</b></p> <p>Confirm students' drop-off and pick-up agree with the building plan.  <b>Confirmed: (Yes/No/NA)</b></p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>
Dismissal (leaving the building)	<p><i>Add dismissal details pertinent to your building:</i></p>	<p><b>Auditor Procedures:</b></p> <p>Confirm students' dismissal agrees with the building plan.  <b>Confirmed: (Yes/No/NA)</b></p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>
Class Changes (movement between different rooms or classes)	<p><i>Add class changes details pertinent to your building:</i></p>	<p><b>Auditor Procedures:</b></p> <p>Confirm class changes, if applicable, agrees with the building plan.  <b>Confirmed: (Yes/No/NA)</b></p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive difference from the plan:</li> <li>• If No, detail observations:</li> </ul>
In Classroom Procedures (supplies, tech carts, power supplies, etc)	<p><i>Add classroom procedure details pertinent to your building:</i></p>	<p><b>Auditor Procedures:</b></p> <p>Confirm Students will be limited to seating alone at one table or desk.  <b>Confirmed: (Yes/No/NA)</b></p> <ul style="list-style-type: none"> <li>• If no, do the observations appear to be a substantive</li> </ul>



		<p>difference from the plan:</p> <ul style="list-style-type: none"> <li>If No, detail observations:</li> </ul> <p>Confirm masks are worn. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm physical distancing requirements were enforced. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm materials are not shared. Or, if shared, confirm materials are sanitized at the start and end of each cohort. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm max capacity signage outside each room. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm max capacity for the room is not exceeded. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm classroom desks have been spaced at 6' distances. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>Confirm portable air filtration units are in each room and are turned on. Confirmed: (Yes/No/NA)</p>
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		<ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
Student Break Space (used if a student needs to be removed from class)	<p><i>Identify the student break space:</i></p> <p><i>Add any other details pertinent to your building:</i></p>	<p><b>Auditor Procedures:</b></p> <p>If the building plan describes specific procedures related to use of student break space (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
Use of Outdoor Space	<p><i>Do you intend to use outdoor space in any way that is different from your typical operations?</i></p> <p><i>If so, what areas do you intend to use and for what purpose (instructional, small group work, etc)?</i></p> <p><i>Please work with your Head Custodian and FOM to support the set-up and maintenance of that space</i></p>	<p><b>Auditor Procedures:</b></p> <p>If the building plan describes specific procedures related to use of outdoor space (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <p>If the building plan describes use of outdoor space, confirm the Head Custodian has been consulted for support with set-up and maintenance of that space. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
Student Devices: Students who have checked out a PPS device will bring them for use in school buildings. We are ordering more student devices to support reopening.	<p><i>Indicate the estimated number of devices needed for students who have not checked out a PPS device =</i></p> <p><i>Add any other details pertinent to your building:</i></p>	<p><b>Auditor Procedures:</b></p> <p>If the building plan describes specific procedures related to student devices (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> </ul>

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		<ul style="list-style-type: none"> <li>If No, detail observations:</li> </ul>
Childcare or other program overlap	<i>How will this program overlap and interact with childcare, athletics or other programs?</i>	<b>Auditor Procedures:</b> If the building plan describes specific procedures related to childcare or other program overlap (that are related to the mitigation of COVID--19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>

**Schedules & Supports**

Schedule	<a href="#">Link your academic schedule here</a> <a href="#">Scott Q4 Master Schedule</a>	<b>Auditor Procedures:</b> - N/A
Student Intervention Team: <a href="#">Using SIT Data to Prepare for Returning Students</a>	<i>As we return to buildings, we will need to account for a wider spread sense of anxiety, unease, dysregulation.</i>  <i>Review current SIT tracking data and consider how interventions for students with the highest need will translate to in-person instruction.</i>  <i>Reach out to your MTSS TOSA for additional support.</i>	<b>Auditor Procedures:</b> If the building plan describes specific procedures related to student intervention team (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
Trauma Informed Practices & Healing Centered Engagement for all staff Planning for Synchronous and Asynchronous trainings	<i>Think about the general student population and how many students will need additional supports - how are you integrating trauma informed practices throughout Tier I programming?</i>	<b>Auditor Procedures:</b> If the building plan describes specific procedures related to trauma informed practices (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA)

		<ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
School Counselor and Social Worker Support & Collaboration	<i>How will you collaborate with your school counselor(s) and if applicable, school social worker, to consider the needs students will have as they return to the building, and to create a plan for addressing those needs both proactively and reactively? How will school counselors and social workers have access to students (virtual or in-person, or a combination) for classroom lessons, small groups, interventions, and individual student support? Please consider cohort/interaction limitations while prioritizing these services.</i>	<b>Auditor Procedures:</b> If the building plan describes specific procedures related to school counselor and social worker support (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
SUN Partnership (there is more information on the Everything Hybrid site about SUN)		<b>Auditor Procedures:</b> If the building plan describes specific procedures related to SUN Partnership (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>

**Special Education**

<a href="#">SpEd Hybrid Guidance</a>		
Focus Classroom	<i>Describe how focus classrooms will serve students assigned to that program:</i>	<b>Auditor Procedures:</b>

Collaborate with your <a href="#">SPED PA or AD</a> for the co-development of this plan		If the building plan describes specific procedures related to focus classrooms (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
SPED in General education classrooms:  Cohorting consideration for students with adult support Collaborate with your <a href="#">SPED PA or AD</a> for the co-development of this plan	<i>Describe how your special education services are integrated with your general education service:</i>	<b>Auditor Procedures:</b>  If the building plan describes specific procedures related to SPED in general education classrooms (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
School Psych / SLP:	<i>Describe the schedule/plan for School Psych, SLP, Learning Center to access the building:</i>	<b>Auditor Procedures:</b>  If the building plan describes specific procedures related to school psych/SPL (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
Learning Center / SLP:	<i>Have you checked in with the Learning Center and SLP on the adjustment that will be needed to their schedule?</i>	<b>Auditor Procedures:</b>  If the building plan describes specific procedures related to learning center/SLP (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>

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Other plans or considerations you have taken for students with IEPs and SPED staff:		<b>Auditor Procedures:</b>  If the building plan describes specific procedures related to learning center/SLP (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
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**Emergency Planning**

Identify your COVID building team, and how you plan to regularly meet train them		<b>Auditor Procedures:</b>  Confirm School Level COVID-19 Response Team include: <ul style="list-style-type: none"> <li>Administrator</li> <li>School Nurse</li> <li>Custodian</li> <li>Staff Member(s) Screening, Isolation Space, Data Collection</li> <li>Staff Member(s) Monitor &amp; Promote Physician Distancing</li> </ul> Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> Confirm COVID-19 Response Team meet weekly to address concerns with mitigation and prevention practices and to debrief confirm case responses (per the Emergency Response Framework and COVID-19 Response Team SOP it is recommended, not required). Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
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What changes to your emergency drills need to happen?	<i>Explain any health and safety changes and expectations and identify the evacuation process and staff roles:</i>	<b>Auditor Procedures:</b>  If the building plan describes specific procedures related to emergency drills (that are related to the mitigation of COVID-19 transmission), confirm compliance with identified procedures. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
How do you plan on training staff and students about emergency drills at your site?	Monthly fire drills are to be completed with each cohort and logged appropriately. Other hazard drills can be done both physically and through education/tabletop/scenarios.  <i>Please add more information about your school's emergency training plan:</i>	<b>Auditor Procedures:</b>  Confirm staff and student training about emergency drills have been completed. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
When will your drills occur?	<i>Please provide a detailed schedule of your drills and when they will occur and please provide what each cohort will receive:</i>	<b>Auditor Procedures:</b>  Confirm emergency drills occurred as identified by the plan. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>

**Timeline**

Action	Details	Date(s)	
Communication with Families			<b>Auditor Procedures:</b> - N/A
Staff Training/Pre-service (dates are TBD, more)			<b>Auditor Procedures:</b> - N/A

<i>information to come soon)</i>			
Staff Walkthrough of Building	<i>This will be included as part of your Principal-driven staff training time.</i>		<b>Auditor Procedures:</b>  Confirm Safety Committee's completion of the school site walk-through checklist. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> <b>Auditor Documentation Request:</b> Obtain the completed school site walk-through checklist. Obtained: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
First Day of Hybrid			<b>Auditor Procedures:</b> - N/A

**Custodial Plan (Facilities Operations Guidebook)**

Head Custodian and Principal/Facility Operations Manager aka FOM (FOM list found [HERE](#)) work on site specific plan using the Cleaning & Disinfecting SOP, found [here](#), as a baseline starting point. All staff will be asked to wipe down their primary work areas at the end of day, including desk, computer, phone etc.

Site specific questions to be answered:

When will bathrooms be cleaned?	<ul style="list-style-type: none"> <li>Custodians will clean restrooms at the end of each day, following student dismissal.</li> <li>Symptom Space rooms will be disinfected after use (will need 4 hour wait time for cleaning and disinfection), unless time is not available. <a href="#">Cleaning and Disinfecting Response Presumptive Covid 19 SOP</a></li> </ul> <i>Add any other details pertinent to your building:</i>	<b>Auditor Procedures:</b>  Confirm bathrooms are cleaned, as described in the building plan. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul> Confirm the symptom space room is cleaned, as described in the building plan. Confirmed: (Yes/No/NA) <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> </ul>
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		<ul style="list-style-type: none"> <li>If No, detail observations:</li> </ul>
When will classrooms be swept and/or wet mopped?	<p>Each classroom will be swept at the end of the day. Rooms will be wet mopped, if time permits, between cohorts.</p> <p><i>Add any other details pertinent to your building:</i></p>	<p><b>Auditor Procedures:</b></p> <p>Confirm classrooms are swept and/or wet mopped, as described in the building plan.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
What is the expectation and frequency of touchpoint cleaning throughout the day in other common spaces (door knobs, locker handles, counter tops, etc)?	<p><i>Add any other details pertinent to your building:</i></p>	<p><b>Auditor Procedures:</b></p> <p>Confirm touchpoint cleaning is done, as described in the building plan.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>
Ventilation (added from LIPI)	<p><b>Ventilation</b></p> <p>Building HVAC outside air dampers will be adjusted such that their minimum damper setting meets recommended outside air infiltration rates per ASHRAE Standard 62.1-2019 "Ventilation for Acceptable Indoor Air Quality." Introducing outside air will both dilute and displace airborne contaminants including airborne viruses inside the school buildings. HVAC programming will be adjusted to provide a minimum of two hours of purging before and after normal occupied hours using mechanical means. Additionally, HVAC systems will be operated continuously while the school buildings are occupied during these times; this may require temporary disabling of demand control ventilation (DCV) systems.</p> <p>Ventilation for each unique school will be optimized on a case-by-case basis. PPS will also utilize non-mechanical</p>	<p><b>Auditor Procedures:</b></p> <p>Confirm HVAC is run a minimum of two hours of purging before and after normal occupied hours using mechanical means and HVAC systems operated continuously while the school buildings are occupied during these times.</p> <p>Confirmed: (Yes/No/NA)</p> <ul style="list-style-type: none"> <li>If no, do the observations appear to be a substantive difference from the plan:</li> <li>If No, detail observations:</li> </ul>

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	<p>methods such as opening doors and windows where reasonable to increase air circulation. Do not prop open doors that can pose a safety or security risk to students and staff (e.g., exterior doors and fire doors that must remain closed).</p>	
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**Physical Set Up (Include any maps)**

Operations/FAM has completed the following work at all of the schools sites:

- Signage at all designated entrances, including exterior sidewalk spacing dots for 6' spaced queuing.
  - Auditor Procedures:**
  - Confirm signage at all designated entrances, including exterior sidewalk spacing dots for 6' spaced queuing.
  - Confirmed: (Yes/No/NA)
    - If no, do the observations appear to be a substantive difference from the plan:
    - If No, detail observations:
- Health screening station at all designated entrances (cart, signage, plexi-glass barrier for screener, hand sanitizer dispenser). Visual screening only, no temperature checking.
  - Auditor Procedures:**
  - Confirm health screening station at all designated entrances (cart, signage, plexi-glass barrier for screener, hand sanitizer dispenser).
  - Confirmed: (Yes/No/NA)
    - If no, do the observations appear to be a substantive difference from the plan:
    - If No, detail observations:
- Max. Capacity signage outside of each room.
  - Auditor Procedures:** See classroom procedures section above.
- Symptoms Space signage.
  - Auditor Procedures:**
  - Confirm symptoms space signage.
  - Confirmed: (Yes/No/NA)
    - If no, do the observations appear to be a substantive difference from the plan:
    - If No, detail observations:
- Hand-washing signage in bathrooms and each sink in classrooms.
  - Auditor Procedures:** See restroom and classroom procedures sections above.
- Floor signage designating one-way signage, and dots for spacing.
  - Auditor Procedures:**
  - Confirm floor signage designating one-way signage, and dots for spacing.
  - Confirmed: (Yes/No/NA)

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- If no, do the observations appear to be a substantive difference from the plan:
  - If No, detail observations:
- Plexi-glass barriers at the Main Offices, and other select designated shared office spaces.
  - Auditor Procedures:**
  - Confirm plexi-glass barriers at the main offices, and other selected designated shared office spaces.
  - Confirmed: (Yes/No/NA)
    - If no, do the observations appear to be a substantive difference from the plan:
    - If No, detail observations:
- Classroom desks have been spaced at 6' distances and desks removed to accomplish this.
  - Auditor Procedures:** See classroom procedures section above.
- Portable Air Filtration units have been designated for Symptom Spaces, and other critical areas such as the Nurses Stations, and Classrooms. Delivery of these units is expected to be completed by the first week of April or earlier.
  - Auditor Procedures:** Confirm portable air filtration units are in each room being used for instruction as well as the symptom space and nurses station
  - Confirmed: (Yes/No/NA)
    - If no, do the observations appear to be a substantive difference from the plan:
    - If No, detail observations:

## RESOLUTION No. 6317

### Budget Committee Approval of the 2021-22 Budget and The Imposition of Property Taxes

#### RECITALS

- A. Oregon Local Budget Law, Oregon Revised Statute (ORS) 294.426, requires the Budget Committee of Portland Public Schools (District) to hold one or more meetings to receive the budget message and the budget document; and to provide members of the public with an opportunity to ask questions about and comment upon the budget document.
- B. On April 27, 2021, the Budget Committee received the Superintendent's budget message and Proposed Budget document for the fiscal year 2021-22.
- C. On May 4, 2021, the Board acting as the Budget Committee held a Budget Community Engagement meeting to discuss and receive public comment on the Proposed Budget.
- D. Oregon Budget Law, ORS 294.431, requires submission of the budget document to the Tax Supervising Conservation Commission (TSCC) by May 15 of each year. ORS 294.431 allows taxing jurisdictions to request an extension of the submission date.
- E. The District requested, and the TSCC authorized, extending the submission date to no later than May 25, 2021.
- F. The Board of Education (Board) appointed a Community Budget Review Committee (CBRC) to review the Proposed Budget and current year expenditures of the existing Local Option Levy. The CBRC acts in an advisory capacity to the Board.
- G. On May 11, 2021, the Budget Committee received testimony and a report on the current year Local Option Levy expenditures and testimony and recommendations from the CBRC.
- H. Oregon Local Budget Law, ORS 294.428 requires that each legal jurisdiction's Budget Committee approve a budget and specify the *ad valorem* property tax amount or rate for all funds.
- I. It is noted that \$0.5038 per \$1,000 of the assessed value of the Permanent Rate Tax Levy, (commonly known as the "Gap Tax") and, based on an analysis presented to the Board, the entirety of the Local Option Tax Rate Levy are excluded from State School Fund calculations.
- J. ORS 457.010(4)(a)(D) provides the opportunity for a school district to be excluded from the urban renewal division of tax calculations with a statutory rate limit on July 2003, which is greater than \$4.50 per \$1,000 of assessed value. To the extent that the rate limit was increased under section 11 (5)(d), Article XI of the Oregon Constitution, property tax revenue from said increase is excluded from local revenues. The District will notify the county assessors of the rate to be excluded for the current fiscal year not later than July 15.
- K. Portland Public Schools has a statutory rate limit that is in excess of the \$4.50 limitation that includes an increase under section 11 (5)(d), Article XI of the Oregon Constitution.

#### RESOLUTION

- 1. The Budget Committee approves the budget as summarized in Attachment "A".
- 2. The Budget Committee approves the budget for the fiscal year 2021-22 in the total amount of \$2,058,410,000.
- 3. The Budget Committee resolves that the District imposes the taxes provided for in the approved budget:
  - a. At the rate of \$5.2781 per \$1,000 of assessed value for operations;
  - b. At the rate of \$1.9900 per \$1,000 of assessed value for local option tax for operations;
  - c. In the amount of \$146,000,000 for exempt bonds

4. Taxes are hereby imposed and categorized as for the tax year 2021-22 upon the taxable assessed value of all taxable property in the District, as follows:

	<b>Education Limitation</b>	<b>Excluded from Limitation</b>
Permanent Rate Tax Levy	\$5.2781/\$1,000 of assessed valuation	
Local Option Rate tax Levy	\$1.9900/\$1,000 of assessed valuation	
Bonded Debt Levy		\$146,000,000

5. The Budget Committee further resolves that \$0.5038 per \$1,000 of taxable assessed value is excluded from the division of tax calculations, as the Permanent Rate Tax Levy attributable to the increase provided in section 11 (5)(d). Article XI of the Oregon Constitution (such increase is a result of the expiring Gap Tax Levy).
6. The Budget Committee directs submittal of this approved budget to the TSCC by May 25, 2021, in accordance with ORS 294.431, under the extension as granted by the TSCC.



**Attachment "A"**

**Portland Public Schools  
Adjustments to the 2021-22 Proposed Budget  
May 25, 2021**  
(in thousands)

		<b>Proposed Budget</b>	<b>Adjustment</b>	<b>Recommended Approved Budget</b>
<b>100 - General Funds</b>				
<b>Resources</b>				
Beginning Fund Balance		\$ 73,909	\$ 10,936	\$ 84,845
Local Property and Other Taxes		293,823	\$ -	293,823
Local Option Taxes		104,279	\$ -	104,279
Other Local Sources		13,398	\$ 326	13,724
County and Intermediate Sources		13,762	\$ (1,000)	12,762
State School Fund		256,417	\$ -	256,417
State Common School Fund		5,048	\$ -	5,048
Federal and State Support		15	\$ -	15
Interfund Transfers		0	\$ -	0
Other		1,050	\$ -	1,050
<b>Total</b>		<b>\$ 761,701</b>	<b>\$ 10,262</b>	<b>\$ 771,963</b>
<b>Requirements</b>				
Instruction		385,422	1,200	386,622
Support Services		324,026	4,066	328,092
Enterprise and Community Svcs		2,393	600	2,993
Debt Service		1,223	-	1,223
Transfers of Funds		1,136	-	1,136
Contingency		47,500	4,396	51,896
<b>Total</b>		<b>761,701</b>	<b>10,262</b>	<b>771,963</b>
<b>200 - Special Revenue Funds</b>				
<b>Resources</b>				
Beginning Fund Balance		25,676	10,829	36,505
Property and Other Taxes		323	-	323
Other Revenue from Local Sources		22,338	-1,543	20,795
Intermediate Sources		-	-	-
State Sources		67,866	11,431	79,297
Federal Sources		170,042	-3,802	166,240
Interfund Transfers		-	-	-
All Other Resources		-	-	-
<b>Total</b>		<b>286,245</b>	<b>16,916</b>	<b>303,161</b>
<b>Requirements</b>				
Instruction		126,031	-4,687	121,344
Support Services		86,530	4,544	91,074
Enterprise and Community Svcs		43,673	10,380	54,053
Facilities Acquisition and Construction		69	-	69
Transfers of Funds		-	-	-
Contingency		4,912	-9	4,903
Unappropriated Ending Fund Balance		25,031	6,688	31,718
<b>Total</b>		<b>286,245</b>	<b>16,916</b>	<b>303,161</b>

**Portland Public Schools**  
**Adjustments to the 2021-22 Proposed Budget**  
**May 25, 2021**  
(in thousands)

		Proposed Budget	Adjustment	Recommended Approved Budget
<b>300 - Debt Service Funds</b>				
<b>Resources</b>				
Beginning Fund Balance		10,228		10,228
Property and Other Taxes		138,667		138,667
Other Revenue from Local Sources		60,284		60,284
Federal Sources		30		30
Interfund Transfers		1,754		1,754
<b>Total</b>		<b>210,963</b>	<b>-</b>	<b>210,963</b>
<b>Requirements</b>				
Debt Service		200,309		200,309
Unappropriated Ending Fund Balance		10,654		10,654
<b>Total</b>		<b>210,963</b>	<b>-</b>	<b>210,963</b>
<b>400 - Capital Projects Funds</b>				
<b>Resources</b>				
Beginning Fund Balance		748,636	1,153	749,789
Other Revenue from Local Sources		7,425		7,425
Intermediate Sources		-		-
State Sources		6,544		6,544
Interfund Transfers		-		-
All Other Resources		-		-
<b>Total</b>		<b>762,605</b>	<b>1,153</b>	<b>763,758</b>
<b>Requirements</b>				
Instruction		-	-	-
Support Services		660	1,653	2,313
Facilities Acquisition and Construction		438,057	-40	438,017
Transfers of Funds		618	-	618
Contingency		-	-	-
Unappropriated Ending Fund Balance		323,270	-460	322,810
<b>Total</b>		<b>762,605</b>	<b>1,153</b>	<b>763,758</b>
<b>600 - Internal Service Funds</b>				
<b>Resources</b>				
Beginning Fund Balance		5,858	-	5,858
Other Revenue from Local Sources		2,594	13	2,607
State Sources		100	-	100
<b>Total</b>		<b>8,552</b>	<b>13</b>	<b>8,565</b>
<b>Requirements</b>				
Support Services		3,778	-	3,778
Contingency		4,774	13	4,787
Unappropriated Ending Fund Balance		-	-	-
<b>Total</b>		<b>8,552</b>	<b>13</b>	<b>8,565</b>
<b>All Funds Total</b>		<b>2,030,065</b>	<b>28,345</b>	<b>2,058,410</b>

**Portland Public Schools**  
**Adjustments to the 2021-22 Proposed Budget**  
**May 25, 2021**  
(in thousands)

<b>Proposed Resources:</b>	<b>General Funds (100)</b>	<b>Special Revenue Funds (200)</b>	<b>All Other Funds</b>	<b>Total Funds</b>
	<u>\$ 761,701</u>	<u>\$ 286,245</u>	<u>\$ 982,119</u>	<u>\$ 2,030,065</u>
<b>Adjustments:</b>				
1. Increase in General Fund Beginning Fund Balance - based on 3rd Quarter financial projections through June 30, 2021.	10,936			10,936
2. Increase in Fees charged to Grants - due to adjustments in Special Revenue Fund	326			326
3. Decrease in Multnomah Education Service District (MESD) Transit Revenue - alignment with April submission	-1,000			-1,000
4. Increase in Special Revenue Fund Beginning Fund Balances - based on 3rd Quarter financial projections through June 30, 2021.		10,829		10,829
5. Decrease in Special Revenue Fund Other Local Resources - based on 3rd Quarter financial projections through June 30, 2021.		-1,543		-1,543
6. Increase in Special Revenue Fund State Sources - due to new Summer Learning Grant resources and M98 carryover estimates through June 30, 2021.		11,431		11,431
7. Decrease in Special Revenue Fund due to Elementary and Secondary School Emergency Relief Funds (ESSER I) - align resources with spending plan through June 30, 2021.		-3,802		-3,802
8. Increase in Capital Projects Fund Beginning Fund Balance - based on 3rd Quarter financial projections through June 30, 2021.			1,153	1,153
9. Increase in Internal Service Funds Other Revenue from Local Sources - based on small staffing adjustments that impact workers compensation calculations.			13	13
Total Resource Changes	10,262	16,916	1,166	28,345
<b>Recommended Approved Resource Budget</b>	<b>\$ 771,963</b>	<b>\$ 303,161</b>	<b>\$ 983,286</b>	<b>\$ 2,058,410</b>

**Portland Public Schools**  
**Adjustments to the 2021-22 Proposed Budget**  
**May 25, 2021**  
(in thousands)

<b>Proposed Requirements:</b>	<b>General Funds (100)</b>	<b>Special Revenue Funds (200)</b>	<b>All Other Funds</b>	<b>Total Funds</b>
	<b>\$ 761,701</b>	<b>\$ 286,245</b>	<b>\$ 982,120</b>	<b>\$ 2,030,065</b>
<b>Adjustments:</b>	<b>Function</b>			
1. Increase in General Fund Instruction due to planned purchases delayed due to the pandemic (instructional equipment, curriculum, professional development etc.) and to meet additional Instructional support needs due to the pandemic.	1000	1,200		1,200
2. Increase in General Fund Support Services due to Workshare settlement agreement, planned purchases delayed due to the pandemic (buses, technology, etc) and to address additional support needs due to the pandemic.	2000	4,066		4,066
3. Increase in General Fund Enterprise and Community Services to reflect planned strategic investments in our Racial Equity and Social Justice department.	3000	600		600
4. Increase in General Fund Contingency due to increased beginning fund balance and to support additional pandemic needs.	6000	4,396		4,396
5. Decrease in Special Revenue Fund Instruction to align with the planned strategic investments and spending plan through June 30, 2021 related to the Student Investment Account (SIA), ESSER I and ESSER II and new expenditures related to the Summer Learning Grant.	1000		-4,687	-4,687
6. Increase in Special Revenue Fund Support Services to align with the planned strategic investments related to SIA, ESSER II and ESSER III and new expenditures related to Summer Learning Grant.	2000		4,544	4,544
7. Increase in Special Revenue Fund Enterprise and Community Services to align with planned strategic investments in SIA, ESSER II and new expenditures related to Summer Learning Grant.	3000		10,380	10,380
8. Decrease in Special Revenue Fund Contingency due to alignment of ESSER I spending through June 30, 2021 and grant indirect that will be received in 2020.	6000		-9	-9
9. Increase in Special Revenue Fund Unappropriated Ending Fund Balance to align with Fund 299 spending plan for 2021-22.	7000		6,688	6,688
10. Increase in Capital Projects Fund to align with annual insurance expenditures and the Long Range Facilities planning work underway.	2000			1,653
11. Decrease in Capital Projects Fund Facilities Acquisition and Construction to align with planned expenditures for 2021-22.	4000		-40	-40
12. Decrease in Capital Projects Fund Unappropriated Ending Fund Balance to align with the 2021-22 spending plan and balance not needed for the year.	7000		-460	-460
13. Increase in Internal Service Fund Contingency to balance workers compensation calculation changes throughout the district.	6000		13	13
<b>Total Requirement Changes</b>	<b>10,262</b>	<b>16,916</b>	<b>1,166</b>	<b>28,345</b>
<b>Recommended Approved Requirement Budget</b>	<b>\$ 771,963</b>	<b>\$ 303,161</b>	<b>\$ 983,286</b>	<b>\$ 2,058,410</b>



# PORTLAND PUBLIC SCHOOLS

Chief Financial Officer

**Nolberto Delgadillo**

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3115

Mailing Address: P. O. Box 3107 / 97208-3107

## MEMORANDUM

**Date:** May 21, 2021

**To:** Members of the Board of Education

**From:** [Nolberto Delgadillo](#)

**Subject:** 2021-22 Approved Budget

---

On May 25, 2021 the Board (acting as the Budget Committee) is scheduled to vote to approve a budget for Portland Public Schools for the 2021-22 fiscal year. The draft resolution is attached.

This memorandum is to confirm any significant changes from the proposed budget document which you received on April 27, 2021.

### **Changes from Proposed Budget**

#### **General Fund**

In between preparation of proposed and approved budgets staff has been engaged in a number of technical activities that resulted in changes to numbers in the budgets. These changes include:

- Adjustments that align the budget more closely with the 3rd Quarter Financial projections. This includes an increase in the Beginning Fund Balance from \$73.909 million to \$84.845 million. This is primarily attributed to spending less for limited in person instruction (LIPI) and hybrid than originally estimated and utilizing the additional Federal and State funds that were allocated this year.
- Adjusting appropriation allocations amounts between functions and objects in order to better reflect the proposed activity in a department. For example, in the Racial Equity and Social Justice department there was movement from support services and instruction to enterprise and community services to align with the community contracting within the department.
- Reflect approved carry-over for pending purchases that will not be received before June 30, 2021.
  - Transportation purchases for buses
  - Strategic investments that had delayed implementations such as curriculum purchases and professional development

- Appropriation was made for the Workshare settlement agreement for staff retiring whose final ending salary may be impacted by the District participation in the program in 2019-20. Current estimated total cost is \$2 million.
- Increase in Contingency by \$4.396 million to support additional pandemic needs that may arise throughout the year and possible future year supports as one-time funding spends out.

#### Special Revenue Funds

In between proposed and approved staff refined the appropriation allocations to more accurately reflect where spending will occur, adjustments included where spending would occur within the following grants:

- Student Investment Account (SIA)
- Elementary and Secondary School Emergency Relief Fund (ESSER)
- M98

Additional appropriation was added for the Summer Learning grants and the beginning fund and unappropriated ending fund balances were adjusted to align with the 3rd Quarter Financial projections.

#### All Other Funds

Changes for the Capital Funds included adjusting appropriation allocation amounts between functions and objects to reflect support services activity within the departments including insurance payments and the Long Range Facility Plan.

A small increase was reflected within our Internal Service Fund to align workers compensation calculations with increases or decreases in any of the salary lines.

#### Budget Committee Action

The budget committee is asked to consider the approved budget attached.

**Portland Public Schools**  
**Adjustments to the 2021-22 Proposed Budget**  
**May 25, 2021**  
(in thousands)

		<b>Proposed Budget</b>	<b>Adjustment</b>	<b>Recommended Approved Budget</b>
<b>100 - General Funds</b>				
<b>Resources</b>				
Beginning Fund Balance		\$ 73,909	\$ 10,936	\$ 84,845
Local Property and Other Taxes		293,823	-	293,823
Local Option Taxes		104,279	-	104,279
Other Local Sources		13,398	326	13,724
County and Intermediate Sources		13,762	(1,000)	12,762
State School Fund		256,417	-	256,417
State Common School Fund		5,048	-	5,048
Federal and State Support		15	-	15
Interfund Transfers		0	-	0
Other		1,050	-	1,050
<b>Total</b>		<b>\$ 761,701</b>	<b>\$ 10,262</b>	<b>\$ 771,963</b>
<b>Requirements</b>				
Instruction		385,422	1,200	386,622
Support Services		324,026	4,066	328,092
Enterprise and Community Svcs		2,393	600	2,993
Debt Service		1,223	-	1,223
Transfers of Funds		1,136	-	1,136
Contingency		47,500	4,396	51,896
<b>Total</b>		<b>761,701</b>	<b>10,262</b>	<b>771,963</b>
<b>200 - Special Revenue Funds</b>				
<b>Resources</b>				
Beginning Fund Balance		25,676	10,829	36,505
Property and Other Taxes		323	-	323
Other Revenue from Local Sources		22,338	-1,543	20,795
Intermediate Sources		-	-	-
State Sources		67,866	11,431	79,297
Federal Sources		170,042	-3,802	166,240
Interfund Transfers		-	-	-
All Other Resources		-	-	-
<b>Total</b>		<b>286,245</b>	<b>16,916</b>	<b>303,161</b>
<b>Requirements</b>				
Instruction		126,031	-4,687	121,344
Support Services		86,530	4,544	91,074
Enterprise and Community Svcs		43,673	10,380	54,053
Facilities Acquisition and Construction		69	-	69
Transfers of Funds		-	-	-
Contingency		4,912	-9	4,903
Unappropriated Ending Fund Balance		25,031	6,688	31,718
<b>Total</b>		<b>286,245</b>	<b>16,916</b>	<b>303,161</b>

**Portland Public Schools**  
**Adjustments to the 2021-22 Proposed Budget**  
**May 25, 2021**  
(in thousands)

				Proposed Budget	Adjustment	Recommended Approved Budget
<b>300 - Debt Service Funds</b>						
<b>Resources</b>						
	Beginning Fund Balance			10,228		10,228
	Property and Other Taxes			138,667		138,667
	Other Revenue from Local Sources			60,284		60,284
	Federal Sources			30		30
	Interfund Transfers			1,754		1,754
	<b>Total</b>			<b>210,963</b>	<b>-</b>	<b>210,963</b>
<b>Requirements</b>						
	Debt Service			200,309		200,309
	Unappropriated Ending Fund Balance			10,654		10,654
	<b>Total</b>			<b>210,963</b>	<b>-</b>	<b>210,963</b>
<b>400 - Capital Projects Funds</b>						
<b>Resources</b>						
	Beginning Fund Balance			748,636	1,153	749,789
	Other Revenue from Local Sources			7,425		7,425
	Intermediate Sources			-		-
	State Sources			6,544		6,544
	Interfund Transfers			-		-
	All Other Resources			-		-
	<b>Total</b>			<b>762,605</b>	<b>1,153</b>	<b>763,758</b>
<b>Requirements</b>						
	Instruction			-	-	-
	Support Services			660	1,653	2,313
	Facilities Acquisition and Construction			438,057	-40	438,017
	Transfers of Funds			618	-	618
	Contingency			-	-	-
	Unappropriated Ending Fund Balance			323,270	-460	322,810
	<b>Total</b>			<b>762,605</b>	<b>1,153</b>	<b>763,758</b>
<b>600 - Internal Service Funds</b>						
<b>Resources</b>						
	Beginning Fund Balance			5,858	-	5,858
	Other Revenue from Local Sources			2,594	13	2,607
	State Sources			100	-	100
	<b>Total</b>			<b>8,552</b>	<b>13</b>	<b>8,565</b>
<b>Requirements</b>						
	Support Services			3,778	-	3,778
	Contingency			4,774	13	4,787
	Unappropriated Ending Fund Balance			-	-	-
	<b>Total</b>			<b>8,552</b>	<b>13</b>	<b>8,565</b>
<b>All Funds Total</b>				<b>2,030,065</b>	<b>28,345</b>	<b>2,058,410</b>



**Portland Public Schools**  
**Adjustments to the 2021-22 Proposed Budget**  
**May 25, 2021**  
(in thousands)

<b>Proposed Resources:</b>	<u>General Funds (100)</u>	<u>Special Revenue Funds (200)</u>	<u>All Other Funds</u>	<u>Total Funds</u>
	\$ 761,701	\$ 286,245	\$ 982,119	\$ 2,030,065
<b>Adjustments:</b>				
1. Increase in General Fund Beginning Fund Balance - based on 3rd Quarter financial projections through June 30, 2021.	10,936			10,936
2. Increase in Fees charged to Grants - due to adjustments in Special Revenue Fund	326			326
3. Decrease in Multnomah Education Service District (MESD) Transit Revenue - alignment with April submission	-1,000			-1,000
4. Increase in Special Revenue Fund Beginning Fund Balances - based on 3rd Quarter financial projections through June 30, 2021.		10,829		10,829
5. Decrease in Special Revenue Fund Other Local Resources - based on 3rd Quarter financial projections through June 30, 2021.		-1,543		-1,543
6. Increase in Special Revenue Fund State Sources - due to new Summer Learning Grant resources and M98 carryover estimates through June 30, 2021.		11,431		11,431
7. Decrease in Special Revenue Fund due to Elementary and Secondary School Emergency Relief Funds (ESSER I) - align resources with spending plan through June 30, 2021.		-3,802		-3,802
8. Increase in Capital Projects Fund Beginning Fund Balance - based on 3rd Quarter financial projections through June 30, 2021.			1,153	1,153
9. Increase in Internal Service Funds Other Revenue from Local Sources - based on small staffing adjustments that impact workers compensation calculations.			13	13
Total Resource Changes	10,262	16,916	1,166	28,345
<b>Recommended Approved Resource Budget</b>	<b>\$ 771,963</b>	<b>\$ 303,161</b>	<b>\$ 983,286</b>	<b>\$ 2,058,410</b>

**Portland Public Schools**  
**Adjustments to the 2021-22 Proposed Budget**  
**May 25, 2021**  
(in thousands)

<b>Proposed Requirements:</b>	<b>General Funds (100)</b>	<b>Special Revenue Funds (200)</b>	<b>All Other Funds</b>	<b>Total Funds</b>
	<b>\$ 761,701</b>	<b>\$ 286,245</b>	<b>\$ 982,120</b>	<b>\$ 2,030,065</b>
<b>Adjustments:</b>	<b>Function</b>			
1. Increase in General Fund Instruction due to planned purchases delayed due to the pandemic (instructional equipment, curriculum, professional development etc.) and to meet additional Instructional support needs due to the pandemic.	1000	1,200		1,200
2. Increase in General Fund Support Services due to Workshare settlement agreement, planned purchases delayed due to the pandemic (buses, technology, etc) and to address additional support needs due to the pandemic.	2000	4,066		4,066
3. Increase in General Fund Enterprise and Community Services to reflect planned strategic investments in our Racial Equity and Social Justice department.	3000	600		600
4. Increase in General Fund Contingency due to increased beginning fund balance and to support additional pandemic needs.	6000	4,396		4,396
5. Decrease in Special Revenue Fund Instruction to align with the planned strategic investments and spending plan through June 30, 2021 related to the Student Investment Account (SIA), ESSER I and ESSER II and new expenditures related to the Summer Learning Grant.	1000		-4,687	-4,687
6. Increase in Special Revenue Fund Support Services to align with the planned strategic investments related to SIA, ESSER II and ESSER III and new expenditures related to Summer Learning Grant.	2000		4,544	4,544
7. Increase in Special Revenue Fund Enterprise and Community Services to align with planned strategic investments in SIA, ESSER II and new expenditures related to Summer Learning Grant.	3000		10,380	10,380
8. Decrease in Special Revenue Fund Contingency due to alignment of ESSER I spending through June 30, 2021 and grant indirect that will be received in 2020.	6000		-9	-9
9. Increase in Special Revenue Fund Unappropriated Ending Fund Balance to align with Fund 299 spending plan for 2021-22.	7000		6,688	6,688
10. Increase in Capital Projects Fund to align with annual insurance expenditures and the Long Range Facilities planning work underway.	2000			1,653
11. Decrease in Capital Projects Fund Facilities Acquisition and Construction to align with planned expenditures for 2021-22.	4000		-40	-40
12. Decrease in Capital Projects Fund Unappropriated Ending Fund Balance to align with the 2021-22 spending plan and balance not needed for the year.	7000		-460	-460
13. Increase in Internal Service Fund Contingency to balance workers compensation calculation changes throughout the district.	6000		13	13
<b>Total Requirement Changes</b>	<b>10,262</b>	<b>16,916</b>	<b>1,166</b>	<b>28,345</b>
<b>Recommended Approved Requirement Budget</b>	<b>\$ 771,963</b>	<b>\$ 303,161</b>	<b>\$ 983,286</b>	<b>\$ 2,058,410</b>

**Portland Public Schools**  
**ESSER Projected Investment Plan-DRAFT**

	FY2021		FY2022		FY2023*		FY2024*		Cumulative**	
	FTE <sup>†</sup>	Budget	FTE <sup>†</sup>	Budget	FTE <sup>†</sup>	Budget	FTE <sup>†</sup>	Budget	Budget	%
<b>Safe Operation of Schools &amp; Covid Costs</b>										
Student & Staff PPE, Enhanced Cleaning & Health		740,000							740,000	1.66%
Covid-19 Related Unemployment Costs (Workshare)		0		2,000,000					2,000,000	4.50%
Support Child Nutrition		1,800,000		3,000,000					4,800,000	10.79%
Support Childcare Stipends		1,000,000							1,000,000	2.25%
Sub-total		3,540,000		5,000,000	0		0		8,540,000	19.20%
<b>Addressing Student Learning Needs</b>										
Student Re-engagement (e.g. LIPI extended hrs)		655,000							655,000	1.47%
Title I supports		2,400,000		1,200,000					3,600,000	8.09%
LIPI and Hybrid Cohort Subs		2,000,000							2,000,000	4.50%
Credit recovery support (including evening scholars)			6.00	3,650,000					3,650,000	8.21%
SPED Assessment Center			3.00	360,000					360,000	0.81%
Social Workers for Title Middle Schools			6.00	670,000					670,000	1.51%
MS 5th Quarter				1,100,000					1,100,000	2.47%
Saturday School & Virtual Scholars			14.00	3,400,000					3,400,000	7.64%
Maintain Class Sizes			21.00	2,400,000					2,400,000	5.40%
WrapAround Supports (inclusive of RESJ supports)			1.00	1,900,000					1,900,000	4.27%
Instructional Professional Development		0		2,880,000					2,880,000	6.48%
Sub-total		5,055,000	51.00	17,560,000	0.00	0	0.00	0	22,615,000	50.85%
<b>Social Emotional &amp; Mental Health Services</b>										
Health and Nursing Contracted Services		260,000							260,000	0.58%
Social Workers' mobiles		30,000		0					30,000	0.07%
Sub-total		290,000		0					290,000	0.65%
<b>Technology Initiatives Related to Pandemic</b>										
Internet and hot spots		340,000		90,000					430,000	0.97%
Comprehensive Distance Learning Software		2,300,000							2,300,000	5.17%
Sub-total		2,640,000		90,000	0		0		2,730,000	6.14%
<b>Facility Projects Related to Pandemic</b>										
Utilities, Ventilation Air Quality Enhancements & HVAC		3,500,000		1,500,000					5,000,000	11.24%
Building and Space Modifications		5,000,000		300,000					5,300,000	11.92%
Sub-total		8,500,000		1,800,000	0		0		10,300,000	23.16%
<b>GRAND TOTAL</b>		<b>20,025,000</b>	<b>51</b>	<b>24,450,000</b>		<b>46,335,200</b>		<b>8,176,800</b>	<b>\$44,475,000</b>	<b>100.00%</b>

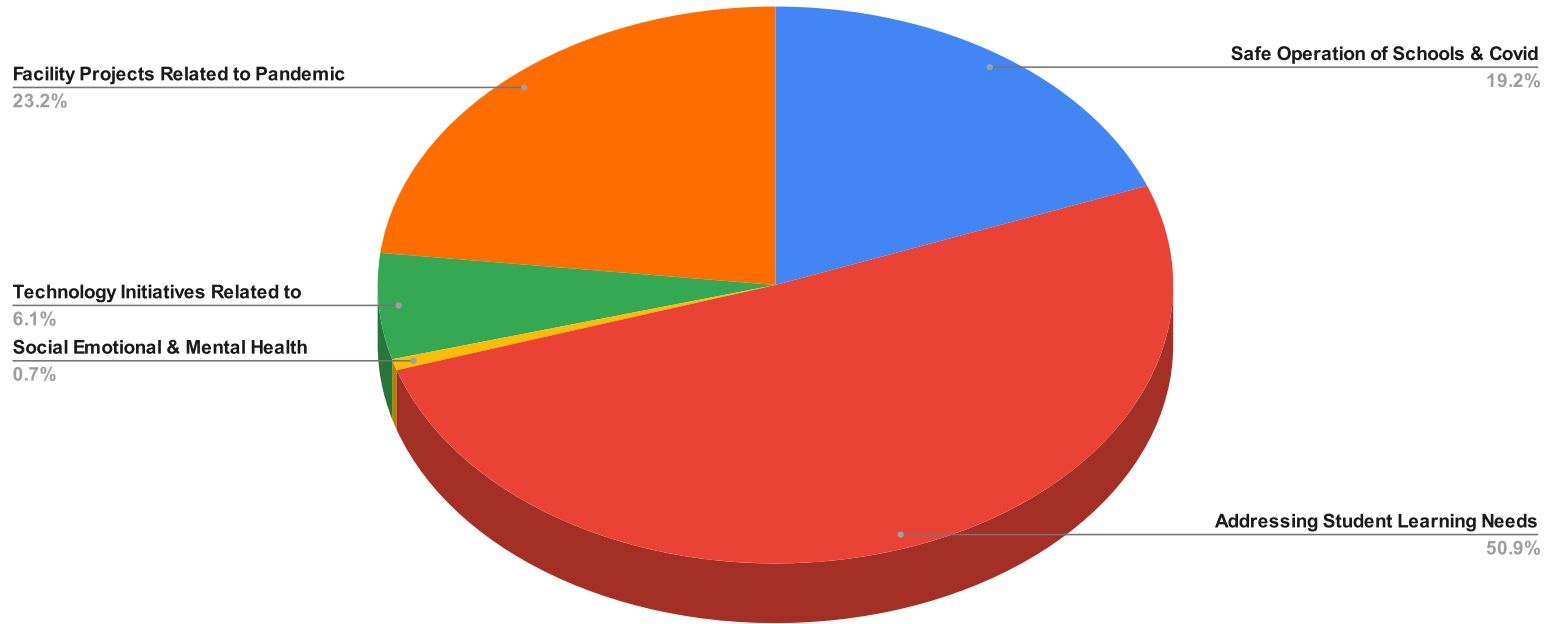
\* Investment plan for FY23 and FY24 are not finalized and therefore are not assigned to a specific investment category and the balance of ~\$55M is not included in the cumulative total

\*\*The cumulative total is for the projected spending over the two years that encompass the current year, FY20-21 and the upcoming year, FY21-22.

<sup>†</sup>ESSER funded positions will be assessed on whether they will be time bound positions that sunset with the grant; although the district will leverage natural attrition when applicable

## Projected ESSER Spending Plan FY21 & FY22

% of Budgeted Spending Plan





Portland Public Schools

# Fiscal Year 2021-22 Budget & ESSER Funds



PORTLAND  
PUBLIC  
SCHOOLS

May 25, 2021



# Quick Recap



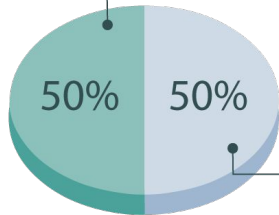


# Quick Facts



Of the \$2 billion, about \$1 billion is restricted for items such as capital projects; while the remaining \$1 billion is made up of two buckets of money known as the General Fund and Special Revenue Fund. These two funds provide the dollars necessary to pay our teachers, counselors, custodians, principals, bus drivers, IT, payroll department, etc (i.e. most of our employees). It also pays for utilities, fuel for buses, classroom supplies, etc.

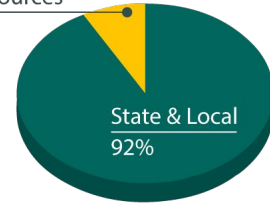
Restricted to Capital Debt and Worker's Comp



General Fund and Special Revenue Fund (Operating Budget)

Portland Public Schools Proposed Budget is approximately \$2 billion dollars. It's mostly made up of state & local funding:

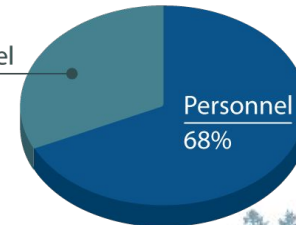
Federal Sources  
8%



State & Local  
92%

Similar to many school districts and nonprofits across the country, our operating budget is primarily people. For the proposed FY2021-22 budget, our employees make up the majority of our operating (i.e. general fund and special revenue fund) budget. The portion that remains is in non-personnel items, such as fuel, classroom supplies, utilities, school based events, contracts with vendors and partners (e.g. auditors, summer programs, affinity groups, athletics), etc.

Non-Personnel  
32%



Personnel  
68%

If you are interested to know more about about budget please visit our website:  
<https://www.pps.net/Page/1403>





# The following highlights are examples of how ALL of the funds come together to support our district:



## Learning Acceleration\*

(M = million)

- \$20M to address student learning needs by proposing investments in more instructional specialists, special education staff, social workers, and to provide more time for professional development, as well as expanded evening and virtual scholars programs and to support a Saturday school.
- \$13M in allocated staffing to equitably differentiate and support for socio-economically disadvantaged and historically underserved students and schools.
- \$10M to invest in a community-centered approach for summer learning and enrichment activities in order to provide safe, structured, engaging activities and learning opportunities during these upcoming summer months.
- \$8M to enhance the learning environment by investing in class size stability, full implementation of MAP assessments and Successful Schools Survey, planning for boundary changes and aligning the arts pathway.
- \$7M in Title investments across schools to support early learning, Multi-Tier Support including direct allocations to schools to strengthen academic outcomes.
- \$5M to invest in extending summer access to childcare, extending contracts with RESJ partners (e.g. SUN, IRCO, SEI, Latino Network, NAYA, Indian Ed Summer Bridge) to support students over the summer.

## Operations\*

(M = million)

- \$330M to continue the work in modernizing our high schools, including the investment towards our Center for Black Student Excellence plus investing in environmental health and safety updates.
- \$58M towards investing in our technology infrastructure, including device replacement and classroom modernization.
- \$15M budgeted for the continued efforts towards updating our curriculum across the various academic disciplines.
- \$5M to support COVID recovery, inclusive of serving meals in various learning modes, increased custodial FTEs, prepare for hybrid reversal (e.g. move furniture that was moved off site back into the buildings), continuation of COVID (CDC/ASHRAE) ventilation measures, hotspot coverage.

*\* These are budgeted amounts and final amounts may depend on adopted budget and actual expenditures*







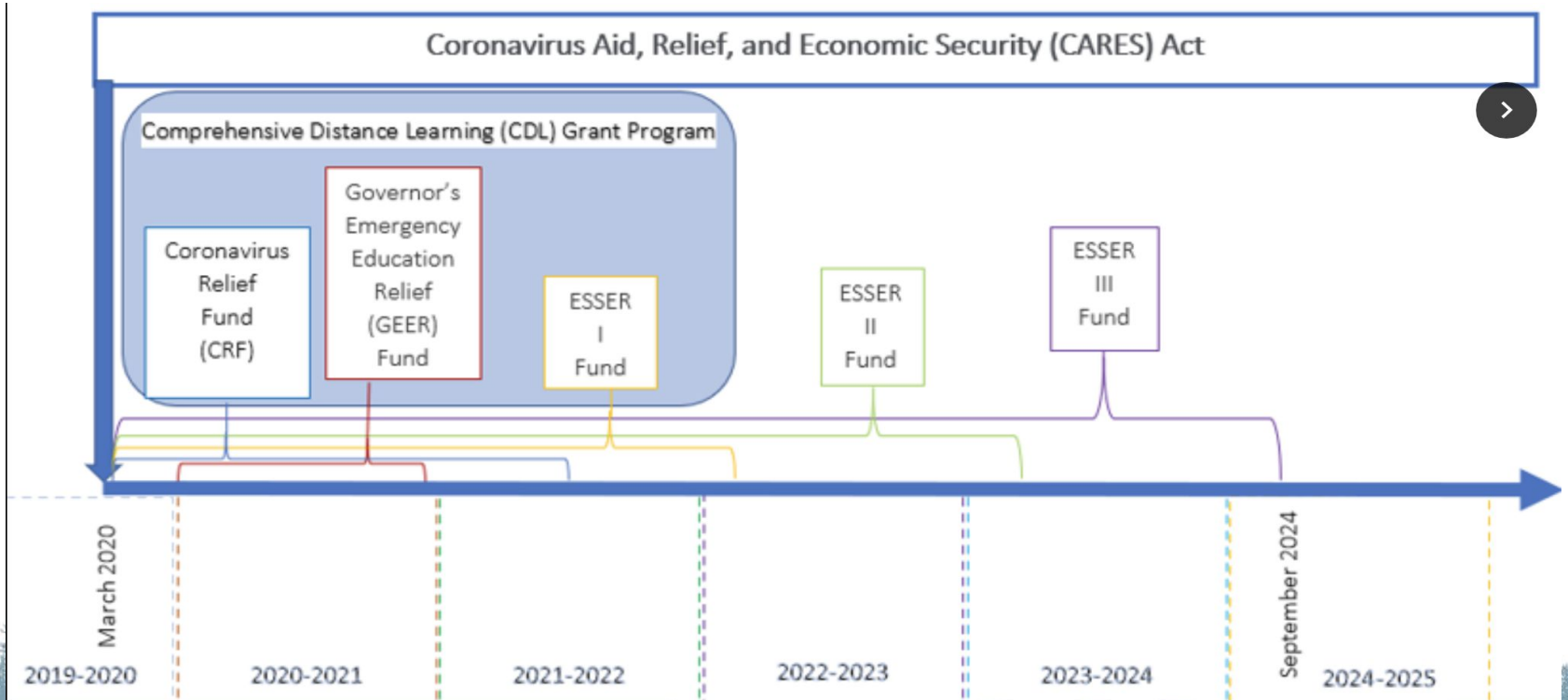
# Elementary and Secondary Emergency Relief (ESSER) Follow-Ups





# Overview of Federal Stimulus Funds: Elementary and Secondary Emergency Relief (ESSER)

Assessing the lifespan of the ESSER funds to build a strategic & sustainable plan





## Overview of Federal Stimulus Funds: Elementary and Secondary Emergency Relief (ESSER)

Assessing the lifespan of the ESSER funds to build a strategic & sustainable plan

	FY2021	FY2022**	FY2023	FY2024	Cumulative	
District Operated Schools Share	Revenue	Revenue	Revenue	Revenue	Revenue	%
<b>ESSER I (CARES Act) - spend by 9/30/22</b>	6,900,000	0	0	0	6,900,000	7.0%
<b>ESSER II (CRRSA Act) - spend by 9/30/23</b>						
<i>State Mandates:</i>						
Spending Plan	0	30,100,000	0		30,100,000	
<b>Sub-total ESSER II</b>	0	30,100,000	0	0	30,100,000	30.4%
<b>ESSER III (ARP Act) - spend by 9/30/24</b>						
<i>Federal State Mandates:</i>						
Support Student Learning Loss (20% min.)		12,397,400	0	0	12,397,400	
Other ESSER/ARP Initiatives		49,589,600	0	0	49,589,600	
<b>Sub-total ESSER III</b>	0	61,987,000	0	0	61,987,000	62.6%
<b>GRAND TOTAL ESSER FUNDS*</b>	<b>6,900,000</b>	<b>92,087,000</b>	<b>0</b>	<b>0</b>	<b>\$98,987,000</b>	<b>100%</b>

\*Totals are projected revenues after passed throughs to Charter, Private and other allocation requirements per federal and state relief guidelines

\*\*Revenue being recognized in FY21-22, is not an indication that all funding will be spent in that year (e.g. ESSER III has until Sept-2024)



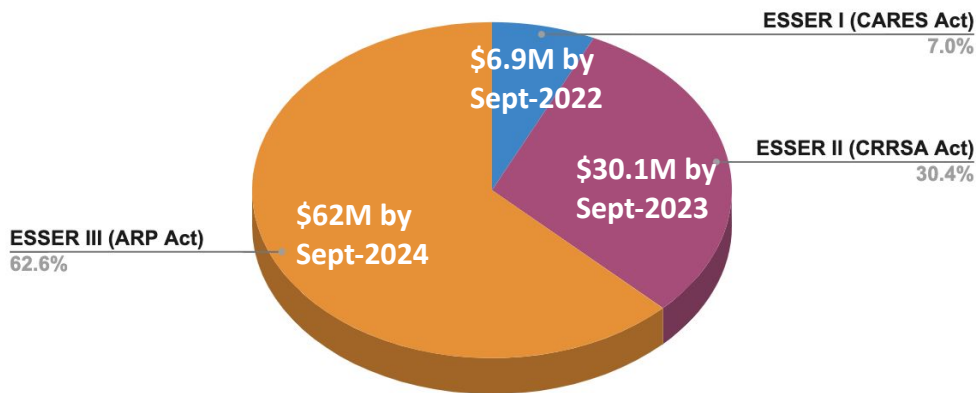
# Overview of Federal Stimulus Funds: Elementary and Secondary Emergency Relief (ESSER)

Assessing the lifespan of the ESSER funds to build a strategic & sustainable plan

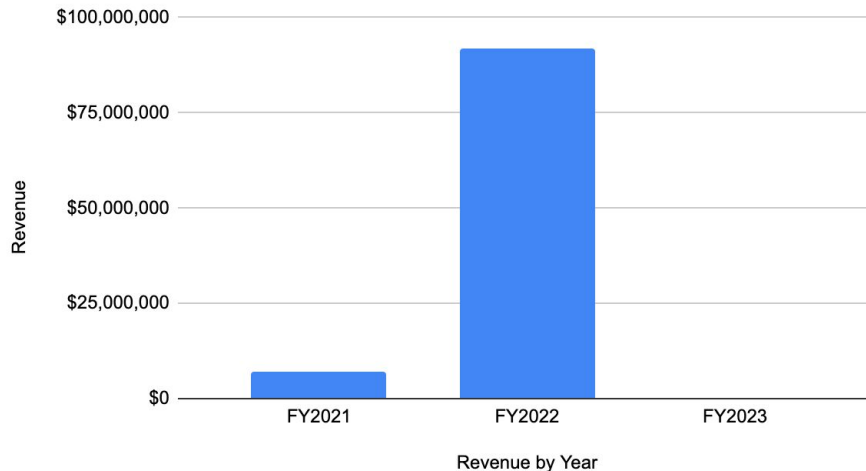
Balancing investing over the next few years against managing a fiscal cliff

## ESSER Funding

Revenue By Source



## ESSER Revenue By Year



# The Elementary and Secondary Emergency Relief (ESSER I/II/III) Funds

U.S. Congressional Action	About How Much for Portland Public Schools?*	Must be Spent /Obligated By	Projected Spend in Current Year FY2020-21**	Examples of Budgeted Investments During the Current Year (FY20-21)**	Projected Spend Between FY2021-22 (next year) and expiration date of funds**	Examples of Continuing Investments for Portland Public Schools**
<b>CARES Act (Coronavirus Aid, Relief, and Economic Security Act, ESSER I Mar-2020)</b>	\$7 million	Sep-2022	\$7M	-8.5M to address immediate and urgent needs to get schools ready for in-person learning such as air filtration units & HVAC needs, prepping for hybrid, building/room space modifications prep -\$2.3M in comprehensive distance learning software -\$2.4M in additional supports for Title I schools \$1.8M to support child nutrition services -\$1M to support childcare stipends -\$600k in PPE, cleaning and health	\$0	Anticipate spending down ESSER I in current year (FY20-21)
<b>CRRS Act (Coronavirus Response and Relief Supplemental Appropriations Act, ESSER II Dec-2020)</b>	\$30 million	Sept-2023	\$11.5M		\$18.5M	Between ESSER II & III Continued focus on safety and preparing for students' needs:  -\$10M Address student learning needs (e.g. Saturday school, credit recovery, maintain class sizes, professional development, social workers and wraparound supports as examples) -\$3M continued support for child nutrition -\$1.5 for utilities and ventilation needs  Although not all funds have been appropriated, we have until September-2024 to invest, however, these funds will support our plans to to offer a virtual option for families and our expectation that we will fully reopen for five days a week of in-person instruction this coming fall.
<b>American Rescue Plan Act (ESSER III Mar-2021)</b>	\$62 million	Sept-2024	\$0		\$62M	

\*Totals are projected balance after passed through and other allocation requirements per federal and state relief guidelines

\*\*Projected estimates as of April-2021; we expect ESSER adjustments pending approval of FEMA reimbursements, State Summer Program & actual expenditures

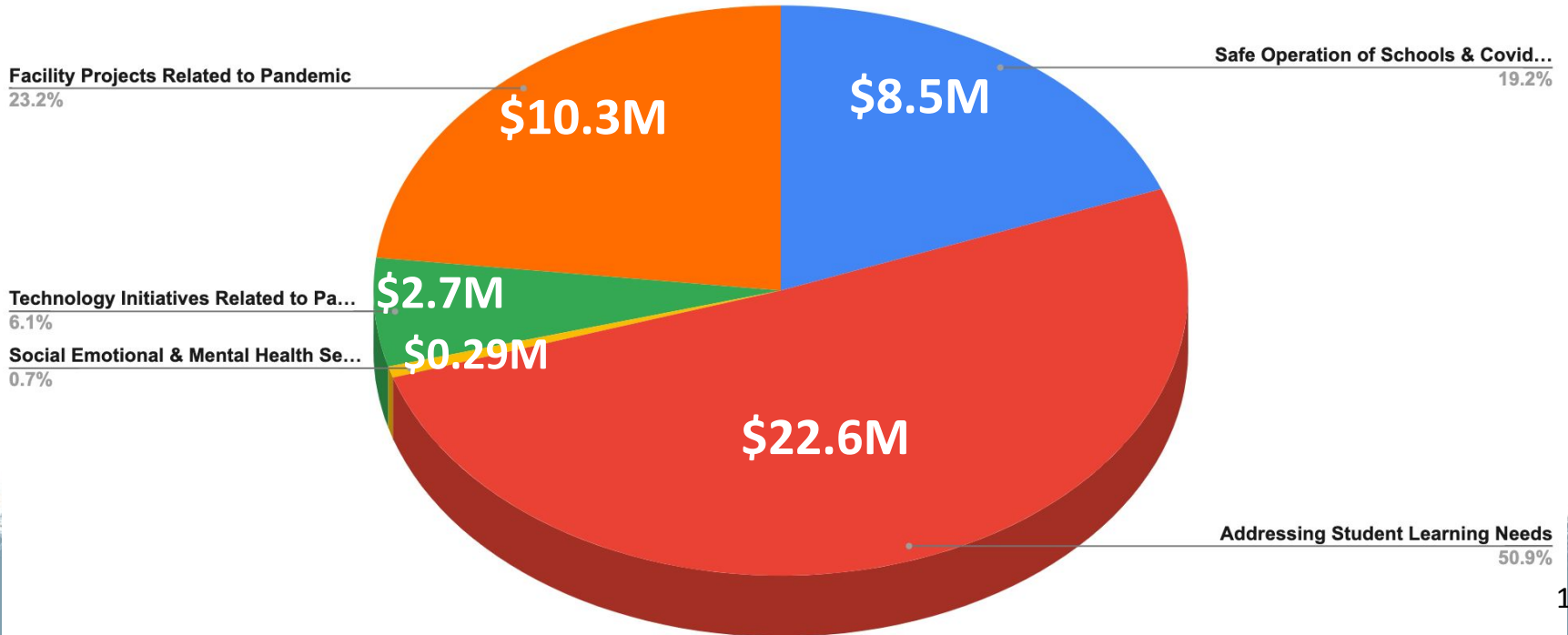


# Overview of Federal Stimulus Funds: Elementary and Secondary Emergency Relief (ESSER)

## Projected ESSER Spending Plan FY21 & FY22

% of Budgeted Spending Plan

Between FY21 and FY22 projected ESSER investment close to \$45M





# Overview of Federal Stimulus Funds: Elementary and Secondary Emergency Relief (ESSER)

Portland Public Schools ESSER Projected Investment Plan-DRAFT	FY2021		FY2022		FY2023*		FY2024*		Cumulative**	
	FTE <sup>1</sup>	Budget	FTE <sup>1</sup>	Budget	FTE <sup>1</sup>	Budget	FTE <sup>1</sup>	Budget	Budget	%
<b>Safe Operation of Schools &amp; Covid Costs</b>										
Student & Staff PPE, Enhanced Cleaning & Health		740,000							740,000	1.66%
Covid-19 Related Unemployment Costs (Workshare)		0		2,000,000					2,000,000	4.50%
Support Child Nutrition		1,800,000		3,000,000					4,800,000	10.79%
Support Childcare Stipends		1,000,000							1,000,000	2.25%
Sub-total		3,540,000		5,000,000	0		0		8,540,000	19.20%
<b>Addressing Student Learning Needs</b>										
Student Re-engagement (e.g. LIPI extended hrs)		655,000							655,000	1.47%
Title I supports		2,400,000		1,200,000					3,600,000	8.09%
LIPI and Hybrid Cohort Subs		2,000,000							2,000,000	4.50%
Credit recovery support (including evening scholars)			6.00	3,650,000					3,650,000	8.21%
SPED Assessment Center			3.00	360,000					360,000	0.81%
Social Workers for Title Middle Schools			6.00	670,000					670,000	1.51%
MS 5th Quarter				1,100,000					1,100,000	2.47%
Saturday School & Virtual Scholars			14.00	3,400,000					3,400,000	7.64%
Maintain Class Sizes			21.00	2,400,000					2,400,000	5.40%
WrapAround Supports (inclusive of RESJ supports)			1.00	1,900,000					1,900,000	4.27%
Instructional Professional Development		0		2,880,000					2,880,000	6.48%
Sub-total		5,055,000	51.00	17,580,000	0.00	0	0.00	0	22,615,000	50.85%
<b>Social Emotional &amp; Mental Health Services</b>										
Health and Nursing Contracted Services		260,000							260,000	0.58%
Social Workers' mobiles		30,000		0					30,000	0.07%
Sub-total		290,000		0					290,000	0.65%
<b>Technology Initiatives Related to Pandemic</b>										
Internet and hot spots		340,000		90,000					430,000	0.97%
Comprehensive Distance Learning Software		2,300,000							2,300,000	5.17%
Sub-total		2,640,000		90,000	0		0		2,730,000	6.14%
<b>Facility Projects Related to Pandemic</b>										
Utilities, Ventilation Air Quality Enhancements & HVAC		3,500,000		1,500,000					5,000,000	11.24%
Building and Space Modifications		5,000,000		300,000					5,300,000	11.92%
Sub-total		8,500,000		1,800,000	0		0		10,300,000	23.16%
<b>GRAND TOTAL</b>		<b>20,025,000</b>	<b>51</b>	<b>24,450,000</b>	<b>46,335,200</b>		<b>8,176,800</b>		<b>\$44,475,000</b>	<b>100.00%</b>

TO BE DETERMINED  
TBD

TO BE DETERMINED  
TBD

TO BE DETERMINED  
TBD

TO BE DETERMINED  
TBD

- Having a plan for the upcoming school year, while working towards FY2022-23 and FY2023-24.
- These are one time funds. Subsequently, balancing investing over the next few years and managing a fiscal cliff.
- \$55M investment strategy to be determined will rely primarily on:
  - Assessing and addressing student learning needs
  - Planning for sustainability of investments

\* Investment plan for FY23 and FY24 are not finalized and therefore are not assigned to a specific investment category and the balance of ~\$55M is not included in the cumulative total

\*\*The cumulative total is for the projected spending over the two years that encompass the current year, FY20-21 and the upcoming year, FY21-22.

<sup>1</sup>ESSER funded positions will be assessed on whether they will be time bound positions that sunset with the grant; although the district will leverage natural attrition when applicable



# FY2021-22 Budget Planning Timeline

<b>DATE</b>	<b>UPCOMING KEY ACTIVITIES</b>
<i>April 15</i>	<i>CBRC work session on the proposed budget</i>
<i>April 27</i>	<i>Superintendent's Proposed Budget Message to the Board CBRC in attendance</i>
<i>April 29</i>	<i>CBRC Work session on the proposed budget</i>
<i>May 4</i>	<i>School Board work-session Community Update &amp; Public Comment on the Budget</i>
<i>May 11</i>	<i>CBRC Presents Proposed Budget Report to the Board</i>
<i>May 18</i>	<i>RESJ Partner Budget Info Session Student Focus Group</i>
<i>May 20</i>	<i>BIPOC Focus Group</i>
<b>May 25</b>	<b>Approved Budget to the Board</b>
<b>June 15</b>	<b>Adopted Budget to Board &amp; TSCC Hearing</b>







# Board Discussion



## **RESOLUTION No. 6313**

### Resolution to Urge Legislators to Adequately Fund K-12 Public Schools

#### **RECITALS**

- A. Adequately funding public education to serve students and families is among the most critical responsibilities of the Oregon State Legislature.
- B. Portland Public Schools intends to permanently return to full-time in-person instruction in the fall of 2021, if allowed by federal and state public health authorities.
- C. In order for PPS to provide its minimum current level of service to students, with the same number of teachers and same number of school days, the Legislature must allocate \$9.6 billion to the State School Fund.
- D. The budget framework released by the co-chairs of the Joint Ways and Means Committee included a \$9.3 billion allocation to the State School Fund, which would create a \$300 million gap in funding for K-12 schools.
- E. This funding gap would create a \$11.1 million dollar operating deficit in the 2021-22 Portland Public Schools fiscal year budget, equal to the cost of 3 days of school or 106 licensed teachers.
- F. The Superintendent's current proposed budget, which assumes the \$9.3 billion, is an inadequate level of funding which will significantly inhibit the district's ability to address pandemic-related learning loss and trauma.
- G. Special revenue funds from the state Student Investment Account and the federal Elementary & Secondary Schools Emergency Relief Funds are specifically targeted for discrete needs to support social emotional learning and recover from pandemic learning loss and are not intended for or eligible to be used to backfill reductions in general fund allocations from the State School Fund.
- H. Any State School Fund allocation of less than \$9.6 billion would critically undermine the intent of the Student Success Act and set back the district's progress in developing and expanding equity-focused initiatives and programs that serve historically marginalized students and families.

#### **RESOLVED**

1. The Portland Public Schools Board of Education implores Oregon legislators to approve a State School Fund of \$9.6 billion at a minimum to ensure the continuation of current service level for students and families.
2. The Portland Public Schools Board of Education urges legislators to publicly state their intention to vote "no" on any budget that inadequately funds public schools, which would ultimately harm students and families and disproportionately impact historically marginalized communities across Oregon.

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- B. Portland Public Schools intends to permanently return to full-time in-person instruction in the fall of 2021, if allowed by federal and state public health authorities.
- C. In order for PPS to provide its minimum current level of service to students, with the same number of teachers and same number of school days, the Legislature must allocate \$9.6 billion to the State School Fund.
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- E. This funding gap would create an \$11.1 million dollar operating deficit in the 2021-22 Portland Public Schools fiscal year budget, equal to the cost of 3 days of school or 106 licensed teachers.
- F. The Superintendent's current proposed budget, which assumes the \$9.3 billion, is an inadequate level of funding which will significantly inhibit the district's ability to address pandemic-related learning loss and trauma.
- G. Special revenue funds from the state Student Investment Account and the federal Elementary & Secondary Schools Emergency Relief Funds are specifically targeted for discrete needs to support social emotional learning and recover from pandemic learning loss and are not intended or eligible to be used to backfill reductions in general fund allocations from the State School Fund.
- H. Even a State School Fund of \$9.6 billion would be well below the Quality Education Commission's estimate of \$9.994 billion for current service level funding that would still leave total K-12 funding \$833 million (9.1%) short of full funding to achieve the Quality Education Model, adopted by the legislature in 2000.
- I. Any State School Fund allocation of less than \$9.6 billion would critically undermine the intent of the Student Success Act and set back the district's progress in developing and expanding equity-focused initiatives and programs that serve historically marginalized students and families.

#### RESOLVED

1. In light of the remarkably positive recent revenue projections for the next 3 biennia, the Portland Public Schools Board of Education exhorts Oregon legislators to approve a State School Fund of \$9.6 billion at a minimum to ensure the continuation of current service level for students and families.
2. The Portland Public Schools Board of Education urges legislators to publicly state their intention to vote "no" on any budget that inadequately funds public schools at \$9.3 billion, which would ultimately harm students and families and disproportionately impact historically marginalized communities across Oregon.

## RESOLUTION NO. 6314

### Resolution Authorizing Pension Bonds and Related Matters

#### RECITALS

A. Portland Public Schools, Multnomah County, Oregon also known as Multnomah County School District 1J (“PPS” or the “District”) is authorized by Oregon Revised Statutes (“ORS”) 238.692 to 238.698 to issue revenue bonds pursuant to ORS Chapter 287A to finance its pension liability as defined in ORS 238.692(1); and

B. The District previously issued its Limited Tax Pension Bond, Series 2002, Limited Tax Pension Bond, Series 2003, and Limited Tax Pension Refunding Bond, Series 2012 (collectively, the “Prior Pension Bonds”) to finance and refinance a portion of the District’s share of the estimated unfunded pension liability at that time; and

C. In connection with the Prior Pension Bonds, the District entered into an intercept agreement (the “Intercept Agreement”) with the State of Oregon Department of Education (“ODE”) in which ODE agreed to divert State funding for the District that is legally available to pay debt service on such bonds (the “State Education Revenues”) to a trustee for payment of the Prior Pension Bond debt service; and

D. School districts and education service districts have a pooled unfunded pension liability to the Oregon Public Employees Retirement System (“OPERS”) and, based on the District’s portion of the total school district and education service district payroll, the District’s allocated portion of the unfunded pension liability (the “Pension Liability”) is estimated to be \$326,122,015 as of December 31, 2019; and

E. ORS 238.697 requires that the District (1) obtain a statistically based assessment from an independent economic or financial consulting firm regarding the likelihood that investment returns on bond proceeds will exceed the interest cost of the bonds under various market conditions and (2) make a report (the “Report”) available to the general public that describes (a) the result of the assessment and (b) discloses whether the District has retained the services of an independent SEC-registered advisor; and

F. The Report is attached hereto as Exhibit A and the District has obtained an assessment (the “Assessment”), dated January 21, 2021 and further updated on April 15, 2021, from ECONorthwest, an independent economic consulting firm, which is attached to the Report; and

G. The District understands that the Assessment is based on facts and assumptions that are subject to change, including market projections that are anticipated to be updated by the Oregon Investment Council in June, 2021 and that in order to help evaluate the potential risk in the absence of updated market information, the Assessment was revised to include higher borrowing rate assumptions to approximate less-favorable future market conditions; and

H. Current interest rates in the bond market are below 4.50 percent, creating the opportunity for the District to finance all or a portion of its unfunded pension liability and potentially reduce its costs.

#### RESOLUTION

1. The Board of Directors (the “Board”) of the District hereby authorizes the issuance of full faith and credit pension bonds (“Bonds”) in accordance with this resolution and in an amount which does not exceed the amount necessary to produce net proceeds equal to the Pension Liability as reported by the OPERS’s actuary as of the expected date of the lump sum payment, plus costs of issuing the Bonds.

2. Bond proceeds may be used to pay all or a portion of the Pension Liability and to pay costs of issuing the Bonds. The District may direct that a portion of the Bond proceeds be directly paid to OPERS after closing and a portion be retained by the District for payment to OPERS over time as determined by the District's Superintendent, Deputy Superintendent of Business & Operations, Chief Financial Officer, or the person designated by any of those individuals to act under this resolution (each a "District Official").
3. As of the date of this resolution, OPERS charges the District a rate of 7.20 percent per annum on its unfunded liability because that is the assumed rate of return that OPERS expects, over the long term, to earn on its investments. Issuing Bonds at a lower rate of interest and depositing proceeds at OPERS in a Side Account ("Side Account") may reduce costs for the District if the rate of return on the Bond proceeds deposited in the Side Account exceeds the borrowing costs. To maximize the potential for the rate of return on the OPERS fund to exceed the rate of interest on the Bond, the Bond shall not be sold at a true interest cost of more than 4.0% per annum.
4. The District Official shall compare the cash flows required to pay the Bonds to the payroll rate credit currently estimated from the Side Account and determine a Bond structure which the District Official estimates will be advantageous to the District.
5. The District Official is authorized to execute a letter to be sent to OPERS requesting the necessary payoff figures and to pay any fees required in connection therewith or, if such letter has been executed prior to the adoption of this resolution, the Board hereby ratifies such action.
6. In addition, the District Official may, on behalf of the District, and without further action by the Board:
  - a. Sell or issue the Bonds in one or more series, which may be sold at different times.
  - b. Participate in the preparation of, authorize the distribution of, and deem final any official statement or other disclosure documents relating to the Bonds.
  - c. Enter into covenants for the benefit of owners of the Bonds that are intended to improve the terms under which the Bonds are issued.
  - d. Apply for ratings on the Bonds and purchase municipal bond insurance or obtain other forms of credit enhancements for the Bonds, enter into agreements with the providers of credit enhancement, and execute and deliver related documents.
  - e. Publish a notice of sale, receive bids and award the sale of each series of the Bonds to the bidder complying with the notice and offering the most favorable terms to the District, or select one or more underwriters or other lenders and negotiate the sale of any series with those underwriters or other lenders.
  - f. Appoint a trustee, registrar, paying agent, municipal advisor, bond counsel, and/or any other professionals whose services are desirable for the Bonds and negotiate the terms of and execute any agreements with such professionals.
  - g. Establish the final principal amount, payment schedule, interest rates (subject to the limit in Section 3 of this resolution), and other terms of the Bonds.
  - h. Undertake to provide continuing disclosure for the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission and any other applicable requirements of the United States Securities and Exchange Commission and any other federal agencies.

- i. Enter into one more trust agreements or similar documents, which describe the terms of the Bonds.
  - j. Execute and deliver a supplement to the Intercept Agreement and any related documents, in order to provide for diversion of State Education Revenues to a trustee to pay debt service on the Bonds, including a certificate demonstrating that State Education Revenues in each of the three most recently completed fiscal years is not less than two (2.0) times the average annual debt service on the Bonds and any other outstanding pension bonds issued under the Intercept Agreement, including the Prior Pension Bonds.
  - k. Issue any series of Bonds on a standalone basis, or as part of a pooled pension borrowing program that is expected to produce savings for the District, and enter into any agreements and execute any documents desirable to facilitate participation in that program.
  - l. Execute and deliver any agreements or other documents, and take any other action in connection with the Bonds that a District Official finds is desirable to issue the Bonds in accordance with this resolution.
7. The Bonds shall be payable from all lawfully available funds of the District and shall be secured by the District's full faith and credit and taxing power within the limitations of Article XI, Sections 11 and 11b of the Oregon Constitution as permitted by ORS 287A.315. The District may also pledge amounts under the Intercept Agreement, as it may be supplemented, to secure the Bonds.
8. This resolution shall take effect on the date of its adoption by the Board.

## **Exhibit A**

### **Report on Pension Bonds**

Prior to the issuance of full faith and credit pension bonds, Portland Public Schools, Multnomah County, Oregon also known as Multnomah County School District 1J (the “District”) has obtained a statistically based assessment from ECONorthwest entitled “Issuance of Pension Obligation Bonds – A Risk/Reward Analysis” updated as of April 15, 2021 (the “Assessment”) pursuant to ORS 238.697(1)(a). The Assessment was updated in order to include a fourth assumed pension bond true interest cost to help evaluate the potential risk associated with less-favorable future market conditions that may be projected in updated market information (anticipated to be available from the Oregon Investment Council in June, 2021).

The District has prepared this report pursuant to ORS 238.697(1)(b) (the “Report”).

In connection with the issuance of pension obligation bonds, the District has retained the services of Piper Sandler & Co., an independent municipal advisor registered with the Securities and Exchange Commission.

The Assessment is attached to this Report as Exhibit 1.

A description of the results of the Assessment follows:

DATE: April 15, 2021  
TO: Angie Peterman, Oregon Association of School Board Officials  
FROM: ECONorthwest  
SUBJECT: Pension Obligation Bond Analysis Executive Summary

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## Introduction

ECONorthwest recently conducted an analysis to evaluate the risks and rewards of issuance of Pension Obligation Bonds (POBs) by public employers that are part of the Oregon Public Employee Retirement System (OPERS).<sup>1</sup> For this analysis, we assumed that officials of governmental entities receiving our report are in a position to finance such bonds. Proceeds from the POBs would be added to, or used to create, side account balances to be managed in the same way as other PERS assets, by the Investment Division of the Oregon Treasury under the guidance of the Oregon Investment Council (OIC). This executive summary outlines the motivation for issuing POBs, our analytic methodology, and findings from our analysis. Additional details about the analysis are presented in our main report.

## Background

Like many other states, Oregon's PERS has seen a growing gap between the cost of PERS benefits promised to participating public employees and the funding available for those benefits, resulting in an unfunded actuarial liability (UAL). Resolving the UAL will require increasing contributions from participating public employers over a long period of time. Pension obligation bonds, if issued in an economical manner and invested in a higher yielding portfolio, can potentially improve the ability of employers to pay their share of PERS obligations to the OPERS fund. Whether or not issuance of POBs makes sense in this setting will depend upon the likely evolution of side account returns relative to true interest cost (TIC) of the POBs.

Employers may benefit if the TIC of a bond issue is low relative to the potential return opportunities of a PERS side account over the same future period as the bond issues. However, this outcome is by no means assured. The true interest cost of carrying the POB debt would be known, but the employer also has to consider the risks associated

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<sup>1</sup> The analysis provided in this document was developed by ECONorthwest for informational purposes only. All possible professional care was taken to prepare a realistic emulation of the likely POB side account behavior, and the OPERS procedures for accommodating POBs. State of the art modeling and statistical software was employed in this exercise. It should be recognized, however, that there are practical limits to the precision with which market and agency behavior can be modeled. The generic nature of the modeling performed may or may not be relevant to the circumstances of any one public employer. Additionally, nothing herein should be construed as offering investment advice or fairness opinions for the purpose of issuing securities. For this, interested parties should seek out professional counsel.



with committing future revenue paying to the POB debt. In addition, the future rate of returns to side account deposits are not known with certainty.

Portfolio allocation and other decisions made by the OIC influence the performance of the OPERS assets, as can the timing of the issuance of POBs. The primary determinants of the risk to POB issuers are (1) uncertainty in the performance of the asset classes that comprise the side account, (2) asset allocation choices made by the trustees of that account, and (3) the interactions of these factors with the POB strategy of the public employer(s).

To quantify these risks, our analysis models side account performance over time under various market conditions and bond issuance scenarios. The results quantify the potential risks and rewards of POBs under the assumed conditions.

## Methodology

The model simulates side account performance using portfolio allocation targets obtained from OIC documents, and on forecasts of anticipated asset returns, based on reports from Oregon Treasury Investment Division staff, their consultants, and OPERS actuaries. We combine this information with assumptions about side account management. Specifically, we assume:

1. Side account balances are amortized at a constant share of payroll over the remaining life of the side account (assumed to expire on 12/31/2039, during fiscal year 2040).
2. Funds equal to the relevant percent of payroll are removed from the account as employer rate relief.
3. Earnings on side account deposits are credited annually.

To characterize the distribution of potential benefits to employers of POB issuance, we conduct 20,000 simulations of side account performance over the life of the account for each of four assumed POB TICs (2.5 percent, 3.5 percent, 4.5 percent, and 5.5 percent).<sup>2</sup> Each simulation represents a different, potential future path of account returns over time. For each simulation, we compare the benefits provided to employers in the form of rate relief to the cost of bond repayment. In doing so, we quantify two important measures of risk and reward:

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<sup>2</sup> The fourth TIC of 5.5% was not modeled in our original report. In lieu of updated market projections (anticipated to be available from OIC in June, 2021), the additional scenario provides an alternative means to evaluate the potential risk of less-favorable future market conditions relative to those anticipated in our original report.

- **The present value (PV) of POB issuance.** This measure identifies the current value to employers of future benefits of POB issuance (the extent to which rate relief obtained exceeds bond repayments).
- **The probability that PV is greater than zero.** This measure of risk identifies the likelihood, given the assumptions in the model, that the current value of POB issuance would prove beneficial to the employer (if PV falls below zero, POB issuance is more costly to the employer than not issuing bonds).

## Summary of findings

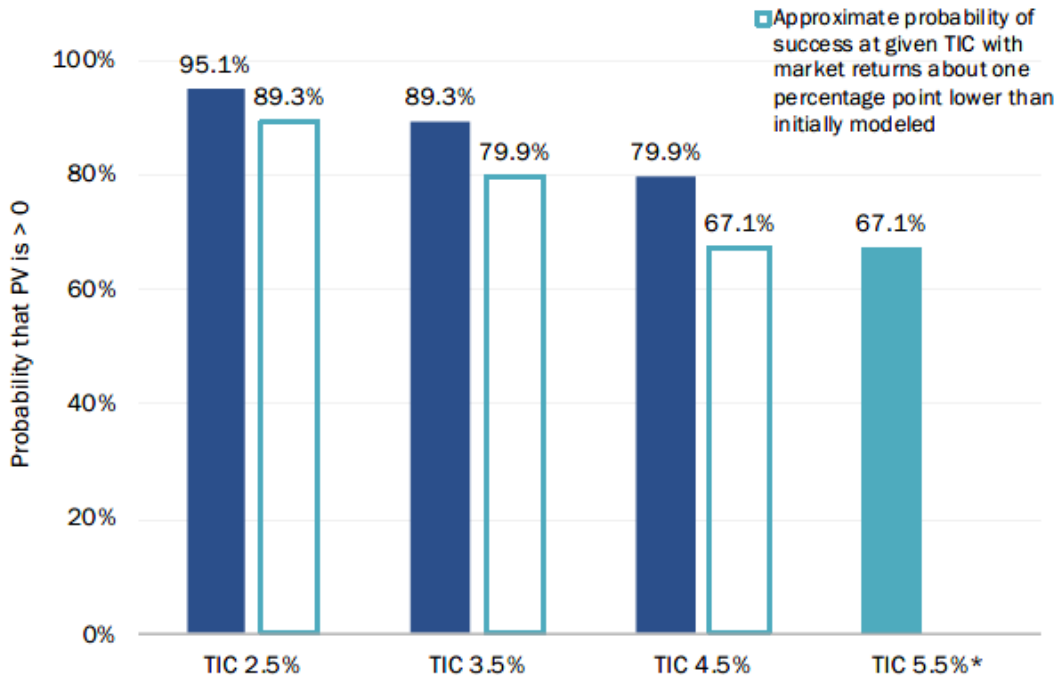
The findings presented below refer to an initial side account deposit of \$1 million. The results can be scaled to approximate the potential risks and rewards of larger or smaller deposits. For example, a \$2 million deposit would generate a benefit or loss of two times the dollar amounts shown in the charts and tables below. The probability that the PV is greater than zero depends on the TIC, not on the size of the initial deposit.

We added a fourth TIC of 5.5% to the analysis to help evaluate the potential risk associated with less-favorable future market conditions that may be projected in updated market information (anticipated to be available from OIC in June, 2021) relative to those anticipated in our original report. Output from the new scenario provides an approximate characterization of the potential risk inherent in less favorable market conditions than those modeled in the original report. For example, the 5.5% TIC scenario output is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output.

Our analysis assumes a maturity date for the bonds in fiscal year 2040. The projected annualized geometric mean return over the term of the bonds is 7.1, with a 5<sup>th</sup> percentile annualized return of 3.9 percent and a 95<sup>th</sup> percentile annualized return of 10.6 percent.

Figure 1 shows the probability that the present value of POB issuance is greater than zero. As the chart demonstrates, this probability declines as TIC increases. The solid bars show this probability for each TIC as initially modeled. The outlined bars show these probabilities based on our approximation of less favorable market conditions (e.g., at a TIC of 3.5%, the probability of a present value greater than zero is approximated by the modeled probability for a TIC of 4.5%).

**Figure 1: Probability that the present value of POB issuance is greater than zero, various TICs**



Source: ECONorthwest

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report. For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.

Figure 2 illustrates the range (5<sup>th</sup> percentile, median, and 95<sup>th</sup> percentile) of present values obtained from the simulations for each TIC. This distribution shifts downward as TIC increases. At 2.5 percent TIC, the 5<sup>th</sup> percentile present value is close to zero. At 4.5 percent TIC the 5<sup>th</sup> percentile outcome is below zero and equal in magnitude to 16 percent of the initial deposit. For the additional 5.5 percent TIC scenario, at the 5<sup>th</sup> percentile the outcome is below zero and equal in magnitude to 22 percent of the initial deposit. These values, in combination with the probabilities described above, quantify some of the financial risks of POB issuance.

**Figure 2: 5<sup>th</sup> percentile, mean, and 95<sup>th</sup> percentile present value, various TICs**



Source: ECONorthwest

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report. For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.

Figure 3 provides additional detail about the distribution of outcomes. As illustrated in earlier figures, outcomes at every point in the distribution are more positive at lower TICs. Present values are also somewhat more volatile at lower TICs, as evidenced by the higher standard deviations.

**Figure 3: Distribution of present value and probability of a positive present value, various TICs**

Rate (TIC)	2.5%	3.5%	4.5%	5.5%*
Mean	\$548,932	\$402,262	\$274,215	\$162,064
Std Deviation	\$419,122	\$370,750	\$329,071	\$293,051
Maximum	\$3,393,617	\$2,967,149	\$2,592,638	\$2,262,810
Minimum	\$(336,091)	\$(385,105)	\$(428,435)	\$(466,879)
95th Perc	\$1,322,700	\$1,088,074	\$882,791	\$703,077
90th Perc	\$1,104,226	\$893,399	\$709,810	\$548,797
75th Perc	\$770,245	\$599,774	\$450,156	\$320,087
50th Perc	\$480,961	\$342,299	\$220,903	\$114,852
25th Perc	\$248,540	\$136,280	\$38,418	\$(47,779)
10th Perc	\$85,882	\$(8,851)	\$(91,354)	\$(163,865)
5th Perc (VaR)	\$2,913	\$(82,433)	\$(157,047)	\$(222,771)
<b>Zero Bound Perc</b>	<b>95.1%</b>	<b>89.3%</b>	<b>79.9%</b>	<b>67.1%</b>

Source: ECONorthwest

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report. For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.

**Exhibit 1**

**Assessment**

**Issuance of Pension  
Obligation Bonds**  
*A Risk/Reward Analysis*

Update

April 15, 2021

**Randall J. Pozdena, PhD**

**Andrew Dyke, PhD**

**ECONorthwest**

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# Introduction



## Outline of Our Remarks

- Introduction
  - Basics of Pension Obligation Bonds (POBs)
  - Purpose of this Analysis
- Approach
  - Monte Carlo Methodology
  - Asset Return and Allocation Assumptions
  - Alternative Scenarios Modeled
- Model Findings
  - Side Account Performance and the Potential Benefits of POBs to Employers
- Implications
- Acknowledgements, Caveats and Disclaimers

This analysis was prepared to assist issuers of POBs in understanding the risks and returns of POBs under hypothetical conditions. Individuals should seek professional guidance concerning the relevance of this analysis to their circumstances.

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## Basics of POBs

- POBs are bonds issued by state or local governments to fund public employee pension obligations
  - First issued by City of Oakland in 1986 to arbitrage between tax-exempt borrowing rates and higher market investment yields of pension assets
- The Tax Reform Act of 1986 eliminated tax exemption for POBs
  - Higher yields of diversified portfolios relative to borrowing costs revived POB arbitrage opportunities in 1990s
- Still seen as a potential way to lower cost of pension funding
  - Use is heaviest by high-UAL plans (CA, IL, and OR)

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## Purpose of this Analysis

- Measure the potential risks and rewards of POBs
- The potential advantages of POBs to public employers depend upon the relative performance of the investment vehicle (“side account”) and POB issuance costs
  - Issuance of POBs may reduce employer costs of pension funding
  - However, high side account yields are not achieved without risk
- Key measures of POB performance
  - The mean expected net present value (PV) of side account returns relative to POB total interest costs
  - The risk profile of the PV given uncertainty about side account returns
- This update includes a fourth TIC of 5.5% that was not modeled in the original report. In lieu of updated market projections (anticipated to be available from OIC in June, 2021), the additional scenario provides an alternative means to evaluate the potential risk of less-favorable future market conditions relative to those anticipated in our original report.

This analysis was prepared to assist issuers of POBs in understanding the risks and returns of POBs under hypothetical conditions. Individuals should seek professional guidance concerning the relevance of this analysis to their circumstances.

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# Approach



## Approach: Monte Carlo Simulation

- Quantifying advantages to issuers is complex
  - The future path of asset yields is not known precisely
  - Side account management and actuarial treatment of POB contributions must be emulated
- ECONorthwest uses Monte Carlo techniques to simulate uncertainty in side account performance
  - Individual asset class returns are stochastic
  - Rebalancing behaviors are linked to asset returns paths
- ECONorthwest POB model also emulates POB and Plan features
  - Alternative Total Interest Cost (TIC) of the POB issue
  - Actuarial treatment of POB contributions

This analysis was prepared to assist issuers of POBs in understanding the risks and returns of POBs under hypothetical conditions. Individuals should seek professional guidance concerning the relevance of this analysis to their circumstances.

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## Model Assumptions

- Four issuance cost (TIC) assumptions: 2.5%, 3.5%, 4.5%, 5.5%\*
- Our analysis uses the portfolio target and asset returns characteristics forecast for the OIC/OST in February 2020 by Callan, an investment consultant to OST.
- Current allocation based on OPERF valuation as of 10/31/2020.
- All analyses assume a \$1 m. total POB contribution to facilitate scaling.
- Present value calculations include calculated earnings through December 2039 (assumed end of the side account) and bond costs through 2040.

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report.

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# Asset Return and Allocation Assumptions

Asset Class	Future Returns and Volatility		Portfolio Allocation		
	Mean	St. Dev.	Range	Target	Current*
All Public Equity	--	--	27.5 - 37.5%	32.5%	29.3%
Broad U.S. Equity	7.2%	18.0%	--	16.3%	14.7%†
Global ex-U.S. Equity	7.3%	20.5%	--	16.3%	14.7%†
Illiquid alternatives	7.4%	12.5%	7.5 - 17.5%	15.0%	10.6%
Diversifying Strategies	6.0%	11.0%	0 - 5.0%	0.0%	2.1%
Fixed Income	2.8%	3.8%	15.0 - 25.0%	20.0%	20.2%
Private Equity	9.2%	26.3%	13.5 - 21.5%	17.5%	24.8%
Real Estate	7.0%	12.2%	9.5 - 15.5%	12.5%	11.0%
Risk Parity	6.3%	11.0%	0.0 - 2.5%	2.5%	2.0%

Source: ECONorthwest from Callan and OST data.

Notes:

\* Current allocation is based on 10/31/2020 valuation.

† Values have been imputed using target allocations.

# Asset Return and Allocation Assumptions

**Asset Class Returns Correlation over Time**

Asset Class	Broad US Equity	Global Ex-US Equity	Private Equity	Fixed Income	Real Estate	Illiquid Alternatives	Diversifying Strategies	Risk Parity
Broad US Equity	1.00	0.85	0.92	-0.11	0.69	0.43	0.23	0.55
Global Ex-US Equity	0.85	1.00	0.88	-0.14	0.66	0.40	0.20	0.55
Private Equity	0.92	0.88	1.00	-0.23	0.77	0.55	0.15	0.40
Fixed Income	-0.11	-0.14	-0.23	1.00	-0.06	0.02	0.15	0.45
Real Estate	0.69	0.66	0.77	-0.06	1.00	0.56	0.20	0.54
Illiquid Alternatives	0.43	0.40	0.55	0.02	0.56	1.00	0.17	0.29
Diversifying Strategies	0.23	0.20	0.15	0.15	0.20	0.17	1.00	0.33
Risk Parity	0.55	0.55	0.40	0.45	0.54	0.29	0.33	1.00

## Amortization Assumptions

- Side account balances are influenced by amortization procedures
  - Balances amortized as a constant percent of payroll over remaining life of the side account (the account is assumed to end on 12/31/2039)
  - Each year, the percent of payroll that is determined by the amortization is taken out of the modeled side account balance for employer rate relief
  - Assumed earnings rate of 7.2% and 3.50% payroll growth rate are used in amortization
- Current plan procedures are incorporated:
  - Credited earnings and deducted transfers to the Employer Reserve for rate relief are accommodated
- Earnings are credited annually at the simulated portfolio rate of return
  - Applied to the beginning balance for the year minus one half of the amount taken out for rate relief

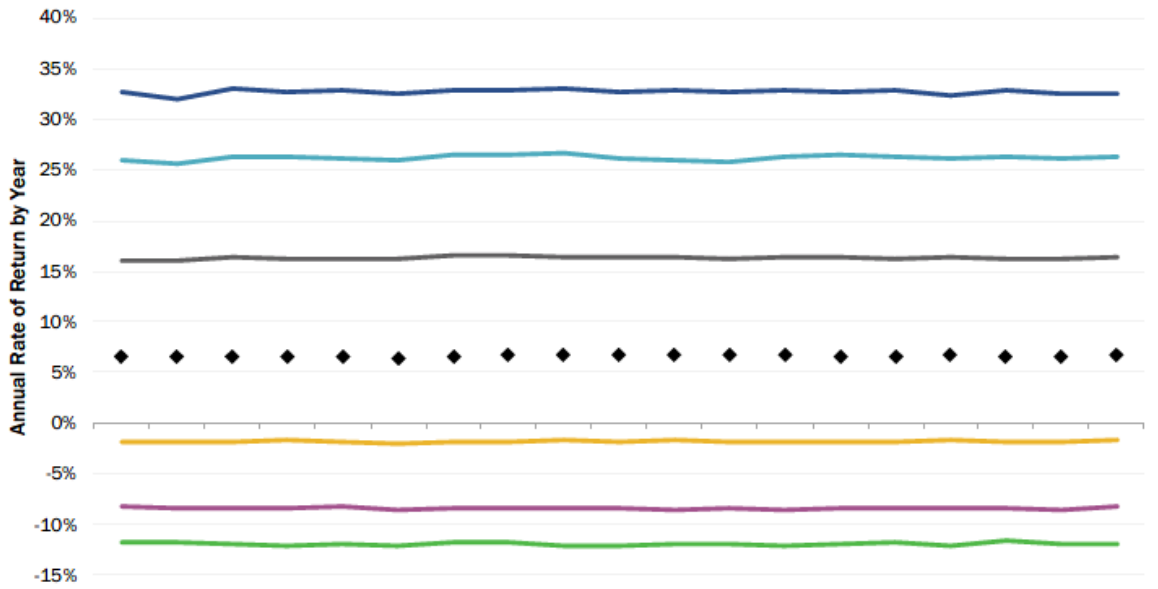
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# Model Results



# Mean Annual Side Account Return and Range

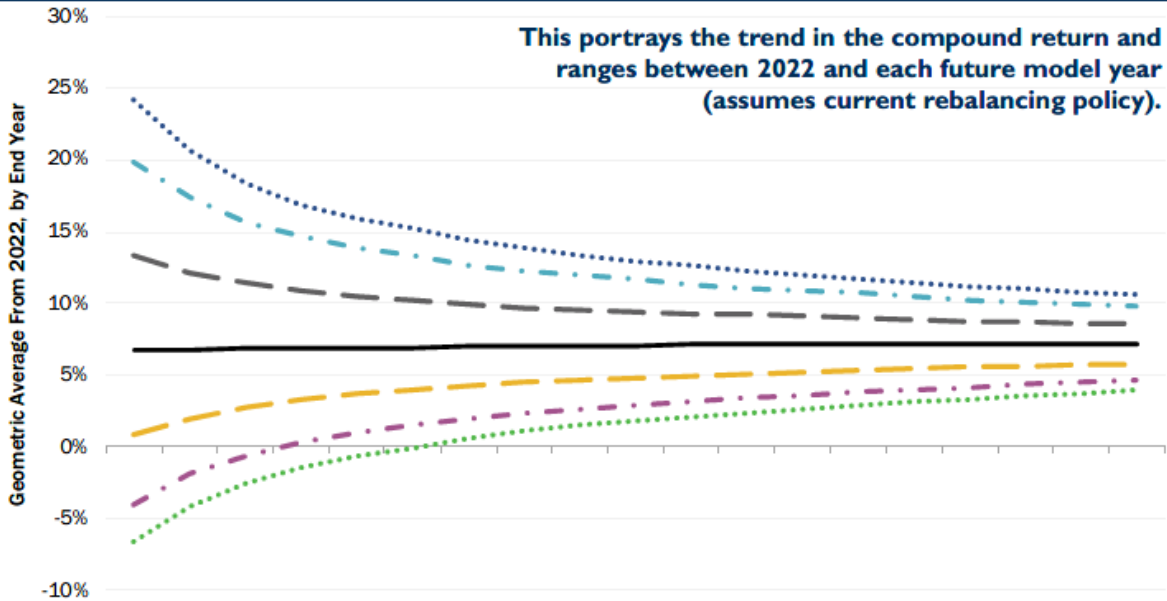


Percentile	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
95th	32.7%	32.0%	33.0%	32.8%	32.8%	32.5%	32.9%	32.9%	33.0%	32.7%	32.8%	32.7%	33.0%	32.7%	32.8%	32.4%	32.9%	32.5%	32.5%
90th	25.9%	25.6%	26.3%	26.2%	26.1%	25.9%	26.4%	26.5%	26.7%	26.1%	25.9%	25.8%	26.3%	26.4%	26.3%	26.1%	26.3%	26.2%	26.4%
75th	16.1%	16.0%	16.3%	16.3%	16.3%	16.2%	16.5%	16.5%	16.5%	16.4%	16.4%	16.3%	16.5%	16.3%	16.2%	16.4%	16.2%	16.2%	16.4%
50th	6.6%	6.5%	6.5%	6.6%	6.6%	6.3%	6.6%	6.7%	6.8%	6.7%	6.7%	6.7%	6.7%	6.6%	6.6%	6.7%	6.6%	6.6%	6.7%
25th	-1.8%	-1.8%	-1.9%	-1.7%	-1.8%	-2.0%	-1.8%	-1.8%	-1.7%	-1.8%	-1.7%	-1.8%	-1.8%	-1.8%	-1.8%	-1.8%	-1.8%	-1.8%	-1.7%
10th	-8.3%	-8.4%	-8.3%	-8.5%	-8.3%	-8.5%	-8.4%	-8.4%	-8.4%	-8.4%	-8.5%	-8.4%	-8.5%	-8.3%	-8.4%	-8.4%	-8.4%	-8.5%	-8.2%
5th	-11.7%	-11.8%	-12.0%	-12.1%	-12.0%	-12.1%	-11.8%	-11.8%	-12.1%	-12.2%	-12.0%	-12.0%	-12.1%	-11.9%	-11.8%	-12.0%	-11.6%	-11.9%	-11.9%

## Mean Annual Side Account Returns (cont.)

- The forecast extends to fiscal year 2040, the last year the side account exists
  - Trend in mean annual return
    - Increase from 6.6% in 2022 to 6.7% as of the 2040 forecast horizon
  - Trend in 95<sup>th</sup> percentile return
    - Decreases from 32.7% in 2022 to 32.5% as of the 2040 forecast horizon
  - Trend in 5<sup>th</sup> percentile return
    - Decreases from -11.7% in 2022 to -11.9% as of the 2040 forecast horizon
- Trends are similar to recent forecasts by consultants to OIC/OST and OPERS

# Geometric Mean Returns from 2022, by Year



Percentile	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
95th	24.2%	20.6%	18.4%	16.9%	15.9%	15.2%	14.4%	13.8%	13.4%	13.0%	12.6%	12.3%	12.0%	11.7%	11.4%	11.2%	11.0%	10.8%	10.6%
90th	19.8%	17.4%	15.7%	14.6%	13.9%	13.3%	12.7%	12.3%	11.9%	11.7%	11.3%	11.1%	10.9%	10.7%	10.5%	10.2%	10.1%	9.9%	9.8%
75th	13.3%	12.1%	11.4%	10.9%	10.5%	10.2%	10.0%	9.7%	9.6%	9.4%	9.3%	9.2%	9.1%	8.9%	8.9%	8.8%	8.7%	8.6%	8.5%
50th	6.7%	6.8%	6.8%	6.9%	6.9%	6.9%	7.0%	7.0%	7.1%	7.1%	7.1%	7.1%	7.1%	7.1%	7.1%	7.1%	7.1%	7.1%	7.1%
25th	0.8%	2.0%	2.7%	3.3%	3.7%	4.0%	4.2%	4.5%	4.6%	4.8%	4.9%	5.1%	5.2%	5.3%	5.4%	5.5%	5.6%	5.7%	5.8%
10th	-4.0%	-1.9%	-0.6%	0.3%	1.0%	1.5%	1.9%	2.3%	2.6%	2.9%	3.2%	3.4%	3.6%	3.8%	4.0%	4.1%	4.3%	4.4%	4.6%
5th	-6.7%	-4.1%	-2.5%	-1.5%	-0.6%	0.0%	0.6%	1.1%	1.5%	1.8%	2.1%	2.4%	2.6%	2.9%	3.1%	3.3%	3.5%	3.7%	3.9%

## Geometric Mean Returns (cont.)

- Fiscal year 2040 is the assumed final year of bonds
  - The projected annualized geometric mean return over the term of the bonds is 7.1%
  - The 95<sup>th</sup> percentile return is 10.6%
  - The 5<sup>th</sup> percentile return is 3.9%
- Again, the forecast returns are similar to those derived by other consultants to OIC and OPERS

## The Effect of Issuance TIC on PV of POBs

- The PV of the POB strategy varies inversely with TIC
  - Expected value of POB policy is \$548,932, \$402,262, \$274,215, and \$162,064 (per million dollars) for TICs of 2.5%, 3.5%, 4.5%, and 5.5%, respectively.
- Also, 5<sup>th</sup> percentile VaR increases with TIC
  - VaR per million dollars is \$(2,913), \$82,433, \$157,047, and \$222,771 (per million dollars) for TICs of 2.5%, 3.5%, 4.5%, and 5.5%, respectively.
- We added a fourth TIC of 5.5% to the analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report.
- Output from the new scenario provides an approximate characterization of the potential risk inherent in less favorable market conditions than those modeled in the original report.
- For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.

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# The Effect of TIC on PV of POBs

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report. For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.



## POB Probability of Success: $PV > \$0$

- This is another perspective on risk
  - The VaR measures the 5<sup>th</sup> percentile dollar value at risk
  - The zero bound measures the overall probability of the dollar value of the PV benefit being more than zero (i.e., success)
  
- Model results
  - The probability of a positive PV is lower for higher TICs
  - Probabilities of being above zero range from 67% (TIC 5.5%\*) to 95% (TIC 2.5%)

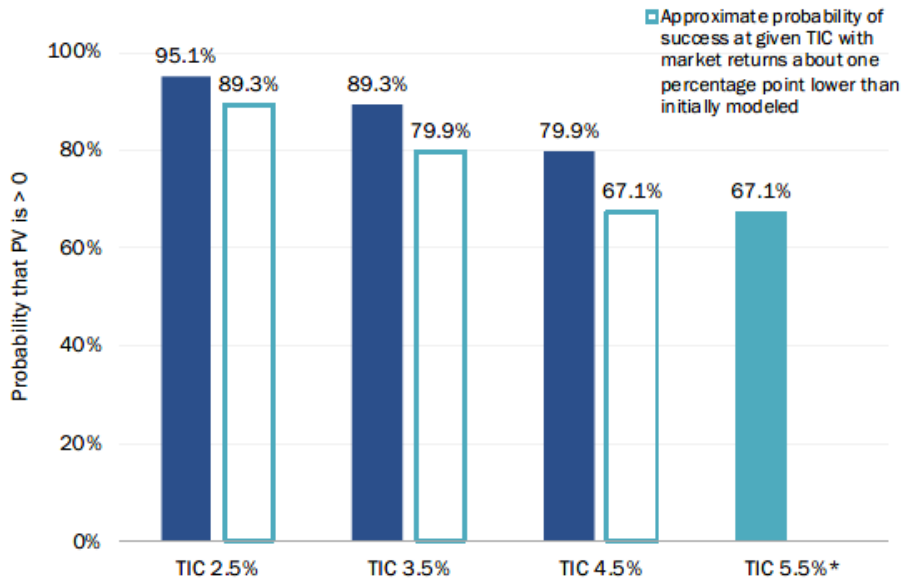
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# Probability that PV is More than \$0

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report. For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.



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## Summary PV Statistics, by Scenario

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report. For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.

No. of Tranches	1	1	1	1
Rate (TIC)	2.5%	3.5%	4.5%	5.5%*
Mean	\$548,932	\$402,262	\$274,215	\$162,064
Std Deviation	\$419,122	\$370,750	\$329,071	\$293,051
Maximum	\$3,393,617	\$2,967,149	\$2,592,638	\$2,262,810
Minimum	\$(336,091)	\$(385,105)	\$(428,435)	\$(466,879)
95th Perc	\$1,322,700	\$1,088,074	\$882,791	\$703,077
90th Perc	\$1,104,226	\$893,399	\$709,810	\$548,797
75th Perc	\$770,245	\$599,774	\$450,156	\$320,087
50th Perc	\$480,961	\$342,299	\$220,903	\$114,852
25th Perc	\$248,540	\$136,280	\$38,418	\$(47,779)
10th Perc	\$85,882	\$(8,851)	\$(91,354)	\$(163,865)
5th Perc (VaR)	\$2,913	\$(82,433)	\$(157,047)	\$(222,771)
Zero Bound Perc	95.1%	89.3%	79.9%	67.1%

**This table summarizes the simulations of the present value of potential gains from implementing a POB strategy. All dollar amounts are per \$1 million of POB funding.**

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## Conclusions

- The expected value to employers of a POB strategy is positive (in present value terms)
  - The expected value is non-trivial proportion of POB funding under the scenarios modeled
  - The 5<sup>th</sup> percentile VaR is less than the expected PV in all of the scenarios modeled except for the 2.5% TIC scenario.
- However, there is a non-trivial probability that the present value of POBs is zero or less, and the probability increases with TIC
- Important considerations for individual employers
  - The issuance TIC
  - Some issuance costs are not included in TIC
  - Whether the employer's payroll growth rate is the same as currently assumed by the PERS actuary

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## Acknowledgements, Caveats, and Disclaimers

The authors wish to acknowledge the kind assistance of Mike G Mueller of the Oregon State Treasury, Investment Division for their kind assistance, and for Callan and Associates staff's generous provision of capital market assumptions. We also wish to thank Carol Samuels of Piper Sandler & Co. for her assistance in providing insight into muni market conditions. Finally, a note of gratitude to Carl Batten, original developer of the ECONorthwest POB model, for his ongoing assistance with subsequent iterations of the model, including the version used in this analysis. None of the statements or analysis herein should be attributed to anyone other than ECONorthwest staff.

The analysis provided in this document was developed by ECONorthwest for informational purposes only. All possible professional care was taken to prepare a realistic emulation of the likely POB side account behavior, and the OPERS procedures for accommodating POBs. State of the art modeling and statistical software was employed in this exercise. It should be recognized, however, that there are practical limits to the precision with which market and agency behavior can be modeled. The generic nature of the modeling performed may or may not be relevant to the circumstances of any one public employer. Additionally, nothing herein should be construed as offering investment advice or fairness opinions for the purpose of issuing securities. For this, interested parties should seek out professional counsel.

This analysis takes the narrow perspective of measuring the potential benefits of POB issuance to current employers and taxpayers. Whether use of pension obligation bonds is good public policy is a matter of professional debate and is not addressed herein.

This analysis was prepared to assist issuers of POBs in understanding the risks and returns of POBs under hypothetical conditions. Individuals should seek professional guidance concerning the relevance of this analysis to their circumstances.

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# ECONorthwest

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**PORTLAND PUBLIC SCHOOLS**  
**OFFICE OF Chief Financial Officer**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3115

**Date:** May 25, 2021  
**To:** School Board of Directors  
**From:** Nolberto Delgadillo, CFO  
**Subject:** Update to Issue Revenue Bonds to Finance Pension Liability at Max TIC of 4%

---

**BACKGROUND**

A Limited Tax Pension Bond (i.e. PERS Obligation Bond or POB) are bonds issued by state or local governments to fund public employee pensions. This is seen as a financial strategy to potentially lower costs of pension funding by benefiting when the true interest cost (TIC) of the POB is low relative to the potential future return of investments. Fundamentally, if returns are greater than the borrowing rate then borrowers should expect to have lower pension costs than they would otherwise be; if returns equal borrowing rate, then borrowers should expect to break even; and if returns are less than the borrowing rate then borrowers would be worse off than if they had not issued the bonds.

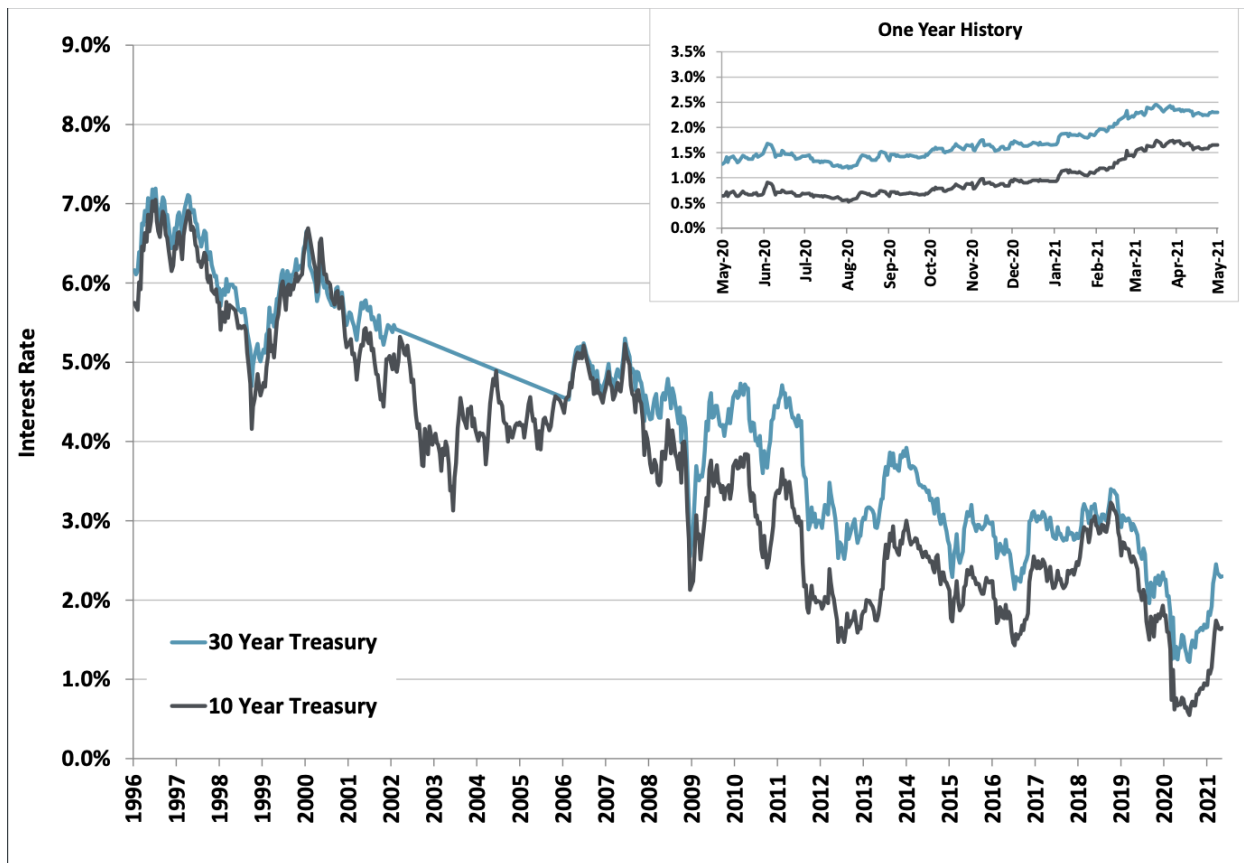
The current historically low interest rates make it worth considering pursuing a Limited Tax Pension Bond (i.e. PERS obligation bond) to finance and refinance the District's share of the estimated unfunded pension liability. The district has previously done this in 2002, 2003 and 2012, and has successfully saved millions of dollars. We are working with our bond financial advisors, Piper Sandler & Co and bond counsel, Hawkins, Delafield and Wood to prepare this recommendation.

**RELATED POLICIES/BEST PRACTICES**

Under federal tax law, POBs must be sold on a taxable basis, so borrowing rates are higher than on capital (tax-exempt) borrowings. Furthermore, prior to the issuance of full faith and credit pension bonds, Portland Public Schools has obtained a statistically based assessment from ECONorthwest entitled "Issuance of Pension Obligation Bonds – A Risk/Reward Analysis" pursuant to ORS 238.697(1)(a).

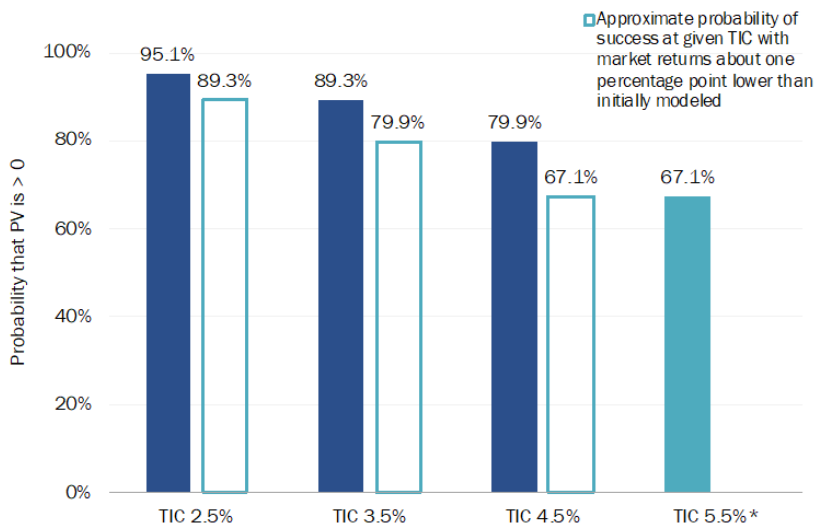
**ANALYSIS OF SITUATION**

The concept is to borrow at low interest rates and send bond proceeds to a PERS side account; if returns exceed the borrowing rate, then the school district will save. The current market conditions favor low interest rates:



However, there is some uncertainty with what the earning rates (this is a projected rate of return) will be. To account for the variation in the earning rates, the analysis included modeling out the variation in the probability of producing a favorable return:

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report. For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.



What the chart shows on the y-axis is the probability that the present value will be greater than zero (i.e. lowering pension costs/saving money). The x-axis represents what the true interest cost borrowing rate would be. For TICs 2.5%, 3.5% and 4.5% the solid-colored bar is the probability under the initial earnings simulations, while the white bars represent the probability of success under market returns of about one percent lower.

Information to further inform whether market rate returns may be about one percent lower is scheduled to be released in June-2021. Therefore, this analysis uses the available market return data and created an updated scenario to model out unfavorable market conditions by using the TIC as a proxy for unfavorable market conditions by about one percent.

An example of how to read this is, with the current market information that we have now , if the bond were sold at a TIC of 4.5%, there is an approximate probability of 79.9% for lowering pension costs. If market returns will be about one percent lower than the information we have now (6.2%), there would be an approximate probability of success of 67.1%.

The current projection is anticipating securing a TIC of approximately 3.5%.

### **FISCAL IMPACT**

The district's previous three PERS Bond issuances done in 2002, 2003 and 2012, were for a combined \$491,673,897 and generated present value savings of approximately \$184.6 million.

For this issuance the payoff amount is projected to be approximately \$393,266,844 million. Under the base case scenario of an assumed earning rate of 7.2% and a TIC of 3.5% the estimated present value savings is projected to be approximately \$125.7 million.

### **TIMELINE FOR IMPLEMENTATION / EVALUATION**

- May 25: Board Approves Resolution
- April-June: Development of Disclosure Document, Rating
- May 24th: During this week complete diligence and rating calls
- June 30: Bond Sale
- July 15: Closing, funds sent to PERS
- August 1: Payroll rates reduced.

### **BOARD OPTIONS WITH ANALYSIS**

Option 1 – Not pursue the bond: the primary drawback is potential of missing out on an opportunity to significantly reduce pension costs and save the district millions of dollars. The primary benefit is eliminating all risks associated with pursuing pension obligation bonds.

Option 2 – Wait for the June-2021 report to get more information regarding market conditions: The primary benefit is that there will be more up to date information to inform models for probability of success. The primary drawback is that the wait will push out the timeline and therefore potentially increase the likelihood of not being able to secure the lowest interest rate possible.

Option 3 – Pursue the pension obligation bond so long as the true interest cost does not go above a specific threshold: The primary benefit for specifying a max TIC is providing



management with approval to move forward but with guidance that matches risk tolerance. The primary drawback is that timing to complete the POB process may cause for the TIC to go above the threshold and therefore miss out on the opportunity to lower pension costs.

### **CONNECTION TO BOARD GOALS**

Although there is no direct connection to a specific board goal, the opportunity to lower pension cost will provide us with an opportunity to continue to focus as many dollars as possible to achieving the board goals.

### **STAFF RECOMMENDATION**

The primary recommendation does not change from the prior staff report, which is to pursue option 3 to approve “Resolution Authorizing Pension Bonds and Related Matters” so long as the true interest cost does not go above a specific threshold. The specific threshold would be a max TIC of 4.0%. After consulting with the board of directors, we revised the max TIC from 4.5% to 4.0%.

Taking into account that the analysis approximates a base market condition with a TIC of 3.5%, by approving the resolution with a max TIC of 4.0%, it provides flexibility in securing the bond. In the unlikely event that interest rates rose up to 4.0% by the time the bond sale occurred, based on the ECONorthwest, analysis, if the bond were sold at a TIC of 4.0%, there is an approximate probability of between 67% and 79% for lowering pension costs.

The current market conditions favor the likelihood of securing a TIC closer to 3.5%, therefore, there is an approximate probability of greater than 79.9% for lowering pension costs. The following table provides additional rationale that the expected value of this POB strategy is positive (in present value terms) through a broad array of scenarios.

## Summary PV Statistics, by Scenario

\*The fourth TIC of 5.5% was added to our analysis to help evaluate the potential risk associated with less-favorable future market conditions relative to those anticipated in our original report. For example, the 5.5% TIC scenario provides output that is roughly analogous to a 4.5% TIC bond issue with market returns approximately one percentage point below those anticipated in our original analysis. The 4.5% TIC scenario can be similarly compared to the 3.5% TIC scenario output, and so on.

No. of Tranches	1	1	1	1
Rate (TIC)	2.5%	3.5%	4.5%	5.5%*
Mean	\$548,932	\$402,262	\$274,215	\$162,064
Std Deviation	\$419,122	\$370,750	\$329,071	\$293,051
Maximum	\$3,393,617	\$2,967,149	\$2,592,638	\$2,262,810
Minimum	\$(336,091)	\$(385,105)	\$(428,435)	\$(466,879)
95th Perc	\$1,322,700	\$1,088,074	\$882,791	\$703,077
90th Perc	\$1,104,226	\$893,399	\$709,810	\$548,797
75th Perc	\$770,245	\$599,774	\$450,156	\$320,087
50th Perc	\$480,961	\$342,299	\$220,903	\$114,852
25th Perc	\$248,540	\$136,280	\$38,418	\$(47,779)
10th Perc	\$85,882	\$(8,851)	\$(91,354)	\$(163,865)
5th Perc (VaR)	\$2,913	\$(82,433)	\$(157,047)	\$(222,771)
Zero Bound Perc	95.1%	89.3%	79.9%	67.1%

**This table summarizes the simulations of the present value of potential gains from implementing a POB strategy. All dollar amounts are per \$1 million of POB funding.**

*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

CH (Initials)

ATTACHMENTS

- A. Presentation from Carol Samuels, Managing Director, Piper Sandler
- B. Resolution Authorizing Pension Bonds and Related Matters

DATE: May 18, 2021  
TO: Portland Public Schools Staff and Board of Education  
FROM: Andrew Dyke, ECONorthwest  
SUBJECT: Review of Pension Obligation Bond Scenarios

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## Introduction

ECONorthwest recently conducted an analysis for the Oregon Association of School Business Officials (OASBO) to evaluate the risks and rewards of Pension Obligation Bond (POB) issuance by public employers that are part of the Oregon Public Employee Retirement System (OPERS). Employers may benefit from a POB bond issue if the costs of bond repayment are low relative to the potential earnings from the corresponding PERS side account over the same period as the bond issue. However, a successful outcome is not guaranteed. The costs of the POB debt would be known, but the future rates of return to side account deposits are not known with certainty. The ECONorthwest analysis provides information about the potential magnitude of the risks associated with this uncertainty.

ECONorthwest relied on this prior analysis to review and provide context for the three POB scenarios presented by Piper Sandler to the PPS School Board on May 11, 2021. ECONorthwest was not involved in scenario development. The scenarios are described briefly below, along with an assessment of each scenario's outcomes with respect to results from the prior analysis.

Based on this review we conclude that, in combination with the ECONorthwest analysis, the three scenarios provide a range of plausible outcomes that illustrate the potential risks to PPS from a POB bond issue at a True Interest Cost (TIC) of 3.5%. Actual outcomes could be better or worse than those described below.

## Review of POB bond scenarios

All three scenarios assume a TIC of 3.5% and rely on a similar approach to calculating the benefits (rate credits) derived from side account deposits, and the costs of the bond issue. The difference (benefits minus costs) identifies the potential net savings associated with a bond issue under specific assumptions about side account earnings. The assumed earnings rate on side account deposits differentiates the scenarios.

### 2002 scenario

The 2002 scenario assumes returns consistent with the experience of districts, including PPS, that issued POB bonds in 2002. Returns for the final two years of the side account are assumed to be 7.2% annually. ECONorthwest modeling suggests approximately a one-in-seven (15%) chance that side account returns would produce net savings as good or better than those suggested by this scenario.

## Base Case scenario

The Base Case scenario assumes a constant 7.2% annual rate of return on side accounts for the life of the side account. ECONorthwest modeling suggests an approximately one-in-three (33%) chance that side account returns would produce net savings as good or better than those suggested by this scenario.

## 2007 scenario

The 2007 scenario assumes returns consistent with annual returns observed during and subsequent to the Great Recession, beginning 2007. Returns for the final seven years of the side account are assumed to be 7.2% annually. ECONorthwest modeling suggests an approximately three-in-five (60%) chance that side account returns would produce net savings as good or better than those suggested by the scenarios.

## Probability of positive net savings

Other results from the ECONorthwest analysis provide additional context. Specifically, the modeling suggests an approximately four-in-five (80%) chance that side account returns would produce greater than zero net savings, in present value terms. Additional information published by ECONorthwest characterizes the likelihood and potential magnitude of negative net savings potentially produced by side account deposits in less-favorable scenarios.

## Caveats and disclaimers

The analysis provided in this document was developed by ECONorthwest for informational purposes only. All possible professional care was taken to prepare a realistic emulation of the likely POB side account behavior, and the OPERS procedures for accommodating POBs. It should be recognized, however, that there are practical limits to the precision with which market and agency behavior can be modeled. The generic nature of the modeling performed may or may not be relevant to the circumstances of any one public employer. Additionally, nothing herein should be construed as offering investment advice or fairness opinions for the purpose of issuing securities. For this, interested parties should seek out professional counsel.

ECONorthwest has no vested interest in the issuance of POBs by Portland Public Schools or any other public employer.

## RESOLUTION No. 6315

### Southeast Enrollment and Program Balancing Process Phase 2 Process and Charge

#### RECITALS

- A. In June of 2019, the Portland Public Schools (PPS) Board of Education adopted an ambitious vision, *PPS reimagined*, co-constructed by a broad coalition of students, staff and community stakeholders, that provides an aspirational North Star and direction to guide the transformation of our school system.
- B. While PPS engages in multi-pronged efforts to improve student outcomes through the implementation of academic strategies and social-emotional support for our students, the District also has several system issues related to the use of its physical facilities that impact student success. To address these issues, the Board of Education and the Superintendent launched an enrollment and program balancing process through Resolution 6059 in February 2020.
- C. The first phase of the process focused on conversion of K-8 schools in Southeast, as part of re-opening Kellogg Middle School. The Southeast Guiding Coalition (SEGC) delivered recommendations in December 2020, and the Board adopted a plan for Kellogg Middle School in January 2021.
- D. At a work session on February 22, 2021, the Board provided direction to staff on the Phase 2 scope of work, supporting a narrow scope focused on converting Harrison Park from a K-8 to a middle school for the 2022-23 school year.
- E. On May 11, 2021, the Board of Education reviewed and provided input on the scope of work and draft SEGC charge.

#### RESOLUTION

The Board of Directors adopts the Phase 2 charge for Southeast enrollment and program balancing, and directs the Superintendent to report back at regular intervals during the process.

#### **Charge for the SE Guiding Coalition - Phase 2:**

The Coalition will propose revisions to attendance area boundaries and specialized program locations, including dual language immersion, special education services, focus option programs/schools, and pre-k programs, in order to support equitable access to programs and services. Specifically, the Coalition will recommend:

- Attendance area and special program assignments for Harrison Park Middle School
- A plan to relocate K-5 students and programs currently served at Harrison Park
- A plan to increase enrollment at Lane Middle School

The Coalition will strive to support racial equity, social justice, Middle School Redesign, balanced enrollment, and optimized facilities for the 2022-23 school year and beyond. To inform their work, the Coalition will become familiar with current and forecast enrollment data and student demographic and facility utilization information. In addition, PPS staff will provide guidance on preferred locations and configurations of dual language immersion programs, special education services, focus option programs, and pre-K services. SEGC Phase 2 will also be informed by enrollment targets, developed in collaboration with PPS Middle School Redesign efforts.

PPS has launched a Middle School Redesign process anchored to its middle school philosophy. It advocates that students be able to explore and establish their own identity. This can be accomplished by ensuring students have access to a variety of electives and avenues for exploring their interests. There will be opportunities for project-based learning that deepens students' understanding and extends learning through application in authentic settings.

Rethinking middle schools also emphasizes the need to honor the whole child and build upon their physical, mental, and emotional well-being. Middle School Redesign connects PPS Reimagined and the emerging strategic plan's priorities and goals to the middle school experience.

The Coalition will receive feedback on their proposals via two virtual public open houses and additional listening opportunities with key stakeholders. The Coalition will provide a recommendation to the Deputy Superintendent, or before, the last committee meeting in December 2021. The Deputy Superintendent will be responsible for evaluating the Coalition's recommendations and bringing a proposal forward to the Portland Public School Board of Directors at the first board meeting in January 2022.

### Guiding Principles

Core values serve as guiding principles for the SE Guiding Coalition throughout the enrollment and program balancing process. Guiding principles are not prioritized and are all important to promote.

When considering enrollment and program balancing the Coalition will stand for the following core values, as stated in the PPS Vision:

- Students at the center
- Racial equity and social justice
- Honesty and integrity
- Excellence
- Respect
- Relationships
- Creativity and innovation
- Partnerships and collaboration
- Grounded in the spirit of Portland
- Joyful learning and leadership

### Outcome Goal

Support equitable programming to improve the middle school experience, particularly at Harrison Park and Lane middle schools. In order to meet this goal, the SE Guiding Coalition will use current and forecast enrollment data, student demographic and facility utilization information, programs goals and middle school enrollment targets to:

- Balance students across SE middle schools, ensuring Harrison Park and Lane middle schools have sufficient enrollment to offer full programming. This may be accomplished through boundary adjustments, whole-school feeder pattern changes, and specialized program movement.
- Realign middle school boundaries so that the Kellogg building is located within its own attendance area.
- Determine the future location for Harrison Park K-5 students, and related boundary changes and specialized program moves.



**PORTLAND PUBLIC SCHOOLS**  
**OFFICE OF THE DEPUTY SUPERINTENDENT**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3205 / Fax: (503) 916-3699

**Date:** May 25, 2021

**To:** School Board

**From:** Deputy Superintendent, Business and Operations  
Dr. Esther Omogbehin, Regional Superintendent  
Dani Ledezma, Senior Advisor, Racial Equity and Social Justice  
Shanice Clarke, Director, Community Engagement  
Judy Brennan, Director, Enrollment and Transfer

**Subject:** SE Guiding Coalition Phase 2 Charge

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**BACKGROUND**

In June of 2019, the Portland Public Schools (PPS) Board of Education adopted an ambitious vision, *PPS reimagined*, co-constructed by a broad coalition of students, staff, and community stakeholders, that provides an aspirational North Star, core values, and direction to guide the transformation of our school system. While PPS engages in multi-pronged efforts to improve student outcomes through the implementation of academic strategies and social-emotional support for our students, the district also has several system issues related to the use of its physical facilities that impact student success. To address these issues, the Board of Education and the Superintendent launched an enrollment and program balancing process, contracting with FLO Analytics to lead data analysis and modeling, and co-develop community engagement strategies.

In February 2020 the Board adopted in Resolution 6059 a scope of work for a first phase of the charge which addressed schools in the southeast quadrant of the district, due to a high number of small K-8 neighborhood schools and the imminent opening of Kellogg Middle School.

Drawn from our community-created vision, Partnerships and Collaboration is a core value that shaped the overall design and roles for the Phase 1 process. A Southeast Guiding Coalition (SEGC) comprised of parents, guardians, principals, students, met twelve times in Fall 2020, gaining a shared understanding of district-wide enrollment and program data and racial equity and social justice tools before launching into an iterative review of more than a dozen boundary change and program relocation scenarios. The SEGC considered feedback from hundreds of community stakeholders gathered through surveys, focus groups, and individual submissions and hosted a virtual open house attended by more than 800 community members. On December 17, 2020, they submitted a recommendation for Kellogg Middle School feeder schools and programs.

On January 26, 2021, the Board of Education approved a modified version of the SEGC recommendation, converting Bridger and Creston to K-5 schools, while keeping Spanish Immersion at Mt. Tabor and limiting transfers into Kellogg. Four weeks later, the Board held a

three-hour work session to consider the next phase of enrollment balancing work in the context of other district initiatives. Directors maintained a strong resolve to open Harrison Park Middle School in 2022-23, while agreeing to limit other enrollment balancing work in order to preserve staff and community resources for other vital initiatives, including safely returning to schools full-time, planning the Center for Black Student Excellence, middle school redesign, and strategic planning.

On May 11, 2021, staff provided a draft scope of work to the Board for review and discussion. Board input informed the draft charge and resolution attached to this report.

## **RELATED POLICIES/BEST PRACTICES**

Related Policy: 4.10.045-P Student Assignment to Neighborhood Schools

## **ANALYSIS OF SITUATION**

The Phase 2 scoping exercise began with recognition of unresolved issues from Phase I, including:

- No middle school assignment for Harrison Park and Bridger neighborhood students
- Widespread enrollment imbalances across SE elementary, middle and high schools, with notable instances of under-enrollment and overcrowding at all levels
- Single-strand neighborhood or immersion programs at several schools
- Forecasts for declining enrollment in the region that will exacerbate the impact of under-enrollment at small schools and single-strand programs in the next five years

In keeping with Board direction for narrowing the scope of Phase 2, the team developed four possible levels of middle school-focused work, leaving most elementary and high school enrollment challenges for a later phase. The team also contemplated the impact of postponing the restart of any enrollment balancing process until January 2022 at the earliest, which would result in Harrison Park remaining a K-8 until the 2023-24 school year.

A summary of the scoping exercise process, including key questions from SEGC members is attached to this report along with charts, tables and maps with enrollment, demographic, program and boundary data used in the scoping exercise.

## **FOCUS ON HARRISON PARK**

The exercise showed that even a narrow process focused on opening Harrison Park Middle School (Level 2 in the attached document) will still be very intensive and require the involvement of many stakeholder groups. Since all neighborhood K-8 schools, with the exception of Harrison Park, were converted to K-5s in Phase 1, new Harrison Park MS students will need to come from neighborhoods currently assigned to other middle schools. This could entail major changes to the SE middle school landscape, including assigning elementary schools to different MS feeder patterns (even those recently assigned to Kellogg) and/or re-location of middle school-level dual language immersion programs. Additionally, assigning the Kellogg building and nearby blocks into the Kellogg and feeder school boundaries will be a priority for Phase 2.

To make space for new middle schoolers, Harrison Park K-5 students must move to a different school. Community members have requested that Clark building return to service as their neighborhood school so K-5 students can remain together and attend a school that is close to the Harrison Park building and walkable for many families. Opening Clark for neighborhood students requires the relocation and/or reconfiguration of Creative Science School, which



currently serves 450 K-8 students, about one third of whom reside in the adjacent Bridger, Harrison Park and Vestal neighborhoods.

The team recommends that Harrison Park-focused Phase 2 include SE Guiding Coalition representatives from 16 schools, including those with dual language immersion programs that could be impacted by the opening of Harrison Park Middle School.

### LANE MIDDLE SCHOOL

It became clear during the scoping exercise that bringing in four additional K-5 schools would allow the scope to broaden to include Lane Middle School. A list of proposed representatives for a Harrison Park and Lane-focused Phase 2 of the SE Guiding Coalition is attached.

Lane has had the lowest middle school enrollment in the region for many years, and, like Harrison Park, serves a high rate of historically underserved students. ACCESS Academy is expected to move out of Lane by the end of the 2021-22 school year, making space for additional Lane students.

Increasing enrollment at Harrison Park and Lane through changes to other SE middle schools will create improved conditions for implementing Middle School Redesign. This important initiative was launched earlier this year, and called out by board members during the February 22 worksession as a priority initiative for fall 2021.

The process is anchored to the middle school philosophy, and advocates that students are able to explore and establish their own identity. This can be accomplished by ensuring students have access to a variety of electives and avenues for exploring their interests. There will be opportunities for project-based learning that deepens students' understanding and extends learning through application in authentic settings.

Rethinking middle school also emphasizes the need to honor the whole child and build upon their physical, mental, and emotional well-being. Middle School Redesign connects PPS Relmaged and the emerging strategic plan's priorities and goals to the middle school experience. Enrollment and program balancing will be informed by middle school enrollment targets, developed in collaboration with Middle School Redesign.

### ENROLLMENT PRIORITIES NOT INCLUDED IN PHASE 2

At the February 22 worksession, board members indicated an interest in deferring major high school enrollment changes to a district-wide process, which would begin after plans have been drawn up for the Center for Black Student Excellence. While high school students, parents and staff will not be part of the SE Guiding Coalition in Phase 2, we will seek out their input during the community engagement portions of the process.

Similarly, concerns about low enrollment at several K-5 schools and single-strand K-5 neighborhood and Immersion programs will be addressed in a later phase of enrollment balancing work. While these serious issues will not be the focus of Phase 2, the SEGC can consider options that may improve enrollment conditions at any schools, even as they focus on Harrison Park and Lane. Stakeholders from all schools are welcomed to offer feedback to SEGC proposals.

### FISCAL IMPACT

With the transition to a model of comprehensive middle schools in the SE region, there will be facility upgrades needed in schools with increasing enrollment. The 2020 Bond program includes an allocation to support enrollment and capacity needs as Phase 2 is completed.

Staffing schools is based on enrollment, and allocations will follow the students as they are assigned to neighborhood and program-based schools. Most likely, there will not be significant operational staffing costs as changes are made for the region. There will be initial costs for setting up expanded elective programs for the middle schools with increasing enrollment.

**COMMUNITY ENGAGEMENT**

With the thought partnership of the SEGC, students, families, and community members, a diverse set of perspectives will help shape a recommendation from the SEGC. Racial Equity and Social Justice shapes the engagement design to help realize our vision, PPS reimagined.

**SEGC Engagement Phases**

1. Launch: Grounding, understand the charge, and review charter and goals.
2. Learn: Continue defining RESJ, identify top student needs, listen to school experiences.
3. Brainstorm: Brainstorm outcomes with RESJ
4. Testing: Collaboration for input from community, draft and test various solutions.
5. Recommend: Complete a recommendation process on a SEGC Phase 2 recommendation

**Engagement Methods**

- Website
- Survey
- Text Messaging
- Student Forums
- Focus Groups
- Open House
- RESJ Partners Advisory
- Tribal Community Engagement
- School-hosted Parent Meetings

**Timeline**

Community Outreach	Month	Phase 2 Element
<p style="text-align: center;"><b>Launch</b></p> <ul style="list-style-type: none"> <li>● Website (continuous)</li> <li>● Surveying input from families</li> <li>● Social media (continuous)</li> <li>● Texting</li> <li>● Principal’s messages (continuous)</li> <li>● Public SE Guiding Coalition Meetings</li> </ul>	May	<b>Launch</b>
<p style="text-align: center;"><b>Learn</b></p> <ul style="list-style-type: none"> <li>● Continuing awareness with opportunities to share general feedback</li> <li>● Results from messages and surveys prioritizing black families, indigenous families, and families of color</li> <li>● Results from online survey of broader PPS community</li> <li>● Student Forum and BIPOC focus groups</li> <li>● Feedback on virtual open house</li> </ul>	May-June	<b>Learn</b>

<p style="text-align: center;"><b>Brainstorm</b></p> <ul style="list-style-type: none"> <li>Continuing awareness with opportunities to share general feedback</li> <li>Outreach to focus groups (black and indigenous, Spanish speaking, Chinese Speaking, teachers, students)</li> </ul>	Fall 2021	<b>Brainstorm</b>
<p style="text-align: center;"><b>Test</b></p> <ul style="list-style-type: none"> <li>Board of Education Public Worksession</li> </ul>	Fall 2021	<b>Testing</b>
<p style="text-align: center;"><b>Recommend</b></p> <ul style="list-style-type: none"> <li>Continued Stakeholder Engagement</li> <li>School Site-based Engagement</li> <li>Public Comment to the Board of Education</li> </ul>	December	<b>Recommend</b>

**TIMELINE FOR IMPLEMENTATION/EVALUATION**

The majority of this process would happen this fall, with an SEGC recommendation ready for Board consideration by December 2021. See the attached draft schedule for details.

**BOARD OPTIONS WITH ANALYSIS**

As an alternative to the proposed scope of work, the Board could postpone the start of the next phase of SE enrollment and program balancing until early 2022. Deferring the process would preserve community and staff capacity this fall for other important initiatives described during the February 22, 2021 worksession. It would also mean that the full range of SE K-8 enrollment challenges could be addressed together, instead of in multiple phases, and be better aligned with the implementation of middle school redesign.

However, the cost of deferring will be borne by Harrison Park and Bridger neighborhood middle grade students who will not have access to a full middle school until the 2023-24 school year, two years after students from Arleta, Creston, Lent and Marysville. Given the importance the Board has placed on accelerating access to middle schools, particularly for BIPOC students, staff recommends the process begin this spring, in time for implementation in Fall 2022.

**STAFF RECOMMENDATION**

Staff recommends that the Board adopt the attached charge to guide the SE Guiding Coalition during Phase 2. The process will launch in May 2021, with a focus on opening Harrison Park Middle School, relocating Harrison Park K-5, most likely into the Clark building where the Creative Science School is now located, and increasing enrollment at Lane Middle School.

**I have reviewed this staff report and concur with the recommendation to the Board.**

Claire Hertz  
**Claire Hertz**  
**Deputy Superintendent**

May 17, 2021  
**Date**

**ATTACHMENTS**

- A. Draft resolution and SEGC Phase 2 charge
- B. Redlined SEGC Phase 2 charge

## Charge for the SE Guiding Coalition - Phase 2:

The Coalition will propose revisions to attendance area boundaries and specialized program locations, including dual language immersion, special education [services](#), focus option [programs/schools](#), and pre-k [programs](#), in order to support equitable access to programs and services. Specifically, the Coalition will recommend:

- Attendance area and special program assignments for Harrison Park Middle School
- A plan to relocate K-5 students and programs currently served at Harrison Park
- A plan to increase enrollment at Lane Middle School

The Coalition will strive to support racial equity, social justice, Middle School Redesign, balanced enrollment, and optimized facilities for the 2022-23 school year and beyond. To inform their work, the Coalition will become familiar with current and forecast enrollment data and student demographic and facility utilization information. In addition, PPS staff will provide guidance on preferred locations and configurations of dual language immersion programs, special education services, focus option programs, and pre-K services. SEGC Phase 2 will also be informed by ~~middle-school~~ enrollment targets, developed in collaboration with [PPS](#) Middle School Redesign [efforts](#).

PPS has launched a Middle School Redesign process anchored to ~~its~~the middle school philosophy. It advocates that students ~~be~~are able to explore and establish their own identity. This can be accomplished by ensuring students have access to a variety of electives and avenues for exploring their interests. There will be opportunities for project-based learning that deepens students' understanding and extends learning through application in authentic settings.

Rethinking middle schools ~~s~~ also emphasizes the need to honor the whole child and build upon their physical, mental, and emotional well-being. Middle School Redesign connects PPS ReImagined and the emerging strategic plan's priorities and goals to the middle school experience.

The Coalition will receive feedback on their proposals via two virtual public open houses and additional listening opportunities with key stakeholders. The Coalition will provide a recommendation to the Deputy Superintendent on, or before, the last committee meeting in December, 2021. The Deputy Superintendent will be responsible for evaluating the Coalition's recommendations and bringing a proposal forward to the Portland Public School Board of Directors at the first board meeting in January 2022.

## Guiding Principles

Core values serve as guiding principles for the SE Guiding Coalition throughout the enrollment and program balancing process. Guiding principles are not prioritized and are all important to promote.

When considering enrollment and program balancing the Coalition will stand for the following core values, as stated in the PPS Vision:

- Students at the center
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- Excellence
- Respect
- Relationships

- Creativity and innovation
- Partnerships and collaboration
- Grounded in the spirit of Portland
- Joyful learning and leadership

### Outcome Goal

Support equitable programming to improve the middle school experience, particularly at Harrison Park and Lane middle schools. In order to meet this goal, the SE Guiding Coalition will use current and forecast enrollment data, student demographic and facility utilization information, programs goals and middle school enrollment targets to:

- Balance students across SE middle schools, ensuring Harrison Park and Lane middle schools have sufficient enrollment to offer full programming. This may be accomplished through boundary adjustments, whole-school feeder pattern changes, and specialized program movement.
- Realign middle school boundaries so that the Kellogg building is located within its own attendance area.
- Determine the future location for Harrison Park K-5 students, and related boundary changes and specialized program moves.

RESOLUTION No. 6316

Resolution to Prepare for Full-Time Reopening of In-Person Learning for the 2021-22 School Year

**RECITALS**

- A. On April 13, 2021, Superintendent Guadalupe Guerrero stated that the District expects to fully reopen for five days a week of in-person instruction when the new school year starts on September 1, 2021.
- B. Throughout the Covid-19 pandemic, Portland Public School's decisions have been guided by public health and emergent science, and PPS will continue to follow public health guidelines.
- C. This spring PPS brought K-12 students back to the classroom in a hybrid educational model, with in-person learning opportunities for students and families who felt comfortable returning to the classroom, while retaining a robust comprehensive virtual learning option for those students and families choosing to remain in remote learning.
- D. The ability to reopen our schools safely was the result of months of work and preparation by staff to welcome back students and staff to our buildings as safely as possible, including implementing numerous health and safety, operational, and instructional practices and protocols, while adjusting to new information about Covid-19 and how it is spread.
- E. In addition, throughout the pandemic PPS educators have made extraordinary efforts to provide a high level of instruction during truly unprecedented circumstances. From quickly pivoting to online learning during spring 2020, to preparing and executing on a fully remote learning option, to re-engaging with our students in a hybrid model, PPS educators have shown their agility, professionalism, and deep commitment to our students.
- F. Given that many students will remain unvaccinated at the start of the 2021-22 school year, and that masking and social distancing may still be required by the Oregon Health Authority and Oregon Department of Education, it is likely that PPS will need to prepare for a variety of scenarios to achieve full-time, five days a week of in-person instruction.
- G. PPS buildings are, on average, 80 years old and often more limited in space, making it harder to implement all of the current Ready Schools Safe Learners (RSSL) guidelines. If certain safety measures are still in place this fall, PPS may need to look for creative ways to accommodate students who wish to return full-time including finding additional space or considering indoor/outdoor learning environments in order to return to five days a week of in-person instruction.

**RESOLVED**

- 1. The Portland Public School Board commits to partnering with the Superintendent to find the solutions that will allow for a return to full-time, five days a week in-person instruction starting the first day of the 2021-22 school year.
- 2. The PPS Board's top priority is to safely reopen, and understands that the district must also adhere to federal and state guidelines and take other appropriate steps to mitigate transmission of Covid-19 among teachers, staff, administrators, and students.
- 3. Given uncertainty around the prevalence of Covid-19 in late summer, the Board directs the Superintendent to develop a comprehensive plan for returning to in-person schooling that transitions all students back to full-time in-person learning in a safe and equitable manner. The Superintendent will regularly update the Board on the status of reopening, with the understanding that the State of Oregon may not issue official guidance until July 2021.
- 4. Regardless of the conditions for returning in the fall to in-person learning, the PPS Board directs the Superintendent to plan to provide a comprehensive virtual learning option for those students and families who are unwilling or unable to return to in-person learning for health reasons. The district

will provide a virtual learning option at least until Covid-19 vaccines are widely accessible to school-aged children.

5. To facilitate the accessibility and uptake of vaccines, especially in the most impacted communities of color, the PPS Board directs the Superintendent to continue working with the Oregon Health Authority, Multnomah County, Multnomah Education Service District, and our community partners to educate students and families about vaccine safety and to improve distribution systems, including the potential use of schools as vaccination sites.
6. Further, in recognition of the significant impact that educational disruptions have on student academic, social, and emotional well-being, the PPS Board encourages the Governor, Oregon Health Authority, and Oregon Department of Education to revise the Ready Schools Safe Learners (RSSL) guidelines as soon as possible to reflect the current state of knowledge about disease transmission; adjust to progress in vaccine uptake; and accommodate the complexity of planning and implementation in large, urban districts.



**PORTLAND PUBLIC SCHOOLS  
OFFICE OF General Counsel**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3274

**Date:** May 24, 2021  
**To:** School Board  
**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel  
**Subject:** Staff Analysis Report to the Board- Policy Revision  
**Policy # and Name:** 4.50.032-P Complaint Policy

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**BACKGROUND**

PPS undertook a major revision of this policy in 2018 to better align with our state obligations for addressing student and family complaints. Since that time, the Complaint Coordinator has been receiving feedback from families and community members about their experiences with the complaint process. As a result of this feedback, staff identified some language in the policy that has confused our community and requested the Board Policy Committee revisit this policy to address some of these concerns and to provide greater clarity for complainants and staff in the process.

**RELATED POLICIES/BEST PRACTICES**

The District is committed to maintaining strong relationships with our families and our community. This includes having a fair, accessible process in which complaints can be addressed in a timely manner. Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students.

**ANALYSIS OF SITUATION**

Staff asked for specific revisions related to supports for complainants as the current policy doesn't articulate what is available. They recommended that the availability of translation services and assistance with completing the complaint be written into the policy and that it clarify that legal services are not available to complainants. They also asked that the reference to the Ombudsman be removed as that position had been eliminated. Staff also recommended several text revisions to simplify language used without changing the meaning.



In addition to these requested edits, the Policy Committee made a number of additional changes to provide more guidance on, for example, who could file a formal complaint with the District, the specific type of complaints that could be made against the Superintendent, and the expectation for Board member action (and notice from staff) when a complaint is pending.

The revised policy provides clearer expectations to the community and staff on what the formal complaint policy will address and how the District can support complainants through the process.

### **FISCAL IMPACT**

These changes will incur no financial impact.

### **COMMUNITY ENGAGEMENT**

In fall 2020, the Policy Committee began exploring revisions to the formal complaint policy. Although staff had been receiving input from complainants on their experience with the process since its revision in 2018, the Policy Committee requested a broader review of community experiences. In partnership with the Systems and Performance team, the Committee engaged in a first step with the community engagement process to obtain feedback and help inform the revisions.

The PPS Research and Evaluation team invited complainants who filed a formal complaint between 2014 and 2020 to complete the Formal Complaint Feedback Survey. This survey had a 27% response rate. The Committee asked for additional feedback from former complainants, but the Research and Evaluation team did not believe this would prove an effective effort to obtain additional information during pandemic conditions. [Additional community engagement is planned for Fall 2021. The survey is attached to this report.](#)

~~The responses to the survey varied from satisfaction that there was a process available to them to share their story and that the staff who assisted them were professional and courteous to frustration with the timeliness of the District's response and what was seen as a lack of action by the District to resolve their concerns.~~

### **RACIAL EQUITY AND SOCIAL JUSTICE LENS**

A review of the total number of formal complaints filed since 2014 reveals that White families access the District's formal complaint process in vastly disproportionate numbers [at the initial Step1 process, but the racial/ethnic distribution is not consistent at all three of the formal complaint steps.](#) While some racial diversity was observed among the complainants who accessed this service during recent years, it is likely that barriers exist for historically underserved and non-White populations. ~~Incorporating language highlighting~~ [The proposed revisions to the policy do not reduce](#) the availability of translation/interpretation services and assistance in completing complaints, ~~which remain~~ [is an important step toward part of](#) making the process more available to a more diverse community. [District staff continues to work on other process improvements outside of the policy arena to make complaint resolution and access to the formal complaint process more accessible, transparent, and approachable.](#)

**TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

Many of the supports now identified in the policy have been available to complainants and so there is no additional time needed to put an implementation plan in place. Staff will develop a communication plan within the month to disseminate the policy to our community. Staff will also continue to work on internal processes and training to provide opportunities to address concerns early and to enhance the effectiveness of and experience for families with the complaint process.

**STAFF RECOMMENDATION**

Staff recommends approval of the revised policy.

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*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

\_\_\_\_\_ *(Initials)*

ATTACHMENTS

- A. 4.50.032-P Complaint Policy Draft
- B. 4.50.032-P Complaint Policy Redlined Draft



**PORTLAND PUBLIC SCHOOLS  
OFFICE OF General Counsel**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3274

**Date:** May 18, 2021  
**To:** School Board  
**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel  
**Subject:** Staff Analysis Report to the Board- 4.50.032-P Complaint Policy Revision

---

**BACKGROUND**

PPS undertook a major revision of this policy in 2018 to better align with our state obligations for addressing student and family complaints. Since that time, the Complaint Coordinator has been receiving feedback from families and community members about their experiences with the complaint process. As a result of this feedback, staff identified some language in the policy that has confused our community and requested the Board Policy Committee revisit this policy to address some of these concerns and to provide greater clarity for complainants and staff in the process.

**RELATED POLICIES/BEST PRACTICES**

The District is committed to maintaining strong relationships with our families and our community. This includes having a fair, accessible process in which complaints can be addressed in a timely manner. Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students.

**ANALYSIS OF SITUATION**

Staff asked for specific revisions related to supports for complainants as the current policy doesn't articulate what is available. They recommended that the availability of translation services and assistance with completing the complaint be written into the policy and that it clarify that legal services are not available to complainants. They also asked that the reference to the Ombudsman be removed as that position had been eliminated. Staff also recommended several text revisions to simplify language used without changing the meaning.

In addition to these requested edits, the Policy Committee made a number of additional changes to provide more guidance on, for example, who could file a formal complaint with the District, the specific type of complaints that could be made against the Superintendent, and the expectation for Board member action (and notice from staff) when a complaint is pending.

The revised policy provides clearer expectations to the community and staff on what the formal complaint policy will address and how the District can support complainants through the process.

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These changes will incur no financial impact.

### **COMMUNITY ENGAGEMENT**

In fall 2020, the Policy Committee began exploring revisions to the formal complaint policy. Although staff had been receiving input from complainants on their experience with the process since its revision in 2018, the Policy Committee requested a broader review of community experiences. In partnership with the Systems and Performance team, the Committee engaged in a first step with the community engagement process to obtain feedback and help inform the revisions.

The PPS Research and Evaluation team invited complainants who filed a formal complaint between 2014 and 2020 to complete the Formal Complaint Feedback Survey. This survey had a 27% response rate. The Committee asked for additional feedback from former complainants, but the Research and Evaluation team did not believe this would prove an effective effort to obtain additional information during pandemic conditions.

The responses to the survey varied from satisfaction that there was a process available to them to share their story and that the staff who assisted them were professional and courteous to frustration with the timeliness of the District's response and what was seen as a lack of action by the District to resolve their concerns.

### **RACIAL EQUITY AND SOCIAL JUSTICE LENS**

A review of the total number of formal complaints filed since 2014 reveals that White families access the District's formal complaint process in vastly disproportionate numbers. While some racial diversity was observed among the complainants who accessed this service during recent years, it is likely that barriers exist for historically underserved and non-White populations. Incorporating language highlighting the availability of translation/interpretation services and assistance in completing complaints is an important step toward making the process more available to a more diverse community.

### **TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

Many of the supports now identified in the policy have been available to complainants and so there is no additional time needed to put an implementation plan in place. Staff will develop a communication plan within the month to disseminate the policy to our community. Staff will also continue to work on internal processes and training to provide opportunities to address concerns early and to enhance the effectiveness of and experience for families with the complaint process.

### **STAFF RECOMMENDATION**

Staff recommends approval of the revised policy.

---

*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

\_\_\_\_\_ *(Initials)*

ATTACHMENTS

- A. 4.50.032-P Complaint Policy Draft
- B. 4.50.032-P Complaint Policy Redlined Draft



# Complaint Policy

4.50.032-P

DRAFT 5/22/2021

We know that when families are engaged with their children's schools, children are more likely to have academic success, graduate from high school, develop self confidence, and demonstrate strong social behaviors. When we put children at the center of our decisions and actions, we can deliver better experiences for all students and families. We also know that our school district can be complex and that families and students will have questions and sometimes concerns about our curriculum, classrooms, programs, and other experiences. We welcome those conversations and expect that all adults, including PPS educators and other staff, will model our core values--including respect, relationships, honesty and integrity, collaboration, and a strong commitment to racial equity and social justice--when we have those conversations.

When a student or family has a concern, we encourage a direct conversation with the educator or department directly involved in the issue. There are many other District staff who may be able to help, too, including administrators who oversee specific schools or departments. The District also has a community liaison (hyperlink)~~[Family Resource Coordinator]~~, who can help families access information, connect with District staff, and help resolve concerns.

We also make available to PPS students, families, and all who reside within the PPS District a Formal Complaint process. This policy and the accompanying administrative directive describe that process in greater detail. All parties to a Formal Complaint shall be treated and treat others with respect and dignity, and the District will provide support to those making complaints so that the process is accessible, transparent, and reflects our strong commitment to racial equity and social justice. The District will work to resolve complaints quickly and in compliance with state law.

~~[CURRENT Preamble] Portland Public Schools recognizes students, parents/guardians, and all who reside within the broader PPS community as essential partners in the educational process. These important partners must have the opportunity to make their concerns known to the District. Maintaining strong relationships includes having a fair, accessible process in which complaints can be addressed in a timely manner. Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students.~~¶

¶

~~Whenever possible, the District encourages members of the community to attempt to resolve concerns should be resolved informally through communication with the school or department~~

~~directly involved in the issue. If this approach does not resolve the concerns, the District provides a formal complaint process. (hyperlink) The Board intends that eThe District will Complaints should be resolved complaints as expeditiously quickly as possible and in compliance with state law.~~

~~The District serves a diverse community of students and parents/guardians. The Racial Educational Equity Policy 2.10.010-P provides: "The District shall welcome and empower students and families, including underrepresented families of color (including those whose first language may not be English) as essential partners in their student's education, school planning and District decision-making. The District shall create welcoming environments that reflect and support the racial and ethnic diversity of the student population and community." The District's goal is to have a complaint process that is must be implemented in a manner that is accessible to, and welcoming of, all of our students, parents/guardians, and PPS community members. All parties to the complaint process will be treated, and will treat others, with dignity and respect.~~

**~~I. Administrative Directive creation and review; Formal Complaints; Annual reports; Transparency and aAccessibility; Training; and Annual Reports~~**

- ~~A.~~** A full explanation of the complaint procedure, including all forms, shall be available at the District's administrative office and on the home page of the District's Conflict Resolution website found here \_\_\_\_\_.

**~~1. Formal Complaints~~**

This policy provides a process for resolving complaints as required by Oregon Administrative Rule 581-022-2370 , including, but not limited to, complaints related to:

- a) Instructional standards and practices
  - (1) Curriculum
  - (2) Teaching strategies
  - (3) Testing
  - (4) Counseling
  - (5) Class size
  - (6) Alternative education programs
  - (7) Instructional materials
  - (8) Compliance with state standards
- b) Special education
- c) Health and safety
- d) Equitable education opportunities
- e) Sports safety
- f) Restraint and/or seclusion
- g) Bias or discrimination in education
- h) Retaliation against a student or parent/guardian
- i) Failure to investigate complaints of bias

- ~~B. The Board of Education directs the Superintendent to implement an administrative directive that sets forth the specific process and procedure for complaint resolution. The administrative directive and any changes that are subsequently made will be submitted to the Board for review. The Board further directs the Superintendent to make information regarding the complaint process shall be easily accessible to members of the school community in a manner that is accessible and user-friendly, and to~~
- ~~C. The District shall provide training for building administration and designated dDistrict staff in the implementation of on how to handle formal complaints under their policy, as well as and the administrative directive 4.50.031-AD[insert number here]. Since~~
- ~~D. Because complaints can be an important indicator of the health of an organization, the Superintendent will provide to the Board at least annually a document that provides data on trends, and emerging issues, and district responses, as well as an assessment of the functioning of the formal complaint process.~~
- ~~E. A full explanation of the complaint procedure, including all forms, shall be available at the dDistrict's administrative office and on the home page of the dDistrict's Conflict Resolution website found here \_\_\_\_\_.~~

~~1. Types of complaints~~

~~This policy provides a process for resolving complaints as required by Oregon Administrative Rule [581-022-2370](#), including, but not limited to, complaints related to:~~

- ~~a) Instructional standards and practices~~
  - ~~(1) Curriculum~~
  - ~~(2) Teaching strategies~~
  - ~~(3) Testing~~
  - ~~(4) Counseling~~
  - ~~(5) Class size~~
  - ~~(6) Alternative education programs~~
  - ~~(7) Instructional materials~~
  - ~~(8) Compliance with state standards~~
- ~~b) Special education~~
- ~~c) Health and safety~~
- ~~d) Equitable education opportunities~~
- ~~e) Sports safety~~
- ~~f) Restraint and/or seclusion~~
- ~~g) Discrimination in education~~
- ~~h) Retaliation against a student or parent/guardian~~
- ~~i) Failure to investigate complaints of bias~~

**II. TIMELINES**



- A. In order to investigate a complaint while memories are recent and witnesses and documents are likely more available, a complaint ~~must~~may be filed within the following time limits ~~established by state law~~:
1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation runs from the date of the most recent incident; OR
  2. Within one year after the affected student has graduated from, moved away from, or otherwise left the ~~a~~District, whichever is later.
- B. The time limitations ~~for~~ bringing formal complaints may be extended by the District for complaints ~~concerning about~~ significant student safety issues, including those arising out of employee misconduct, sexual abuse or conduct, or other allegations of harm to students.
- C. The receipt of a written complaint starts the 90-day timeline for resolution of complaints under this policy.

### III. FILING A FORMAL COMPLAINT

#### A. STEP 1:

1. The written complaint must be filed with the District's complaint coordinator ~~via~~by letter, email, or the [written complaint form](#). The written complaint should include the name and contact information for the complainant, a description of the concern, and the student's name, if applicable. It is helpful if the written complaint also includes the names of any other parties involved, including witnesses; a description of efforts to resolve the concern; and suggestions for resolution. The complainant shall receive a written acknowledgement of receipt of the complaint within 5 days of submitting the ~~written~~ complaint. ~~The District will recognize complaints in multiple formats: the written complaint form, letter, or through email.~~
2. In most situations, a District leader for the involved school, or the appropriate departmental supervisor, will be responsible for investigating and responding to the complaint at Step 1. The Superintendent may assign a different decision maker at Step 1 as appropriate.
3. All formal complaints will receive a decision in writing that addresses each concern raised and contains reasons for the District's decision within 30 days of receipt of the complaint, unless the parties agree to extend the deadline. The resolution will include information about the next steps in the complaint process.

4. PPS accepts confidential anonymous formal complaints concerning Division 22 matters by email at [anonymouscomplaints@pps.net](mailto:anonymouscomplaints@pps.net) and phone at 503-916-3462. Those making complaints anonymously should provide as much information as possible when making the complaint. PPS will investigate any complaint, including anonymous complaints, as fully as it can.

#### IV. FILING AN APPEAL

##### A. STEP 2: APPEAL TO THE SUPERINTENDENT

If the issue is not resolved to the complainant's satisfaction, the complainant may request a review by the Superintendent. The request for review shall be submitted in writing within 10 days of the complainant receiving ~~notice of resolution from the decision in~~ Step 1.

1. After reviewing materials previously submitted or gathered and after conducting additional review, if deemed necessary, the Superintendent or designee shall issue a written decision addressing ~~the review of~~ each concern raised and the reason for the decision and provide the ~~written decision to the complainant, pursuant to OAR 581-022-2370. All complaints appealed to the Superintendent will receive a decision in writing within 30 days of receipt of the request for review. The Superintendent or designee-~~ ~~decision~~ ~~will include information on the steps for further appeal under this policy.~~ ~~written~~ decision to the complainant, pursuant to OAR 581-022-2370. All complaints appealed to the Superintendent will receive a decision in writing within 30 days of receipt of the request for review. The ~~Superintendent or designee-~~ ~~decision~~ will include information on the steps for further appeal under this policy.
2. Upon receiving the Superintendent's decision, if the complainant wants to continue to appeal, the complainant may appeal to the Board.

##### B. STEP 3: APPEAL TO THE PPS SCHOOL BOARD

The Board will vote on ~~the substance of~~ the appeal within 30 days of the written request to appeal the Superintendent's decision. The Board will have the full written record of the decisions at Step 1 and Step 2. ~~The District staff and the~~ ~~complainant shall exchange all any other~~ written background information they intend to present to the Board ~~at the appeal hearing~~ at least 24 hours before the ~~hearing appeal is to be heard.~~ If new information is offered ~~after this period of time less than 24 hours before the Board hearing,~~ the complainant may ask for an extension of time. ~~The complainant may submit additional written information to the Board and may provide testimony during public comment when the complaint is heard.~~ The Board shall decide that the Superintendent's ~~final~~ decision is:

1. Affirmed and no further action will be taken; or
2. Reversed and may direct the Superintendent to take alternative steps

or other course of action. To the extent the Board modifies the Superintendent's decision, it will issue a final decision that addresses each concern raised in the complaint and contains reasons for the District's decision.

If the complainant is not satisfied with the decision of the Board, the complainant can file an appeal with the Oregon Department of Education (ODE) as permitted by OAR 581-022-2370(4)(b) and OAR 581-002-000540.

### C. ~~Anonymous~~ Other Types of Complaints

~~PPS accepts confidential anonymous formal complaints concerning Division 22 matters by email at [anonymouscomplaints@pps.net](mailto:anonymouscomplaints@pps.net) and phone at 503-916-3462. Those making complaints anonymously should provide as much information as possible when making the complaint. PPS will investigate any complaint, including anonymous complaints, as fully as it can.~~

~~For eComplaints about Sexual Conduct and Sexual Discrimination should be directed to , complainants should contact the Title IX Department [here](#).~~

~~For eComplaints or reports about child abuse should be directed immediately , contact to the Child Abuse hotline at 1-855-503-SAFE, as well as to a PPS supervisor.~~

~~More information about on-conflict resolution and other resources may be found [here](#).~~

### D. Other provisions

- ~~1. The District will provide limited the following resources to assist the complainants through the Formal Complaint process: ~~These include [Translation and interpretation services](#) are available to complainants,~~ and other reasonable accommodations to allow access to the process. ~~The provision of legal services or Legal advice is not a resource available through the provided by the District.~~~~
- ~~2. The District will provide resources for complainants who request assistance in preparing a written complaint. [REQUEST ASSISTANCE](#) A list of resources can be found [HERE](#).~~
- ~~3. The Superintendent-District representative assigning staff to investigate and respond to a complaint shall avoid any conflicts of interest, or the appearance of conflicts of interest, in assigning the district representative to investigate and respond to a complaint.~~
4. Complainants may bring an advocate or support person to any meeting or proceeding.

5. Retaliation against any person who files or participates in the complaint process is strictly prohibited. Retaliation is any **intentional** action that would deter a reasonable person from participating in the process. Anyone who believes they have suffered retaliation should immediately report it to the Superintendent or PPS Board of Directors.
6. The District will share with complainants as much information as possible about the findings of the investigation and will, in all cases, share the outcome of its investigation of complaints. However, PPS is often prohibited from disclosing specific information about disciplinary action taken against an employee **or student** involved in the complaint. **The Board will only hear complaints concerning students and employees in a closed session and will not hear these types of complaints against employees in a session open to the public unless the an employee or student/family requests an open session.**
7. If the **d**District fails to meet the timelines **stipulated set forth in this process in this policy**, the complainant may appeal to the PPS School Board or to the Oregon Department of Education. The timelines may be extended by **the mutual consent agreement between of** the complainant and the District. For example, this may be needed if there are many witnesses to interview, key witnesses are unavailable because of holidays, medical leave, etc., or if a particular Board meeting does not work for the complainant.
8. As used in this policy, “days” will be counted as “calendar days.” Any period for response under this policy that falls on a weekend or legal holiday shall be extended to the next business day.
9. The **d**District may not be able to assure confidentiality of the names of persons who file complaints under this policy.
10. If a complaint alleges employee misconduct that is outside the scope of this policy, the complaint coordinator will notify the Superintendent in writing of that filing, and the District will endeavor to respond in a timely manner to the complaint.
11. Current and former employees may not bring a complaint under this policy regarding the terms, conditions, or status of their employment.
12. **Complaints that have been previously filed, investigated, and responded to and for which appeals have been exhausted or the time for appeal has expired on behalf of the District and/or Board cannot be refiled when the complaint is regarding a particular n-incident or issue that has already been heard addressed through the Formal Complaint process. per OAR-XXXX.**
13. Additional allegations offered during the Step 2 process will not be heard

along with the original complaint. The person making the complaint will be informed that the allegation will not be addressed as part of the Step 2 response and that the allegation must be filed as a new complaint with the District's complaint coordinator.

14. ~~Since~~ Because the Board serves as the final decision maker at the Step 3 ~~appeal venue of final appeal~~, Board members should not knowingly ~~refrain from initiate or continue ing or pursuing contact with complainants about the topic of a complaint or independently investigate allegations in the complaint once they have notice that a formal complaint has been filed or independently investigate allegations in the complaint~~. District staff will regularly notify Board members about new formal complaints that are filed.

#### **E. Complaints against the Superintendent or members of the Board of Education**

Any complaint about alleged individual misconduct by the Superintendent (but not District action for which the Superintendent may have ultimate responsibility as the chief executive officer of the District) shall be ~~reviewed~~ overseen by the Board of Education.

Board members are volunteers serving in an elected capacity and are accountable to the citizens in the Portland Public Schools district for their actions and policy positions. Complaints alleging ethics violations or violations of the law against an individual Board member should be made to the Board chair who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. Complaints related to ethics violations or violations of the law against the Board Chair should be made to the Board Vice-Chair(s) who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. If a third party investigates a complaint, after receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

#### **F. Complaints submitted to ~~school board~~ members of the Board of Education**

School board members who receive formal complaints from constituents or staff shall forward complaints to the District's complaint coordinator. Board members shall forward informal complaints to the appropriate school or department in order to address the concern.

### **V. FURTHER APPEAL RIGHTS**

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, who is a student, a parent or guardian of a student attending a school in the ~~d~~District, or a person

who resides in the ~~d~~District, may appeal a final decision by the ~~D~~istrict to the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-00~~0540~~.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination in Education), a complainant may appeal a final decision by the District to the Oregon Department of Education or may file a complaint directly with the U.S. Department of Education without having to exhaust ~~d~~District procedures under this policy.

In addition to using the District complaint procedure, Special Education complaints may be made directly to the Oregon Department of Education. The complainant must send a copy of the complaint to the District ~~simultaneous-at the same time it to filing-ith-~~ ~~complaint-~~ ~~with-~~ and the Department of Education ~~at the same time~~.

Adopted 11/2014; Amended 6/12/18,       /2020

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**Legal Reference(s):**

[ORS 192.610 to 192.690](#)  
[ORS 332.107](#)  
[ORS 339.285 to 339.383](#)  
[ORS 659.852](#)  
[OAR 581-022-2370](#)



# Formal Complaint Process - January 2020 survey summary



<b>Table 1. All complaints by year filed</b>	<b>Count</b>
2014	15
2015	19
2016	16
2017	45
2018	84
2019	44
2020	10
<b>Total complaints filed</b>	<b>233</b>
<b>Total survey responses received</b>	<b>63</b>

**Total response rate: 27%**





**Table 2. Please select how much you agree with each statement during the formal complaint process**

	Strongly or somewhat agree	Neither agree nor disagree	Strongly or somewhat disagree
I felt heard during the formal complaint process	19%	8%	73%
I was given the opportunity to share my side of the story	38%	12%	50%
I was kept informed about the progress of the formal complaint process	16%	22%	62%
PPS staff were knowledgeable	21%	20%	59%
PPS staff were professional and courteous	34%	19%	47%
The formal complaint process was conducted in a fair manner	10%	15%	75%
The length of time to took to receive a decision was reasonable	10%	17%	74%



<b>Table 3. Before filing a complaint, please select all the people you worked with to resolve your concern(s).</b>	<b>Count</b>
Principal, Vice principal, or Assistant principal	48
Teacher	35
Other	25
School counselor	18
PPS parent or family	16
Special education case manager	15
School psychologist	9
School social worker	5
School nurse or health assistant	4
On-site mental health provider/School based health clinician	3
SUN school contact/After school care provider	1
On-site community provider (Step Up, REAP, Empowerment group, Chrysalis, etc.)	1
ESL community agent	0





**PORTLAND PUBLIC SCHOOLS**  
**OFFICE OF TECHNOLOGY AND**  
**INFORMATION SERVICES**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3050

**Date:** May 14, 2021

**To:** School Board, Superintendent Guadalupe Guerrero

**From:** Don Wolff, Chief Technology Officer, Office of Technology & Information Services  
Dr. Travis Paakki, Senior Director, Office of Technology & Information Services

**Subject:** Staff Analysis Report to the Board- Policy Revision

**Policy# and Name:** 8.60.040-P

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## **I. BACKGROUND**

(History of the policy revisions, timing issues, legal updates. What is the reason for the revision?)

PPS created an Acceptable Use Policy (AUP) in 2007. At the time, computing devices were either in the hands of adults in the district or available in libraries and specialized labs. This policy and the subsequent revisions reflected the state of access to technology at the time of the creation of the AUP. Additionally, the policy aimed to be monolithic and encompass all aspects of technology access with an emphasis on restricted activities rather than a focus on responsible use.

The Responsible Use Policy (RUP) is a rewrite of the AUP, making it more succinct and streamlined, and removing extraneous detail and outdated technologies. Many specific technologies have been removed so that they may be addressed in detail in Administrative Directives.

## **II. RELATED POLICIES/BEST PRACTICES**

K-12 districts are moving away from single policies that attempt to encapsulate all the practices and procedures to higher-level policies that guide practice and serve to guide the development of Administrative Procedures and practices.

In keeping pace with peers, the Office of Technology & Information Services (OTIS) has significantly revised the AUP to the Responsible Use Policy (RUP). This change reflects the goals of the Enhancement of Learning and Productivity, Equitable and Inclusive Learning, and Student Safety. Instead of an inflexible, monolithic policy, the RUP now serves as a high-level framework that will allow Administrative Directives to guide practice in a way that is responsive to changes in tools, technology, laws and academic requirements.

Similar policies are found at LAUSD, Miami-Dade, Seattle Public Schools, and in Oregon ( David Douglas, Eugene, and Beaverton).

### **III. ANALYSIS OF SITUATION**

The AUP as it stands reflects both technologies that are no longer in use, and practices that can no longer be followed. The policy updates are required to reflect these changes.

### **IV. FISCAL IMPACT**

As this update does not reflect a change in responsibilities or requirements for OTIS, there is no financial impact.

### **V. COMMUNITY ENGAGEMENT**

The DSC Board representative was consulted on the changes to policy. Discussions with staff groups are pending.

### **VI. RACIAL EQUITY AND SOCIAL JUSTICE LENS**

1. How have you intentionally involved stakeholders who are affected by this policy, program, practice or decision? Is there support or opposition? Why?

There has been concern expressed over the language that staff and students should have “no expectation of privacy.” It should be noted that this language exists in the current AUP Administrative Directive and is not a new addition.

2. Does the proposed policy/AD address barriers to equitable outcomes?

The policy itself does not specifically seek to address these barriers, however, this statement was added to the policy purpose statement which will guide subsequent AD development:

Equity considerations will drive District decisions about the development, distribution, and use of Technology Resources in order to ensure equitable access for every user.

3. Describe how the policy/AD revisions critically examine and alter practices. The policy seeks to remove a long list of explicitly restricted behaviors and associated penalties; instead, referring those to vetted and well-developed policies for student and staff conduct.

### **VII. TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

How will the revisions be implemented? Timeline? How will progress be measured on goals? What is your communication plan to stakeholders after the policy is approved?

The goal is to have this policy in place for the beginning of the 2021-22 school year. Staff will draft an update to the administrative directive 8.60.040-AD that reflects the changes in technology highlighted in this policy.

**VIII. STAFF RECOMMENDATION**

Convey the specific recommendation on any and all of the options listed or overall recommendation regarding the revision.

Staff recommends that the previous Acceptable Use Policy 8.60.040-P be removed and replaced with the proposed Responsible Use Policy 8.60.040-P.

**I. I have reviewed this staff report and concur with the recommendation to the Board.**

Approved by Superintendent Direct Report, Don Wolff, Chief Technology Officer

Don Wolff

Signature 

Date May 18, 2021

**ATTACHMENTS**

*(List all supporting documentation, including resolution, etc.)*

- A.
- B.
- C.

**PPS District Priorities FY 2018-19**

1. *Set a clear Vision and Strategic Plan*
2. *Create equitable opportunities and outcomes for all students*
3. *Build management and accountability systems and structures*
4. *Allocate budget, funding and resources focused on improving outcomes for students*



## Responsible Technology Use

### I. Scope

The District provides access to District approved technology devices, networks, accounts, software, and internet-based resources (“Technology Resources”) in order to enhance the education of students. Technology Resources improve student communication and extend learning beyond the classroom walls while building digital citizenship skills. Students and staff accessing technology are expected to conduct themselves in a responsible, courteous, efficient, and legal manner as further outlined in this Policy.

The District must honor its commitments for student safety, and compliance with the law at the local, state, and federal levels which require investigation and monitoring of PPS physical and digital assets. Because these laws set forth the District’s responsibilities for providing for student safety, maintaining the integrity of its digital systems, and protecting District records, students and staff should have no expectation of privacy while using PPS systems.

### II. Purpose

#### A. Enhancement of Learning and Productivity

District Technology Resources will be deployed and used for teaching and learning in District classrooms, comprehensive distance learning, professional and career development, and research and district-related administrative activities.

#### B. Equity and Inclusive Learning

Equity considerations will drive District decisions about the development, distribution, and use of Technology Resources in order to ensure equitable access for every user.

#### C. Student Safety

Technology Resources will be deployed and used in a way that fosters a culture of safety and respect for everyone. Social, emotional, and physical well-being are crucial to academic and professional success.

### III. Responsible Deployment and Use of Technology Resources

A. Technology Resources will be deployed and used in compliance with applicable laws and other District policies.

B. Technology Resources will be deployed and used in a manner that supports the



### Responsible Technology Use

District purposes of learning and productivity, equity and inclusive learning, and a safe and respectful environment.

- C. The District will develop an Administrative Directive and acceptable use guidelines for users regarding the deployment and use of District Technology Resources, including access to Internet and social media, and regulation of use of District and personal electronic resources on District assets.

#### IV. Fostering Safety and Security of Users

##### A. No Expectation of Privacy

The safety and security of District Technology Resources is the shared responsibility of the District. The District may monitor, intercept, and review, without further notice, activities occurring on the District's Technology Resources. Users should have no expectation of privacy while using District Technology Resources.

The District shall establish protocols for review of activity.

##### B. Cyberbullying and Anti-harassment

District policies prohibiting harassment and bullying apply to the use of District Technology Resources. Technology Resources will not be used in a manner that may be construed by others as bullying, harassing or offensive. [link to anti-harassment policy]

##### C. Filtering Software

As a component of District Internet safety measures, all District-owned technology resources, including computer networks in all District facilities capable of accessing the Internet will use filtering software to restrict access to obscene, racist, hateful or violent material. However, the District cannot ensure that a student will never be able to access objectionable material.

##### D. Community-based Approach

While District staff will make reasonable efforts to supervise student access and use of Technology Resources, fostering the safety and security of students and staff requires a community-based approach.[link to digital citizenship guidelines]

#### V. Violations

- A. If a user violates District Policies, Administrative Directives, or guidelines for Technology Resources or Responsible Use, District staff will notify the Office of



**Responsible Technology Use**

Technology and Information Services.

- B. Violations may include discipline or other sanctions consistent with District Policies, Administrative Directives, guidelines, or Student's Rights and Responsibilities Handbook, up to and including expulsion or termination of employment.

**VI. Administrative Directive [\[hyperlink\]](#)**

Legal references: Children's Internet Protection Act, (CIPA); Children's Online Privacy Protection Act (COPPA); Family Educational Rights and Privacy Act (FERPA); ORS 336.184 Oregon Student Information Protection Act; ORS 646A.600 Oregon Consumer Information Protection Act.

OSBA: IIBGA

History: Amd 5/\_/21



## 8.60.040-P ~~Computer Use~~ **B**

~~0~~

### ~~I. Electronic Communications Network~~

~~The district has established PPSNet, an electronic communications network~~ **A**

~~(network) for electronic communication and access to, and use of, the World Wide Web. Use of the network for access and development on the World Wide Web, e-mail, chat rooms and other forms of direct electronic communication is~~ **R**

~~intended for educational and administrative purposes.~~ **D**

### ~~II. Definitions~~

~~(1) Educational and administrative purposes includes use of the network for teaching and learning in district classrooms, professional and career development, research and district-related administrative activities.~~ **P**

### ~~III. Responsibilities~~ **O**

~~(1) The superintendent or designee will manage the district network.~~ **L**

~~(2) Each building principal or designee will be responsible to coordinate building level activities, including appropriate computer training for the use of the network, supervision of the use of the network, and enforcement of all computer-use policies in compliance with this policy.~~

~~(3) The superintendent or designee is authorized to develop administrative directives and other guidelines for the use of the network that are in compliance with the Children's Internet Protection Act (CIPA), this policy and all other district policies. These regulations include but are not limited to acceptable use regulations, setting network account limits, network security and World Wide Web guidelines.~~

~~(a) The administrative directives shall be consistent with sound guidelines as may be provided by the education service districts, the Oregon Department of Education and/or the Government Standards and Practices Committee and will include a complaint procedure for reporting violations.~~

### ~~IV. Access to Network~~

~~(1) \_\_\_\_\_ The network, including hardware, software and data, is for the use of district students, employees, Board members and others with permission from the superintendent or designee. The district may determine the extent to which students at their respective grade levels are granted access to the network.~~

~~(2) \_\_\_\_\_ Use of any electronic communication service provided by the district is conditioned upon acceptance of all guidelines found within this policy, as well as any administrative directive or other official regulation~~

## ~~8.60.040-P Computer Use~~

~~relating to computer use and acceptable use by employees and students.~~

~~(3) District employees and students shall take reasonable precautions to prevent others from using their accounts. Passwords are issued to district employees and students and shall not be provided to any other person. District employees and students shall not allow another to use their password or use another person's password to access the network.~~

### ~~V. Internet Safety~~

~~(1) In accordance with the Children's Internet Protection Act (CIPA), the Board authorizes staff to implement and operate technology protection measures, including filtering devices, specifically, in accordance with CIPA.~~

~~(a) The district will prohibit access by minors to inappropriate material on the internet and World Wide Web, as defined by CIPA, through the use of filtering devices. Inappropriate access for minors includes materials that are obscene, child pornography or other material harmful to minors.~~

~~(b) The district will enforce the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications (e.g., instant messaging services).~~

~~(c) Unauthorized access, including so-called hacking and other unlawful activities, by district employees or students online is prohibited.~~

~~(d) Unauthorized disclosure, use, and dissemination of personal identification information regarding minors are prohibited.~~

### ~~VI. Violations~~

~~(1) All disciplinary procedures will be conducted in accordance with federal law, state law, applicable Board policies and administrative directives and, where applicable, appropriate collective bargaining agreements.~~

~~(2) Failure to abide by district policies and administrative directives governing use of the network may result in the suspension or revocation of network access. Additionally, student violations may result in discipline up to and including expulsion. Employee violations may result in discipline up to and including dismissal. Fees, fines or other charges may also be imposed. When applicable, sanctions will be in accordance with the appropriate collective bargaining agreement. Violations of the law will be reported to law enforcement officials.~~

## ~~8.60.040-P Computer Use~~

**B**

### ~~VII. District Web Site~~

**O**

~~(1) In addition to the purposes set forth in this policy regarding educational and administrative purposes, the purposes of the district's Web site include providing information about the district and functioning as a district communication tool.~~

**A**

~~(2) All Web content shall be consistent with the purposes for which the computer network was created.~~

**R**

~~(3) All district information shall reside at the domain pps.k12.or.us. Material hosted at other domains or by outside Internet service providers is not to be construed as official district information.~~

**D**

~~(4) The superintendent or designee will designate a Web manager to oversee management of the district's Web site. See administrative directive District Web Site 8.60.043-AD.~~

**P**

~~(5) Schools may establish Web content within the district Web site. Content and management of those pages shall conform to the administrative~~

**O**

~~directive District Web Site 8.60.043-AD.~~

**L**

~~(6) Departments and other district units, including schools or programs, may establish Web pages or other Web content within the district Website. Content and management of those pages shall conform to the administrative directive District Web Site 8.60.043-AD.~~

**I**

~~(7) With the approval of the building principal or department director, school-related organizations such as classes, curricular clubs or PTAs may establish Web pages. Content and management of such pages shall conform to the administrative directive District Web Site 8.60.043-AD.~~

**C**

### ~~VIII. Limitations of Liability and Indemnification~~

**V**

~~(1) The district makes no warranties of any kind, either express or implied, that the functions or services provided by or through PPSNet will be error-free or without defect. The district is not responsible for any damage the user may suffer, including but not limited to loss of data or interruptions in service. Furthermore, the district is not responsible for the accuracy or quality of information obtained through or stored on PPSNet.~~

~~(2) The district is not responsible for financial obligations arising through the use of PPSNet unless the district has agreed to the obligation before it is incurred.~~

**Legal References:** ORS 30.765; ORS 163.435; ORS 164.345; ORS 164.365; ORS 167.060; ORS 167.065; ORS 167.070; ORS 167.080; ORS 167.087; ORS 167.090; ORS 167.095; ORS Chapter

# 8.60.040-P Computer Use

~~192; ORS 332.107; ORS 336.222; ORS 33.9250; ORS 339.260; ORS 339.270; OAR 581-021-0050;~~

~~OAR 581-021-0055; OAR 584-020-0040; OAR 584-020-0041; Children's Internet Protection Act, 47~~

~~U.S.C. Section 254 (h) and (l); 47 CFR Section 54,520 (2001); Copyrights, Title 17, as amended. United States Code; 19 CFR Part 133 (2000); Oregon Attorney General's Public Records and Meetings Manual pp. 22-24, Appendix H, Department of Justice (1999); Drug-Free Schools and Communities Act of 1986 P.L. 99-570 20 U.S.C. Section 7105; Drug-Free Workplace Act of 1988.~~

~~P.L. 100-690, Title V, Subtitle D, Sections 5151-5160, 102 Stat. 4305-4308; Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000). Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928 et. seq.; Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12243, 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000); Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).~~

History: **P**

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## PORTLAND PUBLIC SCHOOLS

### OFFICE OF General Counsel

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3274

**Date:** May 18, 2021

**To:** School Board

**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel

**Subject:** Staff Analysis Report to the Board- Policy Revision and Rescission

**Policy # and Name:** 1.80.020-P Non-Discrimination/Anti-Harassment Policy  
4.30.060-P Anti-Harassment Policy  
4.30.070-P Teen Dating Violence/Domestic Violence Policy  
5.10.030-P Grievance Procedure-Sex Discrimination  
5.10.062 Sexual Harassment-Staff to Student  
5.10.060-P Workplace Harassment Policy  
5.10.064-P Professional Conduct Policy

---

### I. BACKGROUND

There have been a number of recent statutory revisions addressing harassment, including sexual harassment, in the workplace and within the educational setting. As we endeavored to incorporate the new requirements into our policies, we realized that this was an opportune time to organize these policies in a way that may provide ease of use for our students and staff. In some instances, policies were joined where there was overlap in content and focus. Other policies were out of date and had been replaced by other policies that were current with state law. A few policies required only that we update the definition of sexual harassment to align with current law.

### II. RELATED POLICIES/BEST PRACTICES

It is best practice to review policies regularly to determine whether they reflect current laws and practices. It is also best practice to provide a clear, concise, and legally compliant schedule of policies that is easily accessible and understandable.

### III. ANALYSIS OF SITUATION

Staff conducted a review of the District’s policies focused on discrimination and harassment, including sexual harassment, to ensure that updates to state and federal law were accurately reflected in the policies. During the course of the review, it became apparent that some policies were not compliant with current law and others could be incorporated into a single policy. Below is a guide to the changes staff is suggesting for each policy and the rationale supporting these suggestions.

Policy	Proposed Action	Rationale
1.80.020-P Anti-Harassment/NonDiscrimination Policy	Revise to add retaliation language	ORS 659 and ORS 659A prohibit discrimination and retaliation in the workplace and educational settings.
4.30.060-P Anti-Harassment	Revise and rename. Revision will incorporate parts of Teen Dating Violence Policy and requirements of ORS 342.704 as it relates to students. The amended document will retain the student-centered focus on cyberbullying and abuse but will now also address teen dating violence and other forms of sexual harassment.	Required by ORS 339.356, ORS 339.366, and ORS 342.704
4.30.070-P Teen Dating Violence/Domestic Violence Policy	Rescind. The language from the policy will be incorporated into 4.30.060-P. The process referenced in the policy has already been codified in <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> .	Required by ORS 339.366
5.10.030-P Grievance Procedure-Sex Discrimination	Rescind. This policy was developed in 1976 to outline Title IX grievance procedures. It is out of date and should be rescinded. Title IX procedure has been incorporated into the Workplace Harassment AD and the Title IX ADs ( <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> and <a href="#">X.XX.XXX-AD Staff to staff/student Sex-Based Discrimination and Harassment</a> .)	Title IX regulations were promulgated in August, 2020. This policy does not track the current obligations under Title IX. Because the U.S. Dept of Education has recently announced its intention to revisit and revise these regulations, we determined that the Title IX processes for investigations and appeals should sit in an administrative directive rather than a policy, so that they can be readily amended when the law

		changes..
5.10.060-P Workplace Harassment	Revise to add the additional definition of sexual harassment from ORS 342.704 to the definition found in ORS 659A and ORS 243.	Make compliant with ORS 342.704. Required by ORS 659A and ORS 243.
5.10.062 Sexual Harassment-Staff to Student	Rescind. This policy is out of date and does not comply with the current statute. Pertinent items moved to Professional Conduct & Workplace Harassment policies.	Required by 342.704
5.10.064-P Professional Conduct Policy	Revise and renumber. Revisions to include definition of sexual harassment.	Required by 342.704

**IV. FISCAL IMPACT**

These changes are not expected to have a material financial impact.

**V. COMMUNITY ENGAGEMENT**

Because the substantive changes made to the policies were driven by legal compliance, no community engagement occurred in this process.

**VI. TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

Staff has already implemented the statutory provisions in their work around workplace/student harassment. PAT has been provided copies of all of the amended policies prior to the last work group meeting of the Board Policy Committee and once the policies have been approved, General Counsel’s office will work with the Title IX department and Human Resources to finalize processes in conformance with these policies and to include communications to students and staff through the Student Rights and Responsibilities and Employee Handbooks.

**VII. STAFF RECOMMENDATION**

Staff recommends that the Board accept the revision and rescission recommendations put forward in this report and as approved by the Policy Committee.



**I. I have reviewed this staff report and concur with the recommendation to the Board.**

Approved by Superintendent Direct Report

Signature

Date


**ATTACHMENTS**

Redline and clean copies of the following documents:

- 1.80.020-P Non-Discrimination/Anti-Harassment Policy
- 4.30.060-P Anti-Harassment Policy
- 5.10.060-P Workplace Harassment Policy
- 5.10.064-P Professional Conduct Policy

Copies of existing policies recommended for rescission:

- 4.30.070-P Teen Dating Violence/Domestic Violence Policy
- 5.10.030-P Grievance Procedure-Sex Discrimination
- 5.10.062 Sexual Harassment-Staff to Student

	<p>BOARD POLICY</p> <p><b>Non-Discrimination/ Anti-Harassment Policy</b></p>	<p><b>1.80.020-P</b></p>
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Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society.

The District prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race, color, religion, sex, sexual orientation, gender expression or identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran's status, or because of the perceived or actual race, color, religion, sex, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.

The District prohibits discrimination and harassment in all of its programs and operations, including but not limited to, employment, assignment, and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and in accommodating the public at public meetings.

Complaints regarding discrimination and harassment may be filed with any District administrator or manager, including Human Resources (complaint line: 503-916-2990 or hrlegal@pps.net), PPS's Title IX Office (Titleix@pps.net), and the Superintendent. In addition, complaints regarding discrimination may be filed with the United States or Oregon Departments of Education Office for Civil Rights. All complaints regarding sexual harassment and sexual violence shall also be forwarded to the Title IX Office. Complaints may be made anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.

Specific information on where to file a complaint can be found here: [\[hyperlink landing page\]](#)

Retaliation, intimidation, harassment, or threats against any person who in good faith reports, is thought to have reported, or


otherwise participates in an investigation of discrimination or harassment is strictly prohibited, regardless of whether a complaint is substantiated. The good-faith initiation of any complaint of discrimination or harassment by a student will not adversely affect a student's school placement or educational learning environment. The good-faith initiation of any complaint of discrimination or harassment by an employee shall not adversely affect any terms or conditions of employment or work environment of the staff complainant. False reports found to be made in bad-faith shall be regarded as a serious offense and may result in disciplinary action or other appropriate sanctions.

The District shall investigate all complaints of discrimination, harassment, and retaliation.

Legal References: ORS 192.630; ORS 326.051; ORS 339.356; ORS 342.700; ORS 342.704; ORS 342.865; ORS 659.850; ORS 659A.006; ORS 659A.029; ORS 659A.030; ORS 659A.133; ORS 659A.270-.290; Title VII of the Civil Rights Act of 1964, as amended, Americans with Disabilities Act, Family Medical Leave Act, Age Discrimination in Employment Act

OSBA: AC

History: Adpt 2/13/97; Amd 9/9/02; Amd 6/17/13; Amd 4/10/18; Amd \_\_/21

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The District shall investigate all complaints of discrimination, harassment, and retaliation.

~~District notices regarding non-discrimination and harassment will have contact information for the District's Title IX Coordinator, who shall track all district-related complaints regarding discrimination based on sex, sexual orientation, and gender expression or identity, including reports of sexual harassment and sexual violence. The ¶~~

~~District's Title IX Office may be contacted at titleIX@pps.net.~~

~~The Superintendent will promulgate administrative directives outlining the complaint procedures providing for the prompt and equitable resolution of complaints from and against students, employees, vendors, and the public. These administrative directives will be available on the District's website.~~

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OSBA: AC

History: Adpt 2/13/97; Amd 9/9/02; Amd 6/17/13; Amd 4/10/18; Amd 5\_\_\_/21



## PORTLAND PUBLIC SCHOOLS

### OFFICE OF General Counsel

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Telephone: (503) 916-3274

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**To:** School Board

**From:** Liz Large, Contracted General Counsel  
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**VII. STAFF RECOMMENDATION**

Staff recommends that the Board accept the revision and rescission recommendations put forward in this report and as approved by the Policy Committee.

**I. I have reviewed this staff report and concur with the recommendation to the Board.**

Approved by Superintendent Direct Report

Signature

Date

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Copies of existing policies recommended for rescission:

- 4.30.070-P Teen Dating Violence/Domestic Violence Policy
- 5.10.030-P Grievance Procedure-Sex Discrimination
- 5.10.062 Sexual Harassment-Staff to Student



## BOARD POLICY

**4.30.060-P**

# **Student Anti-Harassment and Dating Violence Policy**

## **I. Overview and Scope**

Portland Public Schools is committed to providing a safe, positive, and productive learning and working environment. Harassment, including intimidation or bullying, cyberbullying, and sexual harassment, including teen dating violence and domestic violence, are strictly prohibited and shall not be tolerated.

This policy applies to student behavior on school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, and in all instances that student discipline applies as provided in Student Discipline Procedures 4.30.020-AD [insert hyperlink]. Certain behavior may require the District to follow the procedures outlined in Student to Student Sex-Based Discrimination and Harassment Administrative Directive 4.30.072-AD [insert hyperlink], otherwise, the District will follow the procedures found in the Title IX Student to Student Sex-Based Discrimination and Harassment Administrative Directive 4.30.072-AD. [insert hyperlink]

## **II. Definitions**

A. "Harassment" means all forms of harassment, intimidation or bullying, cyberbullying, and sexual harassment, including but not limited to:

1. Intimidation, or bullying of students: any act that
  - a. substantially interferes with a student's educational benefits, opportunities, or performance and
  - b. has the effect of physically harming a student or damaging a student's property, knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property, or creating a hostile educational environment, including interfering with the psychological well-being of a student and
  - c. may be based on, but not limited to, the protected class status of a person.
2. Cyberbullying: the use of any electronic communication device to harass, intimidate, or bully.
3. Sexual harassment of students: includes
  - a. a demand for sexual favors in exchange for benefits;



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### **Student Anti-Harassment and Dating Violence Policy**

b. unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational performance or that creates an intimidating, offensive or hostile educational environment; and

c. assault when sexual contact occurs without a student's consent because the student is under the influence of drugs or alcohol, is unconscious, or is pressured through physical force, coercion, or explicit or implied threats.

4. Teen dating violence:

a. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in, or has been in, a dating relationship with the person, where one or both persons are 13 to 19 years of age; or

b. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

5. Domestic violence: abuse between family and household members as defined by ORS 107.705.

B. Protected class: a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income, or disability.

C. Retaliation: experiencing an adverse impact after making or supporting a claim of Harassment, including teen dating violence or domestic violence, if the impact would deter a reasonable person from making such a claim.

D. Sexual orientation: an individual's actual or perceived heterosexuality, homosexuality, bisexuality, or gender identity.

E. Gender identity: a person's sense of being male or female regardless of whether the individual's appearance, expression, or behavior differs from that traditionally associated with the individual's sex at birth.

	<p>BOARD POLICY</p> <p><b>Student Anti-Harassment and Dating Violence Policy</b></p>	<p><b>4.30.060-P</b></p>
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**III. All schools shall use evidenced-based strategies to maintain school- wide and classroom environments that are safe, promote learning and free of harassment.**

**IV. Notice of Policy and Resources**

A. Notice: Signs, in age appropriate language, explaining the prohibition against harassment, intimidation or bullying, acts of cyberbullying, and retaliation shall be posted in all schools below grade 6. Signs posted in all grade 6 through 12 schools shall include the prohibition against sexual harassment on a sign at least 8.5 by 11 inches in size. It shall also be included annually in the *Guide*, readily available from the district office, and posted on the district website.

B. School-Wide Student Notification: Students shall be informed of the definition of, consequences for, and obligation to report Harassment and retaliation. This can be accomplished in the form of class discussion or activity. It is also found in the Student Rights and Responsibilities Handbook.

**V. Reporting Harassment**

1. Students who believe they have been subjected to Harassment or retaliation are encouraged to immediately inform a teacher, counselor, administrator, or other District employee. Each school has a School Compliance Officer (SCO) who is responsible to:

- a) receive all school-based reports of bullying, harassment & discrimination;
- b) conduct safety planning for impacted student(s);
- c) act as main point of contact for Title IX reports, investigations & associated interventions;
- d) ensure all incidents are cross-reported to DHS, Title IX etc. Current SCO's for each school are posted on [www.pps.net/titleix](http://www.pps.net/titleix)

2. Students who witness or have reliable knowledge of harassment or retaliation against any student should report their concerns to a teacher, counselor, administrator, or District official as soon as possible.

another

	<p>BOARD POLICY</p> <p><b>Student Anti-Harassment and Dating Violence Policy</b></p>	<p><b>4.30.060-P</b></p>
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3. Any District employee who becomes aware of Harassment against any student or who receives such a report shall immediately report the conduct to the school principal or other District administrator. Employees shall also comply with their mandatory reporting obligations.

**VI. Consequences for Engaging in Harassment**

Students who are found in violation of this directive are subject to disciplinary action ranging from a Level One conference to a Level Four expulsion/delayed expulsion/reassignment or referral. Disciplinary action depends on the number of occurrences and the severity of the offense and as provided in the *Guide to Procedures on Student Responsibilities, Rights and Discipline (Guide)*.

**VII. Procedures**

Reports and complaints of Harassment, including teen dating and domestic violence, will be investigated by the District following the procedures outlined in the Harassment, Sexual Violence, and Teen Dating Violence Procedures and Prevention – Students Administrative Directive 4.30.071-AD. (HYPERLINK) Students and their parents will be notified in writing of the investigation and will be provided information about resources and supports, including information about civil and criminal remedies, to assist them in the process. [INSERT AD Hyperlink again]

Allegations of retaliation will also be investigated and, if substantiated, may result in discipline.

Students may report Harassment anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.

District employees who have reliable knowledge of prohibited conduct by a student or an adult against any student, shall immediately report their concerns to the appropriate designated school district official. Reports of conduct violating this directive may be made anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.

	<p>BOARD POLICY</p> <p><b>Student Anti-Harassment and Dating Violence Policy</b></p>	<p><b>4.30.060-P</b></p>
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**VIII. Confidentiality**

Confidentiality: All complaints shall be handled so that the identity of the complainant and any information obtained as part of the investigation shall be kept confidential to the extent that confidentiality is compatible with a thorough investigation of the complaint and is permitted under the law. The District should strive to protect the identity of the person who files a complaint, encourage the reporting of any violations under this policy. Parents/Guardians of the impacted students will be notified by the District.

Confidentiality of student records: Any disciplinary action taken against a student shall be kept confidential to comply with federal requirements for confidentiality of student records.

Legal References: ORS 339.356; ORS 339.366; ORS 107.705; 342.704

OSBA: JFCF

History: Replaces Harassment & Bullying Policy (4.30.060-P) and Anti-Harassment (4.30.061-AD) Amended 12/10; Amended 2/15;

Adopted: /\_\_/\_/21



BOARD POLICY

4.30.060-P

Anti-Harassment Student  
Anti-Harassment and Teen  
Dating Violence Policy

DRAFT 4/21/21, 5/6/21

**I. Overview and Scope**

Portland Public Schools is committed to providing a safe, positive, and productive learning and working environment. Harassment, including intimidation or bullying, ~~acts of~~ cyberbullying, and sexual harassment, including teen dating violence and domestic violence, are strictly prohibited and shall not be tolerated ~~in the District~~.

~~This policy applies to student behavior on school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, and in all instances that student discipline applies as provided in Student Discipline Procedures 4.30.020-AD [insert hyperlink]. Certain behavior may require the District to follow the procedures outlined in Student to Student Sex-Based Discrimination and Harassment Administrative Directive 4.30.072-AD [insert hyperlink], otherwise, the District will follow the procedures found in the Title IX Student to Student Sex-Based Discrimination and Harassment Administrative Directive 4.30.072-AD. [insert hyperlink]~~

~~A:~~

~~B. This directive policy applies:~~

~~To student behavior on school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, and in all instances that student discipline applies as provided in Student Discipline Procedures 4.30.020-AD [insert hyperlink].~~

~~1. To student behavior prohibited by this policy that substantially disrupts the school environment.~~

~~2. To conduct by all district employees that is between adults, or between adults and students when the student is the victim.[1]~~

~~C. Retaliation against any person who in good faith reports, is thought to have reported, files a complaint, or otherwise participates in an investigation of harassment is strictly prohibited regardless. This~~





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**4.30.060-P**

### Anti-Harassment Student Anti-Harassment and Teen Dating Violence Policy

~~prohibition is independent of whether a complaint is substantiated. False reports shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. The good-faith initiation of any complaint of harassment by an employee shall not adversely affect any terms or conditions of employment or work environment of the staff complainant. The good-faith initiation of any complaint of harassment by a student will not adversely affect a student's school placement or educational learning environment.~~

~~The district shall investigate all complaints of harassment and retaliation.~~

~~The District shall investigate all complaints of teen dating violence and shall incorporate age appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grade 7 through 12.~~

~~D. — The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, teen dating violence and domestic violence.~~

~~E. — Instances of harassment may also be referred to law enforcement.~~

#### **II. Definitions**[2]

**A.** "Harassment" means all forms of harassment, intimidation or bullying, ~~acts of~~ cyberbullying, and sexual harassment, ~~including but not limited to:-~~

~~1. Harassment, i~~ Intimidation, or bullying of students: ~~is~~ any act that

a. substantially interferes with a student's educational benefits, opportunities, or performance and

b. has the effect of physically harming a student or damaging a student's property, knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property, or creating a hostile educational environment, including interfering with the psychological well-being of a student and

c. may be based on, but not limited to, the protected class



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Anti-Harassment Student  
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status of a person.

~~1.2. Harassment, intimidation, or bullying of staff is conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.~~

~~2.3. Cyberbullying: is the use of any electronic communication device to harass, intimidate, or bully.~~

~~4. Sexual harassment of students: includes~~

~~a. \_\_\_\_\_ a demand for sexual favors in exchange for benefits; or~~

~~b. \_\_\_\_\_ unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational performance or that creates an intimidating, offensive or hostile educational environment; and~~

~~3. \_\_\_\_\_ c. assault when sexual contact occurs without a student's consent because the student is under the influence of drugs or alcohol, is unconscious, or is pressured through physical force, coercion, or explicit or implied threats.~~

~~4. Sexual harassment of employees includes a demand for sexual favors in exchange for benefits or unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an employee's performance or that creates an intimidating, hostile, or offensive work environment.~~

~~5. Teen dating violence: means:~~

~~a. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in, or has been in, a dating relationship with the person, where one or both persons are 13 to 19 years of age; or~~

~~b. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.~~

~~7. Domestic violence: abuse between family and household members as defined by ORS 107.705.~~



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**4.30.060-P**

**Anti-Harassment Student  
Anti-Harassment and Teen  
Dating Violence Policy**

~~B.~~ B8. "Protected class:" a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income, or disability.

~~C.~~ C9. "Retaliation: experiencing an adverse impact after making or supporting a claim of Harassment, including teen dating violence or domestic violence, if the impact would deter a reasonable person from making such a claim.

~~D.~~ D. "Sexual orientation:" an individual's actual or perceived heterosexuality, homosexuality, bisexuality, or gender identity.

~~E.~~ E11. Gender identity:" a person's sense of being male or female regardless of whether the individual's appearance, expression, or behavior differs from that traditionally associated with the individual's sex at birth.



BOARD POLICY

**4.30.060-P**

**Anti-Harassment Student  
Anti-Harassment and Teen  
Dating Violence Policy**

**III.II. All schools shall use evidenced-based strategies to maintain school-wide and classroom environments that are safe, promote learning and free of harassment.**

**IV.III. [III. Notice of Policy and Resources]**

A. Notice: Signs, in age appropriate language, explaining the prohibition against harassment, intimidation or bullying, acts of cyberbullying, and retaliation shall be posted in all schools below grade 6. Signs posted in all grade 6 through 12 schools shall include the prohibition against sexual harassment on a sign at least 8.5 by 11 inches in size. It shall also be included annually in the *Guide*, readily available from the district office, and posted on the district website.

B. School-Wide Student Notification: Students shall be informed of the definition of, consequences for, and obligation to report Harassment and retaliation. This can be accomplished in the form of class discussion or activity. [It is also found in the Student Rights and Responsibilities Handbook.](#)

**B- IV. Reporting Harassment**

1. Students who believe they have been subjected to Harassment or retaliation are encouraged to immediately inform a teacher, counselor, administrator, or other District employee. Each school has a School Compliance Officer (SCO) who is responsible to:

- a) receive all school-based reports of bullying, harassment & discrimination;
- b) conduct safety planning for impacted student(s);
- c) act as main point of contact for Title IX reports, investigations & associated interventions;
- d) ensure all incidents are cross-reported to DHS, Title



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IX etc. Current SCO's for each school are posted on  
[www.pps.net/titleix](http://www.pps.net/titleix)

2. Students who witness or have reliable knowledge of harassment or retaliation against any student should report their concerns to a teacher, counselor, administrator, or ~~the appropriate designated school another~~ District official as soon as possible.

3. Any District employee<sup>[3]</sup> who ~~becomes aware witnesses or has reliable knowledge~~ of Harassment against any student or who receives such a report shall immediately report the conduct to the school principal or ~~designee~~ other District administrator<sup>[4]</sup>. Employees shall also comply with their mandatory reporting obligations.

#### V-IV. **Consequences for Engaging in Harassment**

~~A.~~ Students who are found in violation of this directive are subject to disciplinary action ranging from a Level One conference to a Level Four expulsion/delayed expulsion/reassignment or referral. Disciplinary action depends on the number of occurrences and the severity of the offense and as provided in the *Guide to Procedures on Student Responsibilities, Rights and Discipline (Guide)*.

~~District employees found in violation of this directive are subject to discipline, up to and including dismissal. Licensed employees shall be reported to the Teacher Standards and Practices Commission as provided in OAR 584-020-0041.~~

#### VI-V. **Procedures**

Reports and complaints of Harassment, including teen dating and domestic violence, will be investigated by the District following the procedures outlined in the Harassment, Sexual Violence, and Teen Dating Violence Procedures and Prevention – Students Administrative Directive 4.30.071-AD. (HYPERLINK) Students and their parents will be notified in writing of the investigation and will be provided information about resources and supports, including information about civil and criminal remedies, to assist them in the



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**4.30.060-P**

### Anti-Harassment Student Anti-Harassment and Teen Dating Violence Policy

process. [\[INSERT AD Hyperlink again\]](#)

[Allegations of retaliation will also be investigated and, if substantiated, may result in discipline.](#)

~~A. If a student is the alleged perpetrator of the harassment, the following procedures shall apply:~~

- ~~1. The principal or designee is responsible for investigating claims of student harassment.~~
- ~~2. Upon a report, or knowledge of, an incident of harassment or retaliation, the principal or designee shall assure it is promptly investigated.~~

~~3. \_\_\_\_\_ Students may report Harassment anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.~~

~~4. \_\_\_\_\_ Complainants not satisfied with the decision at the school level may request a review of the decision by following the appropriate step in the Complaint Procedure in 4.50.030 P and 4.50.031 AD[5].~~

~~5. \_\_\_\_\_ If the complaint involves sexual harassment of a student, the District shall notify both the student who initiated the complaint and the student's parents when the investigation is concluded[6].~~

~~B. District employees who have reliable knowledge of prohibited conduct by a student or an adult against any student, shall immediately report their concerns to the appropriate designated school district official. Reports of conduct violating this directive may be made anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.~~

~~If a district employee is the perpetrator of the alleged harassment, the complaint will be resolved through the appropriate Complaint Procedure. Employees not satisfied with the decision regarding their complaint, or employees receiving disciplinary or other consequences may request review through the grievance procedure otherwise generally applicable.[7]~~



	<p>BOARD POLICY</p> <p><b><u>Anti-Harassment Student Anti-Harassment and Teen Dating Violence Policy</u></b></p>	<p><b>4.30.060-P</b></p>
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~~E.~~

**VII.VI. Confidentiality**

Confidentiality: All complaints shall be handled so that the identity of the complainant and any information obtained as part of the investigation shall be kept confidential to the extent that confidentiality is compatible with a thorough investigation of the complaint and is permitted under the law. The District should strive to protect the identity of the person who files a complaint, encourage the reporting of any violations under this policy. [Parents/Guardians of the impacted students will be notified by the District.](#)

~~A.~~ Confidentiality of student records: Any disciplinary action taken against a student shall be kept confidential to comply with federal requirements for confidentiality of student records.

[Legal References: ORS 339.356; ORS 339.366; ORS 107.705; 342.704](#)

[OSBA: JFCF and \\_\\_\\_\\_\\_](#)

History: Replaces Harassment & Bullying Policy (4.30.060-P) and Anti-Harassment (4.30.061-AD) Amended 12/10; Amended 2/15



## PORTLAND PUBLIC SCHOOLS

### OFFICE OF General Counsel

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3274

**Date:** May 18, 2021

**To:** School Board

**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel

**Subject:** Staff Analysis Report to the Board- Policy Revision and Rescission

**Policy # and Name:** 1.80.020-P Non-Discrimination/Anti-Harassment Policy  
4.30.060-P Anti-Harassment Policy  
4.30.070-P Teen Dating Violence/Domestic Violence Policy  
5.10.030-P Grievance Procedure-Sex Discrimination  
5.10.062 Sexual Harassment-Staff to Student  
5.10.060-P Workplace Harassment Policy  
5.10.064-P Professional Conduct Policy

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### I. BACKGROUND

There have been a number of recent statutory revisions addressing harassment, including sexual harassment, in the workplace and within the educational setting. As we endeavored to incorporate the new requirements into our policies, we realized that this was an opportune time to organize these policies in a way that may provide ease of use for our students and staff. In some instances, policies were joined where there was overlap in content and focus. Other policies were out of date and had been replaced by other policies that were current with state law. A few policies required only that we update the definition of sexual harassment to align with current law.

### II. RELATED POLICIES/BEST PRACTICES

It is best practice to review policies regularly to determine whether they reflect current laws and practices. It is also best practice to provide a clear, concise, and legally compliant schedule of policies that is easily accessible and understandable.



### III. ANALYSIS OF SITUATION

Staff conducted a review of the District’s policies focused on discrimination and harassment, including sexual harassment, to ensure that updates to state and federal law were accurately reflected in the policies. During the course of the review, it became apparent that some policies were not compliant with current law and others could be incorporated into a single policy. Below is a guide to the changes staff is suggesting for each policy and the rationale supporting these suggestions.

Policy	Proposed Action	Rationale
1.80.020-P Anti-Harassment/NonDiscrimination Policy	Revise to add retaliation language	ORS 659 and ORS 659A prohibit discrimination and retaliation in the workplace and educational settings.
4.30.060-P Anti-Harassment	Revise and rename. Revision will incorporate parts of Teen Dating Violence Policy and requirements of ORS 342.704 as it relates to students. The amended document will retain the student-centered focus on cyberbullying and abuse but will now also address teen dating violence and other forms of sexual harassment.	Required by ORS 339.356, ORS 339.366, and ORS 342.704
4.30.070-P Teen Dating Violence/Domestic Violence Policy	Rescind. The language from the policy will be incorporated into 4.30.060-P. The process referenced in the policy has already been codified in <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> .	Required by ORS 339.366
5.10.030-P Grievance Procedure-Sex Discrimination	Rescind. This policy was developed in 1976 to outline Title IX grievance procedures. It is out of date and should be rescinded. Title IX procedure has been incorporated into the Workplace Harassment AD and the Title IX ADs ( <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> and <a href="#">X.XX.XXX-AD Staff to staff/student Sex-Based Discrimination and Harassment</a> .)	Title IX regulations were promulgated in August, 2020. This policy does not track the current obligations under Title IX. Because the U.S. Dept of Education has recently announced its intention to revisit and revise these regulations, we determined that the Title IX processes for investigations and appeals should sit in an administrative directive rather than a policy, so that they can be readily amended when the law

		changes..
5.10.060-P Workplace Harassment	Revise to add the additional definition of sexual harassment from ORS 342.704 to the definition found in ORS 659A and ORS 243.	Make compliant with ORS 342.704. Required by ORS 659A and ORS 243.
5.10.062 Sexual Harassment-Staff to Student	Rescind. This policy is out of date and does not comply with the current statute. Pertinent items moved to Professional Conduct & Workplace Harassment policies.	Required by 342.704
5.10.064-P Professional Conduct Policy	Revise and renumber. Revisions to include definition of sexual harassment.	Required by 342.704

**IV. FISCAL IMPACT**

These changes are not expected to have a material financial impact.

**V. COMMUNITY ENGAGEMENT**

Because the substantive changes made to the policies were driven by legal compliance, no community engagement occurred in this process.

**VI. TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

Staff has already implemented the statutory provisions in their work around workplace/student harassment. PAT has been provided copies of all of the amended policies prior to the last work group meeting of the Board Policy Committee and once the policies have been approved, General Counsel’s office will work with the Title IX department and Human Resources to finalize processes in conformance with these policies and to include communications to students and staff through the Student Rights and Responsibilities and Employee Handbooks.

**VII. STAFF RECOMMENDATION**

Staff recommends that the Board accept the revision and rescission recommendations put forward in this report and as approved by the Policy Committee.

**I. I have reviewed this staff report and concur with the recommendation to the Board.**

Approved by Superintendent Direct Report

Signature

Date

**ATTACHMENTS**

Redline and clean copies of the following documents:

- 1.80.020-P Non-Discrimination/Anti-Harassment Policy
- 4.30.060-P Anti-Harassment Policy
- 5.10.060-P Workplace Harassment Policy
- 5.10.064-P Professional Conduct Policy

Copies of existing policies recommended for rescission:

- 4.30.070-P Teen Dating Violence/Domestic Violence Policy
- 5.10.030-P Grievance Procedure-Sex Discrimination
- 5.10.062 Sexual Harassment-Staff to Student



### Workplace Harassment

- (1) All District work environments should be free from any form of harassment, including sexual harassment. All District employees, school board members, volunteers, and contractors, must avoid any conduct or action that could be characterized as harassment of another employee, whether that occurs in the workplace or off District premises.
- (2) Workplace harassment means conduct that constitutes discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status, age, disability, expunged juvenile record, and any other discrimination prohibited by law and includes sexual assault.
- (3) Sexual harassment means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation and includes any unwelcome sexual advances, requests for sexual favors, physical contact, or any other unwelcome conduct, verbal or nonverbal, of a sexual nature when:
  - (a) The employee's submission to, or rejection of, the conduct is made either an implicit or explicit term or condition of employment (including wages, evaluation, advancement, retention, assigned duties, or other employment-related matters);
  - (b) The conduct by supervisors or other District employees, school board members, contractors, and volunteers, that has the purpose or effect of substantially interfering with an individual's work performance; or
  - (c) The conduct by supervisors or other District employees, school board members, contractors, and volunteers, that has the effect of creating an intimidating, hostile, or offensive working environment.
    - (A) **Verbal conduct** includes sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, and threats.
    - (B) **Nonverbal conduct** includes sexually suggestive objects or pictures, graphic commentaries,



### Workplace Harassment

suggestive or insulting noises, obscene gestures, whistling, and leering.

- (C) **Physical conduct** includes unwanted physical contact such as touching, pinching, brushing the body, coerced sexual intercourse, or assault.
- (4) Sexual harassment also includes assault which occurs when sexual contact occurs without a staff member's consent because the staff member is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats.
- (5) No District employee, school board member, contractor, or volunteer may use the authority of their position to subject any employee to sexual harassment, as described above, or to coerce, encourage, or force another into a romantic relationship.
- (6) When it is brought to their attention, administrators and supervisors must take affirmative steps to stop workplace harassment, including sexual harassment of subordinates or non-employees, including warning, discipline, and recommending possible dismissal of the offending staff.
- (7) Any District employee who believes they have been subject to workplace harassment may file a report with
  - (a) their supervisor
  - (b) the Human Resources Department Complaint hotline
  - (c) the Oregon Bureau of Labor and Industries' (BOLI) complaint resolution process or
  - (d) through other avenues available under civil or criminal law.

Any person who believes they have been subject to workplace harassment should also make a report of sexual harassment to the Title IX Director for the District.

- (8) All reports of behavior that may violate this policy shall be promptly investigated. The District will make every



### Workplace Harassment

reasonable effort to safeguard employee privacy and preserve confidentiality to the extent the investigative process allows.

- (9) The District will not tolerate retaliation by any District employee, school board member, contractor, or volunteer, against any person who in good faith reports conduct believed to constitute workplace harassment. The District may discipline employees who retaliate in violation of this policy, provide false information, or make a complaint in bad faith. The District may take any other action it deems necessary in response to similar conduct from a contractor or volunteer.
- (10) The District may not require or coerce an employee who makes an allegation of workplace harassment to enter into a nondisclosure or nondisparagement agreement unless it complies with ORS 659A.
- (11) District employees who makes a report of workplace harassment shall be provided all information required by law, including, timelines for relief for available administrative or judicial remedies.
- (12) All complaints of harassment directed toward non-employees should be addressed under the District's Nondiscrimination/Anti-Harassment Policy, 1.80.020-P.

Legal References: ORS 659A.001 et seq. ORS 342.700 to 342.708; ORS 342.865  
Title VI of the Civil Rights Act of 1964,  
Title VII of the Civil Rights Act of 1964,  
Title IX of the Education Amendments of 1972, 20 U.S.C.A., 1681-1683  
(2018)  
Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq.  
29 CFR Part 1630

History: Adpt. 9/25/97; Amd. 2/99, 5/20, 5/21

OSBA: GBN/JBA and GBNA

[INSERT Link to AD]

Draft 4/21/21

## 5.10.060-P Workplace Harassment

- (1) All District work environments should be free from any form of harassment, including sexual harassment. All District employees, school board members, volunteers, and contractors, must avoid any conduct or action that could be characterized as harassment of another employee, whether that occurs in the workplace or off District premises.
- (2) Workplace harassment means conduct that constitutes discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status, age, disability, expunged juvenile record, and any other discrimination prohibited by law and includes sexual assault.
- (3) Sexual ~~harassment~~ ~~assault~~ means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation and includes any unwelcome sexual advances, requests for sexual favors, physical contact, or any other unwelcome conduct, verbal or nonverbal, of a sexual nature when:
  - (a) The employee's submission to, or rejection of, the conduct is made either an implicit or explicit term or condition of employment (including wages, evaluation, advancement, retention, assigned duties, or other employment-related matters);
  - (b) The conduct by supervisors or other District employees, school board members, contractors, and volunteers, that has the purpose or effect of substantially interfering with an individual's work performance; or
  - (c) The conduct by supervisors or other District employees, school board members, contractors, and volunteers, that has the effect of creating an intimidating, hostile, or offensive working environment.
    - (A) **Verbal conduct** includes sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, and threats.
    - (B) **Nonverbal conduct** includes sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting noises, obscene gestures, whistling, and leering.
    - ~~(C)~~ **Physical conduct** includes unwanted physical contact such as touching, pinching, brushing the body, coerced sexual intercourse, or assault.

~~(C)~~ (4)

(4) Sexual harassment also includes assault which occurs when sexual contact occurs without a staff member's consent because the staff member is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats.

~~(4)~~(5) No District employee, school board member, contractor, or volunteer may use the authority of their position to subject any employee to sexual harassment, as described above, or to coerce, encourage, or force another into a romantic relationship.

~~(5)~~(6) When it is brought to their attention, administrators and supervisors must take affirmative steps to stop workplace harassment, including sexual harassment of subordinates or non-employees, including warning, discipline, and recommending possible dismissal of the offending staff.

~~(6)~~(7) Any District employee who believes they have been subject to workplace harassment may file a report with

- (a) their supervisor
- (b) the Human Resources Department Complaint hotline
- (c) the Oregon Bureau of Labor and Industries' (BOLI) complaint resolution process or
- (d) through other avenues available under civil or criminal law.

~~(e)~~     Any person who believes they have been subject to workplace harassment should also make a report of sexual harassment to the Title IX Director for the District.

~~(7)~~(8) All ~~reports incidents~~ of behavior that may violate this policy shall be promptly investigated. The District will make every reasonable effort to safeguard employee privacy and preserve confidentiality to the extent the investigative process allows.

~~(8)~~(9) The District will not tolerate retaliation by any District employee, school board member, contractor, or volunteer, against any person who in good faith reports conduct believed to constitute workplace harassment. The District may discipline employees who retaliate in violation of this policy, provide false information, or make a complaint in bad faith. The District may take any other action it deems necessary in response to similar conduct from a contractor or volunteer.

- (10) The District may not require or coerce an employee who makes an allegation of workplace harassment to enter into a nondisclosure or nondisparagement agreement unless it complies with ORS 659A.
- (11) District employees who makes a report of workplace harassment shall be provided all information required by law, including, timelines for



relief for available administrative or judicial remedies.

**5.10.060-P**

(12) All complaints of harassment directed toward non-employees should be addressed under the District's Nondiscrimination/Anti-Harassment Policy, 1.80.020-P.

Legal References: ORS 659A.001 et seq. ORS 342.700 to 342.708; ORS 342.865  
Title VI of the Civil Rights Act of 1964,  
Title VII of the Civil Rights Act of 1964,  
Title IX of the Education Amendments of 1972, 20 U.S.C.A., 1681-1683 (2018)  
Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

History: Adpt. 9/25/97; Amd. 2/99, 5/20

[INSERT Link to AD]



## PORTLAND PUBLIC SCHOOLS

### OFFICE OF General Counsel

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3274

**Date:** May 18, 2021

**To:** School Board

**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel

**Subject:** Staff Analysis Report to the Board- Policy Revision and Rescission

**Policy # and Name:** 1.80.020-P Non-Discrimination/Anti-Harassment Policy  
4.30.060-P Anti-Harassment Policy  
4.30.070-P Teen Dating Violence/Domestic Violence Policy  
5.10.030-P Grievance Procedure-Sex Discrimination  
5.10.062 Sexual Harassment-Staff to Student  
5.10.060-P Workplace Harassment Policy  
5.10.064-P Professional Conduct Policy

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### I. BACKGROUND

There have been a number of recent statutory revisions addressing harassment, including sexual harassment, in the workplace and within the educational setting. As we endeavored to incorporate the new requirements into our policies, we realized that this was an opportune time to organize these policies in a way that may provide ease of use for our students and staff. In some instances, policies were joined where there was overlap in content and focus. Other policies were out of date and had been replaced by other policies that were current with state law. A few policies required only that we update the definition of sexual harassment to align with current law.

### II. RELATED POLICIES/BEST PRACTICES

It is best practice to review policies regularly to determine whether they reflect current laws and practices. It is also best practice to provide a clear, concise, and legally compliant schedule of policies that is easily accessible and understandable.

### III. ANALYSIS OF SITUATION

Staff conducted a review of the District’s policies focused on discrimination and harassment, including sexual harassment, to ensure that updates to state and federal law were accurately reflected in the policies. During the course of the review, it became apparent that some policies were not compliant with current law and others could be incorporated into a single policy. Below is a guide to the changes staff is suggesting for each policy and the rationale supporting these suggestions.

Policy	Proposed Action	Rationale
1.80.020-P Anti-Harassment/NonDiscrimination Policy	Revise to add retaliation language	ORS 659 and ORS 659A prohibit discrimination and retaliation in the workplace and educational settings.
4.30.060-P Anti-Harassment	Revise and rename. Revision will incorporate parts of Teen Dating Violence Policy and requirements of ORS 342.704 as it relates to students. The amended document will retain the student-centered focus on cyberbullying and abuse but will now also address teen dating violence and other forms of sexual harassment.	Required by ORS 339.356, ORS 339.366, and ORS 342.704
4.30.070-P Teen Dating Violence/Domestic Violence Policy	Rescind. The language from the policy will be incorporated into 4.30.060-P. The process referenced in the policy has already been codified in <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> .	Required by ORS 339.366
5.10.030-P Grievance Procedure-Sex Discrimination	Rescind. This policy was developed in 1976 to outline Title IX grievance procedures. It is out of date and should be rescinded. Title IX procedure has been incorporated into the Workplace Harassment AD and the Title IX ADs ( <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> and <a href="#">X.XX.XXX-AD Staff to staff/student Sex-Based Discrimination and Harassment</a> .)	Title IX regulations were promulgated in August, 2020. This policy does not track the current obligations under Title IX. Because the U.S. Dept of Education has recently announced its intention to revisit and revise these regulations, we determined that the Title IX processes for investigations and appeals should sit in an administrative directive rather than a policy, so that they can be readily amended when the law

		changes..
5.10.060-P Workplace Harassment	Revise to add the additional definition of sexual harassment from ORS 342.704 to the definition found in ORS 659A and ORS 243.	Make compliant with ORS 342.704. Required by ORS 659A and ORS 243.
5.10.062 Sexual Harassment-Staff to Student	Rescind. This policy is out of date and does not comply with the current statute. Pertinent items moved to Professional Conduct & Workplace Harassment policies.	Required by 342.704
5.10.064-P Professional Conduct Policy	Revise and renumber. Revisions to include definition of sexual harassment.	Required by 342.704

**IV. FISCAL IMPACT**

These changes are not expected to have a material financial impact.

**V. COMMUNITY ENGAGEMENT**

Because the substantive changes made to the policies were driven by legal compliance, no community engagement occurred in this process.

**VI. TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

Staff has already implemented the statutory provisions in their work around workplace/student harassment. PAT has been provided copies of all of the amended policies prior to the last work group meeting of the Board Policy Committee and once the policies have been approved, General Counsel’s office will work with the Title IX department and Human Resources to finalize processes in conformance with these policies and to include communications to students and staff through the Student Rights and Responsibilities and Employee Handbooks.

**VII. STAFF RECOMMENDATION**

Staff recommends that the Board accept the revision and rescission recommendations put forward in this report and as approved by the Policy Committee.

**I. I have reviewed this staff report and concur with the recommendation to the Board.**

Approved by Superintendent Direct Report

Signature

Date

**ATTACHMENTS**

Redline and clean copies of the following documents:

- 1.80.020-P Non-Discrimination/Anti-Harassment Policy
- 4.30.060-P Anti-Harassment Policy
- 5.10.060-P Workplace Harassment Policy
- 5.10.064-P Professional Conduct Policy

Copies of existing policies recommended for rescission:

- 4.30.070-P Teen Dating Violence/Domestic Violence Policy
- 5.10.030-P Grievance Procedure-Sex Discrimination
- 5.10.062 Sexual Harassment-Staff to Student



# Professional Conduct Between Adults and

### PURPOSE

District staff show extraordinary dedication and care in their daily work with students. A hallmark of this commitment is the development of strong relationships between adults and students. We believe that:

- A. Children are always learning about healthy relationships, and their most significant learning about relationships comes from how adults behave.
- B. Consistent relationship boundaries help children feel safe. Boundaries help them trust adults and help them know what is healthy behavior.
- C. Children need adults to be adults. Adults' behaviors set the conditions for healthy relationships.
- D. Adults are responsible for creating safe spaces.

The purpose of this policy is to establish common understanding and expectations for all adults in our District on setting consistent and safe boundaries with students. Those boundaries maintain the healthy relationships and safe spaces that students need to thrive.

### GENERAL STANDARDS & DEFINITIONS

- A. For purposes of this policy, **except as specifically noted**, "adults" include any and all District employees, coaches, substitutes, contracted service providers, and volunteers in their interactions with students in District schools and programs.
- B. "Student" means any person: (1) Who is: (a) In any grade from pre-kindergarten through grade 12; or (b) Twenty-one years of age or younger and receiving educational or related services from an education provider that is not a post-secondary institution of education; or (2) Who was previously known to the adult covered under this policy as a



### Professional Conduct Between Adults and

student and who left school or graduated from high school within 90 days of any alleged conduct violating this policy.

- C. For purposes of this policy, the term “legitimate educational purpose” includes matters or communications related to teaching, counseling, athletics, extracurricular activities, social-emotional support that serves the interest of the student, treatment of a student’s physical injury or other medical needs, school administration, or other purposes within the scope of the adult’s employment or other District-related duties.
- D. A “boundary violation” is behavior or interaction by an adult with a student that has no legitimate educational purpose and has the potential to cause harm to the student.
- E. All adults should maintain the highest professional and ethical standards when interacting with students. These standards are defined by the Oregon Teacher Standards and Practices Commission and by District policy.
- F. Volunteers play unique and important roles in students’ lives, and many also have relationships outside the school setting. **This policy applies to volunteers in the context of their volunteer commitment with the District.** The District expects volunteers to maintain appropriate conduct with students when they are engaged in District-authorized activities as outlined in this and other policies.

#### **GUIDELINES FOR INTERACTIONS BETWEEN ADULTS AND STUDENTS**

##### **A. General Guidelines and Required Training**

The interactions and relationships between adults and students should be based upon respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the educational mission of our schools. Adults may not intrude or appear to intrude on a student’s physical and



### Professional Conduct Between Adults and

emotional boundaries unless the purpose of the interaction is to serve a legitimate educational purpose.

Adults with direct, unsupervised contact with students are required to complete annual training provided by the District on sexual conduct prevention to provide guidance and establish appropriate professional boundaries for student-adult interactions.

We recognize that forming a relationship with students is an important aspect of teaching; however, adults should not engage in discussions with students when its purpose is to meet the adult's personal needs rather than the student's needs. If a student initiates a discussion about a significant personal or family problem, adults are encouraged to seek guidance from appropriate resources such as their principal or school counselors, as needed.

#### **B. Conduct Outside a School Setting**

Adults shall use good judgment in their relationships with students beyond their work responsibilities and/or outside the school setting. Informal and social involvements with individual students should be based on appropriate professional boundaries. Volunteers with community-based relationships with students are not subject to this provision in their relationships with those students in non-District settings. In addition to regular classroom instruction and extracurricular activities, staff members may also act in their professional capacity outside of the school day—for example, in providing before- and after-care, tutoring to improve students' academic skills, mentoring that provides students with positive role models, answering questions about school assignments, hosting school-sanctioned or school-sponsored activities and events. We recognize that adults will also encounter students out in our community in the normal course of their personal lives.

Even during non-school hours, when District employees and third-party contractors are acting in their professional capacity, they must maintain at all times ethical standards consistent with Teachers Standards and Practices





### Professional Conduct Between Adults and

Commission (TSPC) standards and District policies.

One-to-one tutoring and mentoring offered during school or non-school hours must take place at the school unless the principal or appropriate supervisor has received prior notification of an off-site location and written permission from the parent/guardian has been obtained. Unless otherwise approved by the principal or other District administrator, volunteers on District property must be under the supervision of a District staff member.

#### **C. Appropriate Personal and Community Relationships**

There may be circumstances where there is an appropriate personal relationship between staff and a student's family that exists independently of the staff member's position with the District (*e.g.*, when the families' children are friends). This policy is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships.

The District understands that adults may be involved in other roles in the community through civic, religious, family, athletic, scouting, private tutoring, or other organizations and programs whose participants may include District students. This policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, staff members are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

#### **D. Appropriate Use of Email, Websites & Social Media**

The District allows and supports the use of technology to communicate transparently and for legitimate educational purposes. As with all forms of communication, adults are expected to maintain professional boundaries with students when communicating via electronic communications and social media.



### Professional Conduct Between Adults and

Staff or students may use approved educational websites if such sites are used solely for legitimate educational purposes.

#### **1. Email Communication**

All email communications from employees to students must be through a PPS-provided email address as described in the District's Acceptable Use Policy (8.60.40) and Social Media Administrative Directive 8.60.045-AD.

#### **2. Social Media**

District employees who wish to use social media as a tool to assist them in their professional duties must maintain separate accounts for professional and personal social media use and may follow or accept requests to connect from students only through their professional social media presence established consistent with the requirements set forth in the Social Media Administrative Directive 8.60.045-AD. Staff should have no expectation of privacy when communicating to students, including on a social media platform (*e.g.* Facebook, Twitter). Staff should not promise students absolute confidentiality in their communications.

#### **3. Group Text Messages**

The use of group text messaging has become a convenient tool for coaches and other staff working with students to relay information. District employees and third-party contractors shall use this method of communication only with both District approval and parental knowledge. Text messages to individual students through District-approved platforms shall contain only information with a legitimate educational purpose.



### Professional Conduct Between Adults and

#### ***E. IN-PERSON INTERACTIONS***

##### **1. One-on-one meetings with students**

There will be times when adults are alone with students to discuss legitimate educational issues, including discipline or academic performance, for example. When possible, adults should meet one-on-one with students in a public space, such as libraries, open classrooms, or in places observable by others, such as offices or classrooms with windows and unlocked, ajar doors. When supporting students with sensitive issues, as is common for staff such as counselors and social workers, it is appropriate to provide a private setting. To maintain transparency, it is also good practice to let others know when and where meetings with a student will occur.

##### **2. Personal communication with students**

Connecting with students and building rapport is an important component to the staff-student relationship, and adults should promote healthy relationships with all students.

There are many times when a staff member's request for personal information is for a legitimate educational purpose. For example, personal reflection, relationships, or experiences are often part of a journaling exercise, and this policy is not intended to interfere with or impede this type of educational activity. It is appropriate for adults to check in with students about their well-being and/or whether they need any support with their school work. This policy does not prohibit that kind of healthy support of students.

If a student discloses information about the student's significant personal or family problems, adults are expected to seek guidance from appropriate resources such as their principal or school counselor, as needed.



### Professional Conduct Between Adults and

Adults are also expected to bring their concerns to their supervisor's attention when they have reason to believe a student is or may be becoming overly attached to or interested in them or other staff.

#### **3. Traveling with or transporting students**

When transporting students to athletic events and other extracurricular activities, adults need to notify the District and the student's parent/guardian of the travel itinerary and may not transport students in a personal vehicle in a non-emergency situation without advance authorization by the District or as defined by the Coaches Handbook (<https://www.pilathletics.com/page/show/5161432-hs-coach-s-handbook>).

If an emergency situation arises that requires a staff member to transport a student without prior approval, the staff member shall alert a direct supervisor and the parent of the situation as soon as practicable.

When traveling out of town, staff must follow the procedure outlined in the Field Trips Administrative Directive (6.50.011-AD). Adults are prohibited from entering a student's hotel room without another adult present, except in an emergency.

#### **4. Physical contact with students**

Adults should not initiate any physical contact without a legitimate educational purpose including offering public greetings, positive acknowledgments, or responding to a crisis. There are times when adults have a legitimate educational purpose to initiate physical contact with a student, and noninvasive contact, such as "high fives" or fist bumps to acknowledge a job well done are fine. In other instances, adults may be required to assist an injured student or a



### Professional Conduct Between Adults and

student with special needs who requires physical assistance. Likewise, adults may need to touch a student's arms or hands to redirect them in an activity. Coaches, music teachers, and other instructors may have a need for physical contact as a method of instruction. Adults need to be aware of what kinds of physical contact with which a student is and is not comfortable and limit physical contact to only that which is necessary for a legitimate purpose. Any physical redirection of students must be pursuant to the District's Physical Restraint and Seclusion Administrative Directive 4.50.060-AD.

#### 5. Respecting student privacy

Adults must honor a student's physical and emotional boundaries unless the interaction serves a legitimate educational purpose or is in response to an emergency.

Examples:

**Physical Surroundings:** Adults should not invade a student's privacy by entering a restroom, locker room, or other space where a student may not be fully clothed unless it falls within a staff member's regular job duties under an established written protocol, an emergency, or the staff needs to use the facility for a legitimate and intended purpose (*e.g.*, if it is not practical due to distance and time constraints to use a staff-only restroom).

**Personal Space:** Adults should respect a student's private space and be conscious of a student's cultural and personal boundaries when communicating (*e.g.*, adults should be conscious of standing too close to students when interacting with them).



### Professional Conduct Between Adults and

#### 6. Exceptions

An emergency or a legitimate educational purpose may justify deviation from professional boundaries set out in this policy. Adults shall be prepared to articulate the reason for any exception from the requirements of this policy and must demonstrate that an appropriate relationship was maintained with the student at all times. Adults must ensure that any exception is narrowly tailored to the circumstances and must report it to their supervisor within 24 hours.

#### **BOUNDARY VIOLATIONS**

A boundary violation is behavior or interaction by an adult in a position of power with a student that has no legitimate educational purpose, and has the potential to cause harm to the student.

#### **A. Examples of boundary violations/prohibited conduct**

Examples of conduct that violates professional adult/student boundaries in or outside of school hours include, but are not limited to, the following:

1. Any type of conduct that would be considered sexual harassment under the District's Non-Discrimination/Anti-Harassment Policy (1.80.020-P);
2. Having any sexual conduct, including verbal or physical conduct or contact through written or electronic communications, with a student that is a sexual advance or request for a sexual favor or is of a sexual nature and is directed toward the student or that has the effect of unreasonably interfering with the student's educational performance, or of creating an intimidating, hostile, or offensive educational environment; and
3. Assault when sexual contact occurs without a student's consent



### Professional Conduct Between Adults and

because the student is under the influence of drugs or alcohol, is unconscious, or is pressured through physical force, coercion or explicit or implied threats.

a. Examples of this behavior include, but are not limited to, the following:

- 1) Engaging in a romantic or sexual relationship with a student;
- 2) Dating, flirting with, or propositioning a student;
- 3) Showing pornography to a student;
- 4) Discussing, writing, texting, transmitting, and/or displaying material to students about sexual topics unrelated to curriculum or a legitimate educational purpose;
- 5) Banter, allusions, jokes, or innuendos of a sexual nature with students;
- 6) Patting buttocks or touching other intimate parts of a student;
- 7) Permitting students to engage in behaviors with an adult that cross appropriate physical boundaries, *e.g.*, allowing students to give shoulder massages to the adult or allowing students to sit on an adult's lap;
- 8) Singling out a particular student or students for favoritism, special privileges, or exchanging of gifts beyond the employee-student relationship;
- 9) Disclosing intimate or sexual matters to a student, unless necessary to serve a legitimate educational purpose.

4. Bullying or other violations of the District's Anti-Harassment Policy 4.30.060-P.



### Professional Conduct Between Adults and

5. Favoring a student when its purpose is to meet the adult's personal needs rather than the student's needs;
6. Inviting individual students to the adult's home without parental notice and approval unless otherwise noted in "Exceptions" section of the policy;
7. Being in the company of students who are consuming alcohol, drugs, or tobacco without intervening and reporting the conduct to appropriate personnel;
8. Sending or accompanying a student on personal errands or travel unrelated to any legitimate educational purpose;
9. Telling a student to keep something secret from other adults;
10. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner that may cross appropriate professional boundaries;
11. Giving a student a ride alone in a vehicle in a non-emergency situation; except as permitted under this policy and Field Trips 6.50.011-AD;
12. Engaging in prohibited social media and electronic communications between adults and students as defined by the District's Acceptable Use Policy (8.60.40) and Social Media Administrative Directive 8.60.045-AD.
  - a) Examples of this behavior include, but are not limited to, the following:
    - 1) District employees acting in their District capacity are prohibited from inappropriate online socializing with students, including phone calls, texting, skyping, instant messaging, or use of any other telecommunications method, or from engaging in any conduct that violates the law, District policies,





### Professional Conduct Between Adults and

or other generally recognized professional standards.

- 2) Adults shall not communicate with students, for any reason, through use of a medium, blog, or app (software or phone application) that is designed to eliminate all traces or records of the communication (*e.g.*, Snapchat).
- 3) District employees and third-party contractors may not communicate with current students through social media directly or through private messaging tools without both written District approval and parental notice.

#### **DUTY TO REPORT POSSIBLE VIOLATIONS**

- A. Adults shall discuss with their building administrator or supervisor whenever they suspect or are unsure whether their conduct, or the conduct of other adults, is inappropriate or constitutes a violation of this policy. If the adult is dissatisfied with the response of the building administrator or supervisor, or does not feel comfortable discussing the situation with those individuals, they may bring it to the attention of the Chief of Human Resources. If the alleged behavior deals with harassment, intimidation, or bullying, the process in Policy 4.30.060-P should be followed. The District will investigate all complaints.

Any District employee who has reasonable cause to believe that another adult has engaged in sexual conduct as defined by Prohibition Against Employee Child Abuse and Sexual Conduct with Students 5.10.063-AD or sexual abuse as defined by statute shall immediately report this behavior to their school compliance officer and to the District Title IX Director. Additionally, any District employee or other mandatory reporter of abuse/neglect who has reasonable cause to believe that a child has been abused must promptly fulfill the mandatory reporting requirements to law enforcement and the Department of Human Services and report the allegation to their principal or supervisor.



### Professional Conduct Between Adults and

District employees whose conduct violates this policy or who fail to report violations of this policy, may face discipline and/or termination, consistent with the District's policies and applicable collective bargaining agreements.

Violations of this policy by volunteers or contracted service providers may result in a prohibition from working or serving on District properties or with District students in school programs, or may result in contract cancellation. The District shall notify law enforcement of any potentially unlawful conduct, as appropriate.

#### B. Student/Parent and Guardian Reporting

Students and/or parents/guardians are strongly encouraged to notify the principal or other appropriate administrator if they believe an adult may be engaging in conduct that violates this policy.

#### **CONFIDENTIALITY AND NON-RETALIATION**

Staff members making a report of potential boundary violations or other prohibited conduct are specifically advised of the following:

1. They must directly notify a supervisor of the conduct;
2. They are required to maintain confidentiality; and
3. They are neither permitted to investigate nor responsible for investigating whether the conduct is inappropriate.

Confidentiality protects the student(s) as well as the adult who is the subject of the report. Failure to maintain confidentiality may impede the investigation and foster untrue and potentially harmful rumors. False reports are regarded as a serious offense and may result in disciplinary action or other appropriate sanctions.



## Board Policy

5.10.064

### Professional Conduct Between Adults and

The District prohibits retaliation against anyone who makes a good-faith report under this policy. Any District employee who retaliates against any complainant, reporter, or other participant in an investigation may be subject to discipline, up to and including dismissal.

#### **TRAINING**

The Superintendent or his/her designee shall develop an annual training for all staff and ensure ongoing review of procedures to support this policy.

Adopted 10/15/2019; Amended 1/\_\_\_/2021; Amended 5\_\_\_/2021

Legal Reference: ORS 342.704; ORS 339.370 et seq.



# Professional Conduct Between Adults and Students

### PURPOSE

District staff show extraordinary dedication and care in their daily work with students. A hallmark of this commitment is the development of strong relationships between adults and students. We believe that:

- A. Children are always learning about healthy relationships, and their most significant learning about relationships comes from how adults behave.
- B. Consistent relationship boundaries help children feel safe. Boundaries help them trust adults and help them know what is healthy behavior.
- C. Children need adults to be adults. Adults' behaviors set the conditions for healthy relationships.
- D. Adults are responsible for creating safe spaces.

The purpose of this policy is to establish common understanding and expectations for all adults in our District on setting consistent and safe boundaries with students. Those boundaries maintain the healthy relationships and safe spaces that students need to thrive.

### GENERAL STANDARDS & DEFINITIONS

- A. For purposes of this policy, **except as specifically noted**, "adults" include any and all District employees, coaches, substitutes, contracted service providers, and volunteers in their interactions with students in District schools and programs.
- B. "Student" means any person: (1) Who is: (a) In any grade from pre-kindergarten through grade 12; or (b) Twenty-one years of age or younger and receiving educational or related services from an education provider that is not a post-secondary institution of education; or (2) Who was previously known to the adult covered under this policy as a



### Professional Conduct Between Adults and

student and who left school or graduated from high school within 90 days of any alleged conduct violating this policy.

- C. For purposes of this policy, the term “legitimate educational purpose” includes matters or communications related to teaching, counseling, athletics, extracurricular activities, social-emotional support that serves the interest of the student, treatment of a student’s physical injury or other medical needs, school administration, or other purposes within the scope of the adult’s employment or other District-related duties.
- D. A “boundary violation” is behavior or interaction by an adult with a student that has no legitimate educational purpose and has the potential to cause harm to the student.
- E. All adults should maintain the highest professional and ethical standards when interacting with students. These standards are defined by the Oregon Teacher Standards and Practices Commission and by District policy.
- F. Volunteers play unique and important roles in students’ lives, and many also have relationships outside the school setting. **This policy applies to volunteers in the context of their volunteer commitment with the District.** The District expects volunteers to maintain appropriate conduct with students when they are engaged in District-authorized activities as outlined in this and other policies.

#### **GUIDELINES FOR INTERACTIONS BETWEEN ADULTS AND STUDENTS**

##### **A. General Guidelines and Required Training**

The interactions and relationships between adults and students should be based upon respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the educational mission of our schools. Adults may not intrude or appear to intrude on a student’s physical and



### Professional Conduct Between Adults and

emotional boundaries unless the purpose of the interaction is to serve a legitimate educational purpose.

Adults with direct, unsupervised contact with students are required to complete annual training provided by the District on sexual conduct prevention to provide guidance and establish appropriate professional boundaries for student-adult interactions.

We recognize that forming a relationship with students is an important aspect of teaching; however, adults should not engage in discussions with students when its purpose is to meet the adult's personal needs rather than the student's needs. If a student initiates a discussion about a significant personal or family problem, adults are encouraged to seek guidance from appropriate resources such as their principal or school counselors, as needed.

#### **B. Conduct Outside a School Setting**

Adults shall use good judgment in their relationships with students beyond their work responsibilities and/or outside the school setting. Informal and social involvements with individual students should be based on appropriate professional boundaries. Volunteers with community-based relationships with students are not subject to this provision in their relationships with those students in non-District settings. In addition to regular classroom instruction and extracurricular activities, staff members may also act in their professional capacity outside of the school day—for example, in providing before- and after-care, tutoring to improve students' academic skills, mentoring that provides students with positive role models, answering questions about school assignments, hosting school-sanctioned or school-sponsored activities and events. We recognize that adults will also encounter students out in our community in the normal course of their personal lives.

Even during non-school hours, when District employees and third-party contractors are acting in their professional capacity, they must maintain at all times ethical standards consistent with Teachers Standards and Practices



### Professional Conduct Between Adults and

Commission (TSPC) standards and District policies.

One-to-one tutoring and mentoring offered during school or non-school hours must take place at the school unless the principal or appropriate supervisor has received prior notification of an off-site location and written permission from the parent/guardian has been obtained. Unless otherwise approved by the principal or other District administrator, volunteers on District property must be under the supervision of a District staff member.

#### **C. Appropriate Personal and Community Relationships**

There may be circumstances where there is an appropriate personal relationship between staff and a student's family that exists independently of the staff member's position with the District (*e.g.*, when the families' children are friends). This policy is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships.

The District understands that adults may be involved in other roles in the community through civic, religious, family, athletic, scouting, private tutoring, or other organizations and programs whose participants may include District students. This policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, staff members are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

#### **D. Appropriate Use of Email, Websites & Social Media**

The District allows and supports the use of technology to communicate transparently and for legitimate educational purposes. As with all forms of communication, adults are expected to maintain professional boundaries with students when communicating via electronic communications and social media.



### Professional Conduct Between Adults and

Staff or students may use approved educational websites if such sites are used solely for legitimate educational purposes.

#### **1. Email Communication**

All email communications from employees to students must be through a PPS-provided email address as described in the District's Acceptable Use Policy (8.60.40) and Social Media Administrative Directive 8.60.045-AD.

#### **2. Social Media**

District employees who wish to use social media as a tool to assist them in their professional duties must maintain separate accounts for professional and personal social media use and may follow or accept requests to connect from students only through their professional social media presence established consistent with the requirements set forth in the Social Media Administrative Directive 8.60.045-AD. Staff should have no expectation of privacy when communicating to students, including on a social media platform (*e.g.* Facebook, Twitter). Staff should not promise students absolute confidentiality in their communications.

#### **3. Group Text Messages**

The use of group text messaging has become a convenient tool for coaches and other staff working with students to relay information. District employees and third-party contractors shall use this method of communication only with both District approval and parental knowledge. Text messages to individual students through District-approved platforms shall contain only information with a legitimate educational purpose.





### Professional Conduct Between Adults and

#### ***E. IN-PERSON INTERACTIONS***

##### **1. One-on-one meetings with students**

There will be times when adults are alone with students to discuss legitimate educational issues, including discipline or academic performance, for example. When possible, adults should meet one-on-one with students in a public space, such as libraries, open classrooms, or in places observable by others, such as offices or classrooms with windows and unlocked, ajar doors. When supporting students with sensitive issues, as is common for staff such as counselors and social workers, it is appropriate to provide a private setting. To maintain transparency, it is also good practice to let others know when and where meetings with a student will occur.

##### **2. Personal communication with students**

Connecting with students and building rapport is an important component to the staff-student relationship, and adults should promote healthy relationships with all students.

There are many times when a staff member's request for personal information is for a legitimate educational purpose. For example, personal reflection, relationships, or experiences are often part of a journaling exercise, and this policy is not intended to interfere with or impede this type of educational activity. It is appropriate for adults to check in with students about their well-being and/or whether they need any support with their school work. This policy does not prohibit that kind of healthy support of students.

If a student discloses information about the student's significant personal or family problems, adults are expected to seek guidance from appropriate resources such as their principal or school counselor, as needed.



### Professional Conduct Between Adults and

Adults are also expected to bring their concerns to their supervisor's attention when they have reason to believe a student is or may be becoming overly attached to or interested in them or other staff.

#### **3. Traveling with or transporting students**

When transporting students to athletic events and other extracurricular activities, adults need to notify the District and the student's parent/guardian of the travel itinerary and may not transport students in a personal vehicle in a non-emergency situation without advance authorization by the District or as defined by the Coaches Handbook (<https://www.pilathletics.com/page/show/5161432-hs-coach-s-handbook>).

If an emergency situation arises that requires a staff member to transport a student without prior approval, the staff member shall alert a direct supervisor and the parent of the situation as soon as practicable.

When traveling out of town, staff must follow the procedure outlined in the Field Trips Administrative Directive (6.50.011-AD). Adults are prohibited from entering a student's hotel room without another adult present, except in an emergency.

#### **4. Physical contact with students**

Adults should not initiate any physical contact without a legitimate educational purpose including offering public greetings, positive acknowledgments, or responding to a crisis. There are times when adults have a legitimate educational purpose to initiate physical contact with a student, and noninvasive contact, such as "high fives" or fist bumps to acknowledge a job well done are fine. In other instances, adults may be required to assist an injured student or a



### Professional Conduct Between Adults and

student with special needs who requires physical assistance. Likewise, adults may need to touch a student's arms or hands to redirect them in an activity. Coaches, music teachers, and other instructors may have a need for physical contact as a method of instruction. Adults need to be aware of what kinds of physical contact with which a student is and is not comfortable and limit physical contact to only that which is necessary for a legitimate purpose. Any physical redirection of students must be pursuant to the District's Physical Restraint and Seclusion Administrative Directive 4.50.060-AD.

#### **5. Respecting student privacy**

Adults must honor a student's physical and emotional boundaries unless the interaction serves a legitimate educational purpose or is in response to an emergency.

Examples:

**Physical Surroundings:** Adults should not invade a student's privacy by entering a restroom, locker room, or other space where a student may not be fully clothed unless it falls within a staff member's regular job duties under an established written protocol, an emergency, or the staff needs to use the facility for a legitimate and intended purpose (*e.g.*, if it is not practical due to distance and time constraints to use a staff-only restroom).

**Personal Space:** Adults should respect a student's private space and be conscious of a student's cultural and personal boundaries when communicating (*e.g.*, adults should be conscious of standing too close to students when interacting with them).



### Professional Conduct Between Adults and

#### 6. Exceptions

An emergency or a legitimate educational purpose may justify deviation from professional boundaries set out in this policy. Adults shall be prepared to articulate the reason for any exception from the requirements of this policy and must demonstrate that an appropriate relationship was maintained with the student at all times. Adults must ensure that any exception is narrowly tailored to the circumstances and must report it to their supervisor within 24 hours.

#### **BOUNDARY VIOLATIONS**

A boundary violation is behavior or interaction by an adult in a position of power with a student that has no legitimate educational purpose, and has the potential to cause harm to the student.

#### **A. Examples of boundary violations/prohibited conduct**

Examples of conduct that violates professional adult/student boundaries in or outside of school hours include, but are not limited to, the following:

1. Any type of conduct that would be considered sexual harassment under the District's Non-Discrimination/Anti-Harassment Policy (1.80.020-P);
2. [Having any sexual conduct, including verbal or physical conduct or contact through written or electronic communications, with a student that is a sexual advance or request for a sexual favor or is<sup>\[1\]</sup> of a sexual nature and is directed toward the student or that has the effect of unreasonably interfering with the student's educational performance, or of creating an intimidating, hostile, or offensive educational environment; \[and\]\(#\)](#)
- 2.3. [Assault when sexual contact occurs without a student's](#)



## Board Policy

5.10.064

### Professional Conduct Between Adults and

consent because the student is under the influence of drugs or alcohol, is unconscious<sup>[2]</sup><sup>[3]</sup>, or is pressured through physical force, coercion or explicit or implied threats.



### Professional Conduct Between Adults and

- a. Examples of this behavior include, but are not limited to, the following:
- 1) Engaging in a romantic or sexual relationship with a student;
  - 2) Dating, flirting with, or propositioning a student;
  - 3) Showing pornography to a student;
  - 4) Discussing, writing, texting, transmitting, and/or displaying material to students about sexual topics unrelated to curriculum or a legitimate educational purpose;
  - 5) Banter, allusions, jokes, or innuendos of a sexual nature with students;
  - 6) Patting buttocks or touching other intimate parts of a student;
  - 7) Permitting students to engage in behaviors with an adult that cross appropriate physical boundaries, *e.g.*, allowing students to give shoulder massages to the adult or allowing students to sit on an adult's lap;
  - 8) Singling out a particular student or students for favoritism, special privileges, or exchanging of gifts beyond the employee-student relationship;
  - 9) Disclosing intimate or sexual matters to a student, unless necessary to serve a legitimate educational purpose.
- 3-4. Bullying or other violations of the District's Anti-Harassment Policy 4.30.060-P.
- 4-5. Favoring a student when its purpose is to meet the adult's personal needs rather than the student's needs;
- 5-6. Inviting individual students to the adult's home without parental



### Professional Conduct Between Adults and

notice and approval unless otherwise noted in “Exceptions” section of the policy;

- ~~6.7.~~ 7. Being in the company of students who are consuming alcohol, drugs, or tobacco without intervening and reporting the conduct to appropriate personnel;
- ~~7.8.~~ 8. Sending or accompanying a student on personal errands or travel unrelated to any legitimate educational purpose;
- ~~8.9.~~ 9. Telling a student to keep something secret from other adults;
- ~~9.10.~~ 10. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner that may cross appropriate professional boundaries;
- ~~10.11.~~ 11. Giving a student a ride alone in a vehicle in a non-emergency situation; except as permitted under this policy and Field Trips 6.50.011-AD;
- ~~11.12.~~ 12. Engaging in prohibited social media and electronic communications between adults and students as defined by the District’s Acceptable Use Policy (8.60.40) and Social Media Administrative Directive 8.60.045-AD.

a) Examples of this behavior include, but are not limited to, the following:

- 1) District employees acting in their District capacity are prohibited from inappropriate online socializing with students, including phone calls, texting, skypeing, instant messaging, or use of any other telecommunications method, or from engaging in any conduct that violates the law, District policies, or other generally recognized professional standards.



### Professional Conduct Between Adults and

- 2) Adults shall not communicate with students, for any reason, through use of a medium, blog, or app (software or phone application) that is designed to eliminate all traces or records of the communication (*e.g.*, Snapchat).
- 3) District employees and third-party contractors may not communicate with current students through social media directly or through private messaging tools without both written District approval and parental notice.

#### **DUTY TO REPORT POSSIBLE VIOLATIONS**

- A. Adults shall discuss with their building administrator or supervisor whenever they suspect or are unsure whether their conduct, or the conduct of other adults, is inappropriate or constitutes a violation of this policy. If the adult is dissatisfied with the response of the building administrator or supervisor, or does not feel comfortable discussing the situation with those individuals, they may bring it to the attention of the Chief of Human Resources. If the alleged behavior deals with harassment, intimidation, or bullying, the process in Policy 4.30.060-P should be followed. The District will investigate all complaints.

Any District employee who has reasonable cause to believe that another adult has engaged in sexual conduct as defined by Prohibition Against Employee Child Abuse and Sexual Conduct with Students 5.10.063-AD or sexual abuse as defined by statute shall immediately report this behavior to their school compliance officer and to the District Title IX Director. Additionally, any District employee or other mandatory reporter of abuse/neglect who has reasonable cause to believe that a child has been abused must promptly fulfill the mandatory reporting requirements to law enforcement and the Department of Human Services and report the allegation to their principal or supervisor.

District employees whose conduct violates this policy or who fail to





### Professional Conduct Between Adults and

report violations of this policy, may face discipline and/or termination, consistent with the District's policies and applicable collective bargaining agreements.

Violations of this policy by volunteers or contracted service providers may result in a prohibition from working or serving on District properties or with District students in school programs, or may result in contract cancellation. The District shall notify law enforcement of any potentially unlawful conduct, as appropriate.

#### B. Student/Parent and Guardian Reporting

Students and/or parents/guardians are strongly encouraged to notify the principal or other appropriate administrator if they believe an adult may be engaging in conduct that violates this policy.

#### **CONFIDENTIALITY AND NON-RETALIATION**

Staff members making a report of potential boundary violations or other prohibited conduct are specifically advised of the following:

1. They must directly notify a supervisor of the conduct;
2. They are required to maintain confidentiality; and
3. They are neither permitted to investigate nor responsible for investigating whether the conduct is inappropriate.

Confidentiality protects the student(s) as well as the adult who is the subject of the report. Failure to maintain confidentiality may impede the investigation and foster untrue and potentially harmful rumors. False reports are regarded as a serious offense and may result in disciplinary action or other appropriate sanctions.



## Board Policy

5.10.064

### Professional Conduct Between Adults and

The District prohibits retaliation against anyone who makes a good-faith report under this policy. Any District employee who retaliates against any complainant, reporter, or other participant in an investigation may be subject to discipline, up to and including dismissal.

#### **TRAINING**

The Superintendent or his/her designee shall develop an annual training for all staff and ensure ongoing review of procedures to support this policy.

Adopted 10/15/2019; Amended 1/ /2021; Amended 6 /2021



## PORTLAND PUBLIC SCHOOLS

### OFFICE OF General Counsel

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3274

**Date:** May 18, 2021

**To:** School Board

**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel

**Subject:** Staff Analysis Report to the Board- Policy Revision and Rescission

**Policy # and Name:** 1.80.020-P Non-Discrimination/Anti-Harassment Policy  
4.30.060-P Anti-Harassment Policy  
4.30.070-P Teen Dating Violence/Domestic Violence Policy  
5.10.030-P Grievance Procedure-Sex Discrimination  
5.10.062 Sexual Harassment-Staff to Student  
5.10.060-P Workplace Harassment Policy  
5.10.064-P Professional Conduct Policy

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### I. BACKGROUND

There have been a number of recent statutory revisions addressing harassment, including sexual harassment, in the workplace and within the educational setting. As we endeavored to incorporate the new requirements into our policies, we realized that this was an opportune time to organize these policies in a way that may provide ease of use for our students and staff. In some instances, policies were joined where there was overlap in content and focus. Other policies were out of date and had been replaced by other policies that were current with state law. A few policies required only that we update the definition of sexual harassment to align with current law.

### II. RELATED POLICIES/BEST PRACTICES

It is best practice to review policies regularly to determine whether they reflect current laws and practices. It is also best practice to provide a clear, concise, and legally compliant schedule of policies that is easily accessible and understandable.

### III. ANALYSIS OF SITUATION

Staff conducted a review of the District’s policies focused on discrimination and harassment, including sexual harassment, to ensure that updates to state and federal law were accurately reflected in the policies. During the course of the review, it became apparent that some policies were not compliant with current law and others could be incorporated into a single policy. Below is a guide to the changes staff is suggesting for each policy and the rationale supporting these suggestions.

Policy	Proposed Action	Rationale
1.80.020-P Anti-Harassment/NonDiscrimination Policy	Revise to add retaliation language	ORS 659 and ORS 659A prohibit discrimination and retaliation in the workplace and educational settings.
4.30.060-P Anti-Harassment	Revise and rename. Revision will incorporate parts of Teen Dating Violence Policy and requirements of ORS 342.704 as it relates to students. The amended document will retain the student-centered focus on cyberbullying and abuse but will now also address teen dating violence and other forms of sexual harassment.	Required by ORS 339.356, ORS 339.366, and ORS 342.704
4.30.070-P Teen Dating Violence/Domestic Violence Policy	Rescind. The language from the policy will be incorporated into 4.30.060-P. The process referenced in the policy has already been codified in <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> .	Required by ORS 339.366
5.10.030-P Grievance Procedure-Sex Discrimination	Rescind. This policy was developed in 1976 to outline Title IX grievance procedures. It is out of date and should be rescinded. Title IX procedure has been incorporated into the Workplace Harassment AD and the Title IX ADs ( <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> and <a href="#">X.XX.XXX-AD Staff to staff/student Sex-Based Discrimination and Harassment</a> .)	Title IX regulations were promulgated in August, 2020. This policy does not track the current obligations under Title IX. Because the U.S. Dept of Education has recently announced its intention to revisit and revise these regulations, we determined that the Title IX processes for investigations and appeals should sit in an administrative directive rather than a policy, so that they can be readily amended when the law

		changes..
5.10.060-P Workplace Harassment	Revise to add the additional definition of sexual harassment from ORS 342.704 to the definition found in ORS 659A and ORS 243.	Make compliant with ORS 342.704. Required by ORS 659A and ORS 243.
5.10.062 Sexual Harassment-Staff to Student	Rescind. This policy is out of date and does not comply with the current statute. Pertinent items moved to Professional Conduct & Workplace Harassment policies.	Required by 342.704
5.10.064-P Professional Conduct Policy	Revise and renumber. Revisions to include definition of sexual harassment.	Required by 342.704

**IV. FISCAL IMPACT**

These changes are not expected to have a material financial impact.

**V. COMMUNITY ENGAGEMENT**

Because the substantive changes made to the policies were driven by legal compliance, no community engagement occurred in this process.

**VI. TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

Staff has already implemented the statutory provisions in their work around workplace/student harassment. PAT has been provided copies of all of the amended policies prior to the last work group meeting of the Board Policy Committee and once the policies have been approved, General Counsel’s office will work with the Title IX department and Human Resources to finalize processes in conformance with these policies and to include communications to students and staff through the Student Rights and Responsibilities and Employee Handbooks.

**VII. STAFF RECOMMENDATION**

Staff recommends that the Board accept the revision and rescission recommendations put forward in this report and as approved by the Policy Committee.

**I. I have reviewed this staff report and concur with the recommendation to the Board.**

Approved by Superintendent Direct Report

Signature

Date

**ATTACHMENTS**

Redline and clean copies of the following documents:

- 1.80.020-P Non-Discrimination/Anti-Harassment Policy
- 4.30.060-P Anti-Harassment Policy
- 5.10.060-P Workplace Harassment Policy
- 5.10.064-P Professional Conduct Policy

Copies of existing policies recommended for rescission:

- 4.30.070-P Teen Dating Violence/Domestic Violence Policy
- 5.10.030-P Grievance Procedure-Sex Discrimination
- 5.10.062 Sexual Harassment-Staff to Student

	<p>BOARD POLICY</p> <p style="text-align: center;"><b>Recommend Rescind</b></p> <p><b>Teen Dating Violence/Domestic Violence</b></p>	<p>4.30.070-P</p>
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**I. Overview and Prohibited Conduct**

- A. Portland Public Schools is committed to providing a safe, positive, and productive learning environment. Teen dating violence is unacceptable behavior and prohibited.
- B. This policy applies to alleged student behavior on district grounds, at or during any district-sponsored activity, on district-provided transportation, at any official district bus stop, and in all instances that student discipline applies as provided in Student Discipline Procedures 4.30.020-AD, including when student behavior covered in this policy substantially disrupts the school environment.
- C. Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry is also strictly prohibited. Reports made in bad faith shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.
- D. The District shall investigate all complaints of teen dating violence. The Superintendent shall be responsible for ensuring the development of administrative directives, including reporting and investigative procedures. The Superintendent shall also appoint a Title IX Coordinator who will be responsible for receiving reports related to teen dating violence.
- E. The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grade 7 through 12.
- F. The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, teen dating violence and domestic violence.

**II. Definitions**

- A. "Teen dating violence" means:
  - 1. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in, or has been in, a dating relationship with the person, where one or both persons are 13 to 19 years or age; or

2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.
- B. "Domestic Violence" means abuse as defined by Oregon Revised Statute 107.705 between family and household members, as those terms are described in ORS 107.705.
  - C. "Retaliation" means harassment, intimidation or bullying, menacing, teen dating violence and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of teen dating violence.

Legal References: ORS 339.356; ORS 339.366; ORS 107.705

OSBA: JFCF

History: Adpt 4/10/18





**PORTLAND PUBLIC SCHOOLS**

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**I. BACKGROUND**

There have been a number of recent statutory revisions addressing harassment, including sexual harassment, in the workplace and within the educational setting. As we endeavored to incorporate the new requirements into our policies, we realized that this was an opportune time to organize these policies in a way that may provide ease of use for our students and staff. In some instances, policies were joined where there was overlap in content and focus. Other policies were out of date and had been replaced by other policies that were current with state law. A few policies required only that we update the definition of sexual harassment to align with current law.

**II. RELATED POLICIES/BEST PRACTICES**

It is best practice to review policies regularly to determine whether they reflect current laws and practices. It is also best practice to provide a clear, concise, and legally compliant schedule of policies that is easily accessible and understandable.

### III. ANALYSIS OF SITUATION

Staff conducted a review of the District’s policies focused on discrimination and harassment, including sexual harassment, to ensure that updates to state and federal law were accurately reflected in the policies. During the course of the review, it became apparent that some policies were not compliant with current law and others could be incorporated into a single policy. Below is a guide to the changes staff is suggesting for each policy and the rationale supporting these suggestions.

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**VII. STAFF RECOMMENDATION**

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- 5.10.062 Sexual Harassment-Staff to Student

## 5.10.030-P Grievance Procedure – Sex Discrimination

The grievance procedure generally applicable to an employee making the complaint may be utilized by such employee for resolution of claims that the district or its personnel have violated, misinterpreted or erroneously applied Section 901 or Section 902, Title IX, of the Education Amendments of 1972, as amended by Public Law 93-568 (20 USC, Sections 1681 and 1682) or valid regulations of the United States Department of Health, Education and Welfare adopted to effectuate such laws contained in 45 CFR, Part 86 (relating to sex discrimination). For such purposes, the complainant shall be deemed an "aggrieved" within the meaning of that term as defined in the applicable grievance procedure, provided that the complainant must be directly affected by the action complained of. The complaint shall be regarded a "grievance" thereunder, but is otherwise subject to the same definitions, exclusions, limitations and procedures as apply to grievances and the processing thereof in the generally applicable grievance procedure. The final level of such grievance procedure shall be at the superintendent level, and the decision of the superintendent shall not be subject to arbitration.

See also additional provisions in negotiated/professional agreements.

Legal References: ORS 243.706; ORS 659.010 (14); OAR 584-020-0040; ORS 342.700; ORS 659.020; OAR 584-020-0041; ORS 342.704; ORS 659.029; ORS 342.708; ORS 659.030; ORS 342.850; ORS 659.040; ORS 342.865; ORS 659.150; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A., Section 2000(e) et seq. (West 1985); Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.A., Section 621 (West 1985); Age Discrimination Act of 1975, as amended, 42 U.S.C.A., Section 6101 (West 1985); Equal Pay Act of 1963, as amended, 29 U.S.C.A., Section 206(d) (West 1985); Title IX of the Education Amendments of 1972, 20 U.S.C.A., Sections 1681, 1682 and 1683 (West 1985); Rehabilitation Act of 1973, 29 U.S.C.A. Sections 504, 791, 793 and 794 (West 1985); Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

History: Adpt. 7/15/76



## PORTLAND PUBLIC SCHOOLS

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There have been a number of recent statutory revisions addressing harassment, including sexual harassment, in the workplace and within the educational setting. As we endeavored to incorporate the new requirements into our policies, we realized that this was an opportune time to organize these policies in a way that may provide ease of use for our students and staff. In some instances, policies were joined where there was overlap in content and focus. Other policies were out of date and had been replaced by other policies that were current with state law. A few policies required only that we update the definition of sexual harassment to align with current law.

### II. RELATED POLICIES/BEST PRACTICES

It is best practice to review policies regularly to determine whether they reflect current laws and practices. It is also best practice to provide a clear, concise, and legally compliant schedule of policies that is easily accessible and understandable.

### III. ANALYSIS OF SITUATION

Staff conducted a review of the District’s policies focused on discrimination and harassment, including sexual harassment, to ensure that updates to state and federal law were accurately reflected in the policies. During the course of the review, it became apparent that some policies were not compliant with current law and others could be incorporated into a single policy. Below is a guide to the changes staff is suggesting for each policy and the rationale supporting these suggestions.

Policy	Proposed Action	Rationale
1.80.020-P Anti-Harassment/NonDiscrimination Policy	Revise to add retaliation language	ORS 659 and ORS 659A prohibit discrimination and retaliation in the workplace and educational settings.
4.30.060-P Anti-Harassment	Revise and rename. Revision will incorporate parts of Teen Dating Violence Policy and requirements of ORS 342.704 as it relates to students. The amended document will retain the student-centered focus on cyberbullying and abuse but will now also address teen dating violence and other forms of sexual harassment.	Required by ORS 339.356, ORS 339.366, and ORS 342.704
4.30.070-P Teen Dating Violence/Domestic Violence Policy	Rescind. The language from the policy will be incorporated into 4.30.060-P. The process referenced in the policy has already been codified in <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> .	Required by ORS 339.366
5.10.030-P Grievance Procedure-Sex Discrimination	Rescind. This policy was developed in 1976 to outline Title IX grievance procedures. It is out of date and should be rescinded. Title IX procedure has been incorporated into the Workplace Harassment AD and the Title IX ADs ( <a href="#">4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment</a> and <a href="#">X.XX.XXX-AD Staff to staff/student Sex-Based Discrimination and Harassment</a> .)	Title IX regulations were promulgated in August, 2020. This policy does not track the current obligations under Title IX. Because the U.S. Dept of Education has recently announced its intention to revisit and revise these regulations, we determined that the Title IX processes for investigations and appeals should sit in an administrative directive rather than a policy, so that they can be readily amended when the law

		changes..
5.10.060-P Workplace Harassment	Revise to add the additional definition of sexual harassment from ORS 342.704 to the definition found in ORS 659A and ORS 243.	Make compliant with ORS 342.704. Required by ORS 659A and ORS 243.
5.10.062 Sexual Harassment-Staff to Student	Rescind. This policy is out of date and does not comply with the current statute. Pertinent items moved to Professional Conduct & Workplace Harassment policies.	Required by 342.704
5.10.064-P Professional Conduct Policy	Revise and renumber. Revisions to include definition of sexual harassment.	Required by 342.704

**IV. FISCAL IMPACT**

These changes are not expected to have a material financial impact.

**V. COMMUNITY ENGAGEMENT**

Because the substantive changes made to the policies were driven by legal compliance, no community engagement occurred in this process.

**VI. TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

Staff has already implemented the statutory provisions in their work around workplace/student harassment. PAT has been provided copies of all of the amended policies prior to the last work group meeting of the Board Policy Committee and once the policies have been approved, General Counsel’s office will work with the Title IX department and Human Resources to finalize processes in conformance with these policies and to include communications to students and staff through the Student Rights and Responsibilities and Employee Handbooks.

**VII. STAFF RECOMMENDATION**

Staff recommends that the Board accept the revision and rescission recommendations put forward in this report and as approved by the Policy Committee.



**I. I have reviewed this staff report and concur with the recommendation to the Board.**

Approved by Superintendent Direct Report

Signature

Date

**ATTACHMENTS**

Redline and clean copies of the following documents:

- 1.80.020-P Non-Discrimination/Anti-Harassment Policy
- 4.30.060-P Anti-Harassment Policy
- 5.10.060-P Workplace Harassment Policy
- 5.10.064-P Professional Conduct Policy

Copies of existing policies recommended for rescission:

- 4.30.070-P Teen Dating Violence/Domestic Violence Policy
- 5.10.030-P Grievance Procedure-Sex Discrimination
- 5.10.062 Sexual Harassment-Staff to Student

## 5.10.062-P Sexual Harassment – Staff To Student

### (1) Sexual Harassment.

- (a) It is the policy of the Portland school district to maintain a school environment free of sexual harassment of students. No student shall be subjected to sexual harassment by its staff and volunteers or its contractors.
- (b) Sexual harassment is a form of sexual discrimination. Sexual discrimination and thus sexual harassment are distinct from sexual abuse and sexual assault.
- (c) Sexual harassment includes conduct, verbal or nonverbal, which denigrates or shows hostility to a student or students by reason of their gender. Examples of sexual harassment include:
  - (A) Language or action demeaning to students on the basis of gender;
  - (B) Ridicule and abuse on the basis of gender;
  - (C) Penalties or disadvantages imposed by reason of gender.
- (d) No employee or volunteer in the Portland school district shall subject any student to sexual harassment or require any student to submit to sexual harassment.
- (e) The district has an obligation to provide training to employees and volunteers in order to prevent sexual harassment of students.
- (f) The superintendent shall establish by regulation an effective complaint process, which shall be referenced in the "Handbook on Student Responsibilities, Rights and Discipline."
  - (A) District staff shall promptly respond to complaints of sexual harassment.
  - (B) District staff shall conduct a thorough, fair and impartial investigation of complaints. The investigation shall examine the instance alleged to determine if it constitutes a crime, professional misconduct, student discipline or need for supervisory action. An investigation shall respect all rights of all parties to a complaint.
  - (C) If investigation determines that corrective action is necessary, the district shall take such action.
  - (D) The district may take appropriate disciplinary action against individual members of the staff or volunteers if there is a true finding of misconduct. Actions taken shall be appropriate to the

## 5.10.062-P Sexual Harassment – Staff To Student

severity of the misconduct and designed for the purpose of ending misconduct and protecting the learning environment.

### (2) Additional Protections.

- (a) It is the policy of the Portland school district that each school shall take affirmative steps to assure that students are not subjected to any form of sexual harassment by staff or volunteers in any school, in any school program or at any time by any district staff or volunteer of their school.
- (b) Sexual harassment for the purposes of this section shall include any attempt by action or words to establish with a student an amorous, sexual, lascivious or lewd relationship, knowingly using lascivious or lewd language or gestures in the presence of a student, or permitting a student to continue acts or statements which can be reasonably perceived as attempting to establish an amorous or sexual relationship with the staff member or volunteer. Staff and volunteers shall promptly report any attempt by a student to establish an amorous or sexual relationship with a staff member or volunteer.
- (c) Staff or volunteers becoming aware of a violation of this section shall report the information to the principal. Principals shall immediately report to the school police for investigation every such incident, which comes to their attention. If staff or volunteers by action or words have attempted to establish with a student an amorous, sexual, lascivious or lewd relationship or permitted a student to continue to pursue such a relationship, it shall be clear grounds for dismissal, and a copy of the school police report documenting the circumstances shall be referred to the Teacher Standards and Practices Commission and the Personnel Office for appropriate action. Making an intentionally false report of sexual harassment shall also be grounds for dismissal. Failure of a staff member or volunteer to promptly report a student's romantic advances shall be handled by the principal.

## 5.10.062-P Sexual Harassment – Staff To Student

Legal References: ORS 243.706; ORS 659.010 (14); OAR 584-020-0040; ORS 342.700; ORS 659.020; OAR 584-020-0041; ORS 342.704; ORS 659.029; ORS 342.708; ORS 659.030; ORS 342.850; ORS 659.040; ORS 342.865; ORS 659.150; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A., Section 2000(e) et seq. (West 1985); Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.A., Section 621 (West 1985); Age Discrimination Act of 1975, as amended, 42 U.S.C.A., Section 6101 (West 1985); Equal Pay Act of 1963, as amended, 29 U.S.C.A., Section 206(d) (West 1985); Title IX of the Education Amendments of 1972, 20 U.S.C.A., Sections 1681, 1682 and 1683 (West 1985); Rehabilitation Act of 1973, 29 U.S.C.A. Sections 504, 791, 793 and 794 (West 1985); Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

History: Adpt. 8/11/94

