

Portland Public Schools Board of Education



2010-2011

Agenda

Regular Meeting
March 28, 2011

BOARD OF EDUCATION

Portland Public Schools
Regular Meeting
March 28, 2011

Board Auditorium

Blanchard Education Service Center
501 North Dixon Street
Portland, Oregon 97227

Note: Those wishing to speak before the School Board should sign the citizen comment sheet prior to the start of the regular meeting. No additional speakers will be accepted after the sign-in sheet is removed, but citizens are welcome to sign up for the next meeting. While the School Board wants to hear from the public, comments must be limited to three minutes. All citizens must abide by the Board's Rules of Conduct for Board meetings.

Citizen comment related to an action item on the agenda will be heard immediately following staff presentation on that issue. Citizen comment on all other matters will be heard during the "Remaining Citizen Comment" time.

This meeting may be taped and televised by the media.

AGENDA

1. **STUDENT TESTIMONY** 5:30 pm
2. **LEGISLATIVE UPDATE** 5:45 pm
3. **SUPERINTENDENT'S REPORT** 5:50 pm
4. **EXCELLENCE IN TEACHING AND LEARNING** 6:00 pm
 - Opal Public Charter School Renewal – (action item)
 - Arthur Academy Public Charter School Renewal – (action item)
5. **BUSINESS AGENDA** 7:00 pm
6. **OTHER BUSINESS** 7:05 pm
7. **CITIZEN COMMENT** 7:15 pm
8. **ADJOURN** 7:45 pm

The next regular meeting of the Board will be held on **April 11, 2011**, at 5:30 pm at the Blanchard Education Service Center.

NOTE: The Board's agendas are focused on the five strategic operatives of the District as found in the 2005-2010 Strategic Plan: *Excellence in Teaching and Learning; Excellence in Operations and Services; Strong Partnerships with Families and Community; Leadership for Results; and Continuous Learning Ethic.*

Portland Public Schools Nondiscrimination Statement

Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society. All individuals and groups shall be treated with fairness in all activities, programs and operations, without regard to age, color, creed, disability, marital status, national origin, race, religion, sex, or sexual orientation.

Board of Education Policy 1.80.020-P



PORTLAND PUBLIC SCHOOLS

501 North Dixon Street / Portland, OR 97227
Telephone: (503) 916-3200 / Fax: (503) 916-3110
Mailing Address: P. O. Box 3107/97208-3107
Email: csmith1@pps.k12.or.us

Carole Smith
Superintendent

OFFICE OF THE SUPERINTENDENT

March 14, 2011

MEMORANDUM

TO: The Board Committee on Charter Schools
FROM: Carole Smith, Superintendent *OK*
RE: **Opal Charter School**

On April 30, 2001, Portland Public Schools entered into a contract with CM2 Opal Public Charter School (Opal). The term of the contract was for five years and terminated September 14, 2006. On September 1, 2006, Portland Public Schools entered into a renewal contract with CM2 Opal School. The term of the contract is for five years and terminates June 30, 2011. Opal delivered its request for renewal of its charter agreement on January 1, 2011. On March 1, 2011, the Committee on Charter Schools held a public hearing of Opal's renewal request. District staff reviewed Opal's request, supplemental materials, and information from the hearing and recommended that the agreement with Opal be renewed for a flexible term of no less than five years and no more than 10 years. The school would be reviewed annually, and at any point between five and 10 years, either party can request that the renewal process be initiated.

I have reviewed the information presented in the staff review and recommendation and information from the public hearing. I concur with the staff report and recommend that the District negotiate a five-year flexible charter contract with Opal that is consistent with ORS Chapter 338 and with District policies and that is in a form approved by the district's General Counsel. I recommend that the Board direct staff to implement the following in the renewed charter contract:

- Opal's name listed in the contract is "CM2 Opal School". Change name of school in the contract to reflect Opal's legal name.
- Ask for Opal's written plan to improve the performance of students with disabilities.
- Ask for Opal's plan to attract a diverse population of students, and how the school provides and/or intends to provide culturally-responsive content and curriculum.
- Ask for Opal's plan to increase dissemination of best practices to include more PPS teachers and administrators.

Thank you for your work on this renewal request and for your determination to sustain high quality educational programs in our district-sponsored charter schools.



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Carole Smith
Superintendent

OFFICE OF THE SUPERINTENDENT

March 14, 2011

MEMORANDUM

TO: The Board Sub-Committee on Charter Schools

FROM: Superintendent Carole Smith 

RE: **Arthur Academy Public Charter School**

On July 13, 2005, Portland Public Schools entered into a contract with Master Learning Institute (MLI) for the operation of Arthur Academy Public Charter School (Arthur). The term of the contract was for three years and terminated August 31, 2008. On September 1, 2008, Portland Public Schools entered into a renewal contract with MLI to operate Arthur. The term of the contract is for three years and terminates June 30, 2011. Arthur delivered its request for renewal of its charter agreement on January 1, 2011. On March 1, 2011, the Committee on Charter Schools held a public hearing of Arthur's renewal request. District staff reviewed Arthur's request, supplemental materials, and information from the hearing and recommended that the agreement with Arthur be renewed for a flexible term of no less than five years and no more than 10 years. The school would be reviewed annually, and at any point between five and 10 years, either party can request that the renewal process be initiated.

I have reviewed the information presented in the staff review and recommendation and information from the public hearing. I concur with the staff report and recommend that the District negotiate a five-year flexible charter contract with Arthur that is consistent with ORS Chapter 338 and with District policies and that is in a form approved by the district's General Counsel. I recommend that the Board direct staff to implement the following in the renewed charter contract:

- Arthur's written plan for how it intends to ensure that 100% of its teaching staff in core subjects is Highly Qualified.
- Arthur should provide evidence that each staff member has had a background check performed by ODE.
- Arthur has achieved excellent results in eliminating the achievement gap between white students and African-American students in Reading and Math, and will work with District staff to identify a mechanism for dissemination of the practices and methods it uses to achieve these results that would then be available to the District as a whole.

Thank you for your work on this renewal request and for your determination to sustain high quality educational programs in our district-sponsored charter schools.

Report

Expenditure Contracts Exceeding \$25,000 and through \$150,000

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200(6) (Authority to Approve District Contracts; Delegation of Authority to Superintendent) requires the Superintendent to submit to the Board of Education (“Board”) at the “Board’s monthly business meeting a list of all contracts in amounts over \$25,000 and up to \$150,000 approved by the Superintendent or designees within the preceding 30-day period under the Superintendent’s delegated authority.” Contracts meeting this criterion are listed below.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
MPD Systems Inc.	03/01/11 through 02/28/13	Construction C 58190	District-wide: Low-voltage electrical services related to fire alarm design system, as needed.	\$50,000	T. Magliano Fund 101 Dept. 5591
MPD Systems Inc.	03/01/11 through 02/28/13	Construction C 58191	District-wide: Low-voltage electrical services related to video surveillance system, as needed.	\$50,000	T. Magliano Fund 101 Dept. 5591
Hennebery Eddy Architects, Inc.	03/07/11 through 03/07/12	Construction C 58223	Franklin HS: Architectural and design services related to accommodate incoming Marshall Campus students.	\$83,913	T. Magliano Fund 191 Dept. 3215

AMENDMENTS TO EXISTING CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Amendment Amount, Contract Total	Responsible Administrator, Funding Source
Immigrant & Refugee Community Organization	03/01/11 through 03/01/12	Personal / Professional Services PS 56899 Amendment 3	District-wide: One-year extension of contract for spoken word interpretation services as needed.	\$50,000 \$100,000	J. Brennan Fund 101 Dept. 5403
Robert Half International, Inc.	12/30/10 through 06/30/11	Personal / Professional Services PS 57437 Amendment 3	Columbia Regional Program: Six-month extension of contract for hourly professional services of website designer.	\$32,350 \$174,710	C. Gilliam Fund 205 Dept. 5433 Grant G1042
Columbia-Cascade Construction Inc.	02/11/11 through 02/28/11	Construction C 57526 Amendment 4	Llewellyn K-5, Rieke K-5, and Sunnyside ES: Additional construction services, including electrical and flooring work as part of Modular Classrooms, Group 2 project.	\$60,471 \$391,667	S. Schoening Fund 405 Various Depts.

Contractor	Contract Term	Contract Type	Description of Services	Amendment Amount, Contract Total	Responsible Administrator, Funding Source
Michael Willis Architects	02/28/11 through 09/30/11	Personal / Professional Services PS 57574 Amendment 2	Roosevelt Campus: Seven-month extension to contract for planning, community engagement, design, cost study, and additional services related to site planning effort.	\$23,330 \$48,180	S. Schoening Fund 405 Dept. 5511 Project C0100

INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Multnomah Education Service District	12/01/10 through 08/14/11	IGA 58182	Integrated Student Services: MESD will provide 1:1 registered nurse services to a particular District student.	\$64,472	J. Jackson Fund 101 Dept. 5414

N. Sullivan

BOARD OF EDUCATION
SCHOOL DISTRICT NO. 1J, MULTNOMAH COUNTY, OREGON

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Purchases, Bids, Contracts

The Superintendent RECOMMENDS adoption of the following items:

Numbers 4434 and 4435

RESOLUTION No. 4434

Revenue Contracts that Exceed \$25,000 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 for \$25,000 or more 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 agreements in a form approved by General Counsel for the District.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
American Councils for International Education	03/04/11 through 12/31/11	R 58243	Enrollment of 20 students in Summer Institute program in Yunnan, China.	\$ 157,989	C. Randall Fund 205 Grant G1118

AMENDMENTS TO EXISTING CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Fund, Department, Grant/Project	Amendment Amount, Contract Total	Responsible Administrator
Confederated Tribes of Siletz Indians of Oregon	08/20/11 through 06/16/14	R 50212 Amendment 4	Whitman K-5: Three-year renewal of lease for one Head Start Program classroom; \$3,900/year; lease start date: 08/17/00.	Fund 101 Dept. 5594	\$11,700 \$35,100	T. Magliano
City of Portland	04/15/11 through 04/14/14	R 53621 Amendment 2	Skyline K-8: Three-year renewal of lease for placement of rooftop 911 radio frequency antenna; \$2,108/year; lease start date: 07/01/97.	Fund 101 Dept. 5594	\$6,324 \$14,257	T. Magliano
Cingular Wireless, LLC	04/01/11 through 03/31/16	R 54413 Amendment 1	Meek HS: Five-year renewal of lease for the continued operation of communications antenna; lease start date: 04/01/06.	Fund 101 Dept. 5594	\$129,372 \$240,948	T. Magliano
Cingular Wireless, LLC	04/01/11 through 03/31/16	R 54414 Amendment 1	Grant HS: Five-year renewal of lease for the continued operation of communications antenna; lease start date: 04/01/06.	Fund 101 Dept. 5594	\$129,372 \$240,948	T. Magliano

INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)

No IGA/Rs

LIMITED SCOPE REAL PROPERTY AGREEMENTS

No Limited Scope Real Property Agreements

N. Sullivan

RESOLUTION No. 4435

Personal / Professional Services, Goods, and Services Expenditure Contracts
Exceeding \$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 agreements in a form approved by General Counsel for the District.

NEW CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Moore Excavation, Inc.	03/29/11 through 04/30/11	Construction C 58260	Benson HS: Construction services related to installing a new sewer line on the west side of the site; this is a contract-specific special procurement requiring Board approval as provided for under Public Contracting Rule PPS-47-0285(2).	\$19,700	T. Magliano Fund 191 Dept. 5597 Project f0124

AMENDMENTS TO EXISTING CONTRACTS

No Amendments to Existing Contracts

INTERGOVERNMENTAL AGREEMENTS (“IGAS”)

No IGAs

N. Sullivan

Other Matters Requiring Board Action

The Superintendent RECOMMENDS adoption of the following items:

Numbers 4436 and 4437

RESOLUTION No. 4436

Resolution Approving Renewal of the Charter Agreement with the Portland Children's Museum for the Operation of Opal Public Charter School

RECITALS

- A. On April 30, 2001, Portland Public Schools entered into a contract with CM2 Opal Public Charter School (Opal). The term of the contract was for five years and terminated September 14, 2006. On September 1, 2006, Portland Public Schools entered into a renewal contract with CM2 Opal School. The term of the contract is for five years and terminates June 30, 2011.
- B. The process and criteria for considering the renewal of a charter are described in ORS 338.065. The criteria include a requirement that the first renewal of a charter must be for the same term as the initial charter, and all future renewals must be for a term of no less than five and no more than 10 years. Opal will be entering its second renewal period.
- C. Opal delivered its request for renewal of its charter agreement consistent with ORS 338.065.
- D. The District Charter School Manager reviewed Opal's renewal request in good faith using criteria consistent with ORS 338.065(6), which requires an evaluation of whether the public charter school is:
 1. in compliance with ORS Chapter 338 and all other applicable state and federal laws;
 2. in compliance with the charter of the public charter school;
 3. meeting or working toward meeting the student performance goals and agreements specified in the charter or in any other written agreements between the District and Opal;
 4. fiscally stable; and
 5. in compliance with any other renewal criteria specified in the charter.
- E. On February 22, 2011, the Board of Education's Committee on Charter Schools met to prepare for the public hearing and to consider the Charter School Manager's report.
- F. On March 1, 2011, the Committee on Charter Schools held a public hearing to hear Opal's charter renewal request. A video recording and a copy of the hearing minutes and materials are on file at the District Board office.
- G. On March 14, 2011, after reviewing the information presented by Opal in support of its renewal request, including information from the public hearing and the staff report, Superintendent Smith recommended that the District renew the charter agreement with Opal. A copy of Superintendent Smith's recommendation is on file at the District Board office.
- H. On March 14, 2011, the Committee on Charter Schools met to deliberate and to craft its recommendation to the full Board. After careful consideration of the information presented at the public hearing and of the Superintendent's recommendation, the Committee determined by a vote of 2-0 to recommend that the Board of Education approve renewal of the District's charter agreement with Opal and to direct District staff to negotiate a new charter agreement with Opal for a flexible term of five years consistent with ORS Chapter 338 and with District policies.

RESOLUTION

1. The Board of Education for Portland Public Schools has determined that Opal's request to renew its charter meets the criteria of ORS Chapter 338.
2. The Board of Education for Portland Public Schools directs staff to negotiate a five-year flexible term charter agreement between the District and Opal that is consistent with ORS Chapter 338 and with District policies, is in a form approved by the District's General Counsel, and that includes the following conditions:
 - a. District and Opal's staffs will cooperate in developing performance measures and benchmarks for student achievement that will be used to continuously measure student progress toward state, District, and school standards and to inform Opal's school improvement and accountability planning.
 - b. Opal will provide evidence satisfactory to the District that:
 - i. sources of donations and grants are reasonably assured, and that there is a plan in place for supplementing funds received from the State School Fund (SSF);

- ii. Opal has a contingency plan in place if revenues are significantly less than or expenses are significantly more than projected, or if there is a significant reduction in the SSF charter school rate; and that
 - iii. Opal will amend and resubmit each school year's budget to the District when there are any significant changes to the SSF charter school rate.
 - c. Opal's name listed in the current contract is "CM2 Opal School". This name will be changed in the new contract to reflect Opal's legal name.
 - d. Prior to execution of the contract, Opal will provide a written plan to improve the performance of students with disabilities.
 - e. Prior to execution of the contract, Opal will provide a written plan to attract a diverse population of students, and a plan to provide culturally-responsive content and curriculum.
 - f. Opal will work with District staff to formulate a plan to increase dissemination of best practices to include more PPS teachers and administrators.
 - g. The contract with Opal shall be for a flexible five-year term with the following provisions:
 - i. During the fifth year of the contract, the Board and/or the school will determine whether a renewal process is deemed necessary based on Opal's ability to meet academic performance standards, its fiscal stability, its adherence with all applicable state laws, and its compliance with all terms of this contract.
 - ii. If the Board and/or the school determine that a renewal process is not necessary, then the term of the contract shall be extended by one year.
 - iii. If the Board and/or the school determine that a renewal process is necessary, then the renewal process will take place in that school year.
 - iv. The process described above may repeat annually until the 10th year of the contract, at which time the renewal process will be mandated in accordance with ORS 338.065(c).
 - v. At any point between the fifth and 10th year of the contract, either party (Opal or the District) may request that the renewal process be initiated and, provided that this request falls within a reasonable timeline, the renewal process will take place within that school year.
- 3. The Board of Education for Portland Public Schools directs the Superintendent to report to the Board each year (via the appropriate committee) on Opal's compliance with the terms of the charter agreement. This report may be part of an overall report for all District-sponsored charter schools and should be submitted by May 31st of each year.

K. Miles

RESOLUTION No. 4437

Resolution Approving Renewal of the Charter Agreement with Mastery Learning Institute for the Operation of Arthur Academy Public Charter School

RECITALS

- A. On July 13, 2005, Portland Public Schools entered into a contract with Master Learning Institute (MLI) for the operation of Arthur Academy Public Charter School (Arthur). The term of the contract was for three years and terminated August 31, 2008. On September 1, 2008, Portland Public Schools entered into a renewal contract with MLI to operate Arthur. The term of the contract is for three years and terminates June 30, 2011.
- B. The process and criteria for considering the renewal of a charter are described in ORS 338.065. The criteria include a requirement that the first renewal of a charter must be for the same term as the initial charter, and all future renewals must be for a term of no less than five and no more than 10 years. Arthur will be entering its second renewal period.
- C. Arthur delivered its request for renewal of its charter agreement consistent with ORS 338.065.
- D. The District Charter School Manager reviewed Arthur's renewal request in good faith using criteria consistent with ORS 338.065(6), which requires an evaluation of whether the public charter school is:
 - 1. in compliance with ORS Chapter 338 and all other applicable state and federal laws;
 - 2. in compliance with the charter of the public charter school;
 - 3. meeting or working toward meeting the student performance goals and agreements specified in the charter or in any other written agreements between the District and Arthur;
 - 4. fiscally stable; and
 - 5. in compliance with any other renewal criteria specified in the charter.
- E. On February 22, 2011, the Board of Education's Committee on Charter Schools met to prepare for the public hearing and to consider the Charter School Manager's report.
- F. On March 1, 2011, the Committee on Charter Schools held a public hearing to hear Arthur's charter renewal request. A video recording and a copy of the hearing minutes and materials are on file at the District Board office.
- G. On March 14, 2011, after reviewing the information presented by Arthur in support of its renewal request, including information from the public hearing and the staff report, Superintendent Smith recommended that the District renew the charter agreement with Arthur. A copy of Superintendent Smith's recommendation is on file at the District Board office.
- H. On March 14, 2011, the Committee on Charter Schools met to deliberate and to craft its recommendation to the full Board. After careful consideration of the information presented at the public hearing and of the Superintendent's recommendation, the Committee determined by a vote of 2-0 to recommend that the Board of Education approve renewal of the District's charter agreement with Arthur and to direct District staff to negotiate a new charter agreement with Arthur for a flexible term of five years consistent with ORS Chapter 338 and with District policies.
- I. The Board recognizes that Arthur has achieved positive results toward eliminating the achievement gap between African-American students and white students in Reading and Math.

RESOLUTION

- 1. The Board of Education for Portland Public Schools has determined that Arthur's request to renew its charter meets the criteria of ORS Chapter 338.
- 2. The Board of Education for Portland Public Schools directs staff to negotiate a five-year flexible term charter agreement between the District and Arthur that is consistent with ORS Chapter 338 and with District policies, is in a form approved by the District's General Counsel, and that includes the following conditions:
 - a. District and Arthur's staffs will cooperate in developing performance measures and benchmarks for student achievement that will be used to continuously measure student

progress toward state, District, and school standards and to inform Arthur's school improvement and accountability planning.

- b. Arthur will provide evidence satisfactory to the District that:
 - i. sources of donations and grants are reasonably assured, and that there is a plan in place for supplementing funds received from the State School Fund (SSF);
 - ii. Arthur has a contingency plan in place if revenues are significantly less than or expenses are significantly more than projected, or if there is a significant reduction in the SSF charter school rate; and that
 - iii. Arthur will amend and resubmit each school year's budget to the District when there are any significant changes to the SSF charter school rate.
 - c. Prior to execution of the contract, Arthur will provide a written plan for how it intends to ensure that 100% of its teaching staff in core subjects is Highly Qualified.
 - d. Prior to execution of the contract, Arthur will provide evidence that each staff member has had a background check performed by the Oregon Department of Education.
 - e. Arthur will work with District staff to formulate a plan to increase dissemination of best practices for closing the achievement gap to include more PPS teachers and administrators.
 - f. The contract with Arthur shall be for a flexible five-year term with the following provisions:
 - i. During the fifth year of the contract, the Board and/or the school will determine whether a renewal process is deemed necessary based on Arthur's ability to meet academic performance standards, its fiscal stability, its adherence with all applicable state laws, and its compliance with all terms of this contract.
 - ii. If the Board and/or the school determine that a renewal process is not necessary, then the term of the contract shall be extended by one year.
 - iii. If the Board and/or the school determine that a renewal process is necessary, then the renewal process will take place in that school year.
 - iv. The process described above may repeat annually until the 10th year of the contract, at which time the renewal process will be mandated in accordance with ORS 338.065(c).
 - v. At any point between the fifth and 10th year of the contract, either party (Arthur or the District) may request that the renewal process be initiated and, provided that this request falls within a reasonable timeline, the renewal process will take place within that school year.
3. The Board of Education for Portland Public Schools directs the Superintendent to report to the Board each year (via the appropriate committee) on Arthur's compliance with the terms of the charter agreement. This report may be part of an overall report for all District-sponsored charter schools and should be submitted by May 31st of each year.

K. Miles