

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

INDEX TO THE BUSINESS AGENDA

August 13, 2019

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Purchases, Bids, Contracts

Resolutions Number 5942

RESOLUTION No. 5942

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

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
ecoShuttle	8/22/19 through 8/21/24	Services S 68355	Special Pupil Activity Bus (SPAB) coach transportation service on an as needed basis. All individual trips will be solicited by quotes. Certified SPAB provider per OAR 581-053-0615	\$185,000	C. Hertz Fund 101 Dept. Varies
Athletic Transportation Services, LLC	8/22/19 through 8/21/24	Services S 68358	Special Pupil Activity Bus (SPAB) coach transportation service on an as needed basis. All individual trips will be solicited by quotes. Certified SPAB provider per OAR 581-053-0615	\$375,000	C. Hertz Fund 101 Dept. Varies
NW Navigator Luxury Coaches, LLC	8/22/19 through 8/21/24	Services S 68354	Special Pupil Activity Bus (SPAB) coach transportation service on an as needed basis. All individual trips will be solicited by quotes. Certified SPAB provider per OAR 581-053-0615	\$189,000	C. Hertz Fund 101 Dept. Varies
Assist Services, LLC	8/15/19 through 8/14/22 Renewable for up to two additional one-year terms	Services S 68405	Transportation services to District students who are unable to be served by a school bus and as determined by their IEP. Approved Special Class Procurements: Secure, Specialized Transportation for Special Needs Students PPS-47-0288(19)	\$66,666.67 Total if renewed to maximum term: \$200,000	C. Hertz Fund 101 Dept. 5560
New Green Cab, LLC	8/15/19 through 8/14/22 Renewable for up to two additional one-year terms	Services S 68391	Transportation services to District students who are unable to be served by a school bus and as determined by their IEP. Approved Special Class Procurements: Secure, Specialized Transportation for Special Needs Students PPS-47-0288(19)	\$66,666.67 Total if renewed to maximum term: \$200,000	C. Hertz Fund 101 Dept. 5560

Oh Planning & Design Architecture	8/14/19 through 1/30/21	Architectural Services ARCH 68339	Fire alarm improvement design for Astor, Beaumont, Beverly Cleary-Fernwood, Forest Park, Kenton, Laurelhurst, Meek, MLC, Sabin, and Vernon schools. RFP 2019-2625	\$998,408	C. Hertz Fund 455 Dept. 5511 Project DS003
Self Enhancement, Inc.	8/14/19 through 6/30/20	Personal Services PS 68444	Self Enhancement Inc. will provide participating students enrolled at Jefferson with support and advocacy services. Direct Negotiation PPS-46-0525(4)	\$1,399,925	D. Ledezma Fund 101 Dept. 5431
Open School	8/19/19 through 6/30/20	Personal Services PS 68408	Step Up Program at Franklin to help incoming ninth graders transition from middle school to high school. Direct Negotiation PPS-46-0525(4)	\$1,201,750	D. Ledezma Fund 101 Dept. 5431
The I AM Academy	8/14/19 through 6/30/20	Personal Services PS 68412	Group and individual sessions at Franklin and Roosevelt High Schools. Direct Negotiation PPS-46-0525(4)	\$183,825	D. Ledezma Fund 101 Dept. 5431
Immigrant Refugee Community Organization (IRCO)	8/19/19 through 6/30/20	Personal Services PS 68426	Family and Community Engagement (FACES) program RFP 2016-2199	\$225,564	D. Ledezma Fund 101 Dept. 5431
Native American Youth and Family Center (NAYA)	8/15/19 through 6/30/20	Personal Services PS 68441	Parent Involvement and Student Achievement program RFP 2016-2199	\$190,000	D. Ledezma Fund 101 Dept. 5431
Latino Network	8/14/19 through 6/30/20	Personal Services PS 68436	Escalera/Early Escalera programming at Benson, Roosevelt, and Madison High Schools. Direct Negotiation PPS-46-0525(4)	\$191,026	D. Ledezma Fund 101 Dept. 5431
Latino Network	8/14/19 through 6/30/20	Personal Services PS 68437	Colegio de Padres/Parent College across District High Schools. RFP 2016-2199	\$156,131	D. Ledezma Fund 101 Dept. 5431
Albina Head Start	8/14/19 through 7/2/20	Personal Services PS 68442	Infant and toddler program in compliance with Federal Head Start Program, serving 44 children at four high schools. Direct Negotiation PPS-46-0525(4)	\$466,840	K. Cuellar Fund 101 Dept. 4306
Peace In Schools	8/28/19 through 6/12/20	Personal Services PS 68432	Facilitation of Mindful Studies class, 9 th grade Mindfulness workshops and introductory classes. Direct Negotiation PPS-46-0525(4)	\$202,000	K. Cuellar Fund 101 Dept. 5424
Oh Planning & Design Architecture	TBD	Architectural Services ARCH XXXXX*	Architectural design services for fire alarm upgrades at eight schools. RFP 2019-2626	\$861,221	C. Hertz

* Contract is in negotiation and not finalized at this time. Staff seeks advanced authorization for this contract pursuant to the Purchasing & Contracting Delegation of Authority Administrative Directive, 8.50.105-AD, Section X(4): "The District may seek an 'advanced authorization' from the PPS Board of Education for any contract upon the approval of the Director of Purchasing & Contracting. The cost of the contract shall be a 'Not to Exceed' amount. Once the Board has approved it, no further authorization for the contract is required, providing the contract value remains at or below the 'Not to Exceed' amount."

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Multnomah Education Service District	7/1/19 through 6/30/20	Intergovernmental Agreement IGA 68372	Master contract with MESD to cover all services MESD provides to PPS. Individual services will be ordered via Service Referral & Quotes Forms.	\$4,000,000	C. Hertz Fund Varies Dept. Varies

AMENDMENTS TO EXISTING CONTRACTS

No New Amendments

RESOLUTION No. 5943

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”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Oregon Business Development Department	6/30/19 through 9/30/21	Intergovernmental Agreement/Revenue IGA/R 68061	Madison High School Seismic Rehabilitation Grant	\$2,500,000	C. Hertz Fund 438 Dept. 5511 Project J0351

AMENDMENTS TO EXISTING REVENUE CONTRACTS

No Amendments to Existing Revenue Contracts

Other Matters Requiring Board Approval

Resolution Number 5944 through 5949

RESOLUTION No. 5944

Call for Five-Year Local Option Levy to Support Schools

RECITALS

- A. Strong public schools are the foundation of a great city, supporting families, keeping neighborhoods vital, building community and strengthening the local economy.
- B. Successful schools are proven to contribute to all residents' quality of life, attract business and reduce crime.
- C. Portland Public Schools (PPS) serves more than 49,000 students and enrolls a higher share of the city's students than most urban school districts in the country.
- D. PPS, through conversations and engagement with the greater Portland school community, created a vision that reimagines what and how our students will graduate prepared for college, career and beyond. By identifying the essential skills and attributes educators should have, and changes needed in our school systems, the school district will release a multi-year strategic plan in the 2019-20 school year focused on ensuring that all students have equitable opportunities to achieve high academic goals and outcomes.
- E. Supporting the school district's staffing levels and educational programming to support every student's success is essential to realizing the vision and implementing the strategic plan.
- F. As far back as 2001, after decades of disinvestment in K-12 schools, Portland voters have showed their support for strong schools and educational programs by approving a local option levy to fund PPS schools.
- G. As recently as 2014, voters again affirmed their support for Portland Public Schools by passing a second, five-year local option levy to support teaching positions and educational programs by a margin of 72%.
- H. The PPS local option levy was intended to support a minimum of 640 teaching positions each year however, over the five-year period of the 2014 levy, it will have supported an average of 825 positions each school year, contributing to the school district's equitable staffing model and commitment to providing necessary supports for struggling students.
- I. PPS has exercised strong financial management over benefits costs, with all employees paying a share of health care premiums and all employees paying the 6-percent contribution into their retirement plans (a cost picked up by many public employers), and by refinancing the school district's PERS retirement obligations to save millions of dollars each year.
- J. This local option levy requires independent oversight by the Citizens Budget Review Committee (CBRC) to ensure that levy dollars are used only for purposes approved by local voters.
- K. The CBRC has affirmed, in annual reports to the PPS Board of Education, that local option funds have primarily been used to fund hundreds of teachers and maintain or lower class sizes. It urges the Board of Education to refer another five-year local option levy in the interest of maintaining teaching positions.
- L. All funds raised under this proposed levy will be used exclusively for Portland students in PPS schools; and none of the funds will go to the state for distribution under the state school funding formula.

RESOLUTION

1. The Board shall ask voters to approve a five-year local option levy in November 2019 that will provide an estimated \$99.9 million in 2020-2021; \$103.9 million in 2021-2022; \$108.1 million in 2022-2023; \$112.4 million in 2023-2024; and \$111.9 million in 2024-2025.
2. The levy revenue shall be used to fund teaching positions and classroom supports.
3. The fully allowable levy rate shall continue to be \$1.99 per \$1,000 of assessed value, which is estimated to cost roughly \$39.00 per month for a median home assessed at \$233,925 per year in the PPS district.
4. The Citizen Budget Review Committee will continue to provide independent oversight so that the funds are spent as the voters intended. The CBRC will continue to publish an annual report about the use of the local option revenues and their contribution to student achievement.
5. The Board will continue to commission performance audits of the school district's activities, programs and services to achieve cost savings through increasingly efficient use of resources, as well as to seek opportunities to improve school effectiveness and capacity-building for increased accountability. Audits will continue to be conducted by independent auditors who will work at the direction of the Board to define the scope and design of audits.
6. The Board of Directors of School District No.1, Multnomah County, Oregon, finds that for the reasons and purposes described in the proposed measure set forth below, it is necessary and appropriate to levy a local option tax under ORS 280.040 et seq. for the fiscal year beginning July 1, 2020, and for four additional fiscal years thereafter each commencing July 1.
7. A serial levy election is hereby called to be held at the General Election on the 5th day of November 2019, in the manner and between the hours provided by law, at which there shall be submitted to the electors of School District No. 1, Multnomah County, Oregon.
8. PPS authorizes the Board Chair, Superintendent, or his designee (the "Authorized Representative") to take any actions necessary to place the measure that is attached as Exhibit A on the November 5, 2019 election ballot, and to place the explanatory statement that is attached as Exhibit B in the voter's pamphlet for that election. The Authorized Representative shall file the measure with the elections officer of Multnomah County not later than August 16, 2019 and the explanatory statement not later than September 5, 2019.

EXHIBIT A:

CAPTION (10 words): Levy Renewal to Maintain Teaching Positions and Classroom Supports

QUESTION (20 words): Shall district maintain teaching positions, classroom supports; renew levy of \$1.99 per \$1,000 assessed value for five years beginning 2020? This measure renews current local option taxes.

SUMMARY (175 words): Portland Public Schools' current local option levy was approved by voters in 2014 to provide funding for schools over 5 years. The renewed levy will provide an estimated \$99.9

million in the first year. Over the past five years, the levy has funded an average of 825 teaching positions each year and, if approved, the renewed levy is estimated to maintain that average over the next five years.

This renewed local option levy would continue to fund teaching positions to:

- Support a well-rounded education, including career and technical programs and enrichments and electives for all students.
- Help maintain class sizes
- Provide supports for struggling students, such as reading specialists.

Levy cost remains \$1.99 per \$1,000 assessed property value, the same as the 2014 levy.

Funds will be placed in a sub-account, and independent citizen oversight will review expenditures to verify that funds are used as approved by voters. No levy funds go to administration. Independent performance auditing of school district programs will be done.

The levy will produce an estimated \$99.9 million in 2020-2021; \$103.9 million in 2021-2022; \$108.1 million in 2022-2023; \$112.4 million in 2023-2024; and \$111.9 million in 2024-2025. The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate and may reflect the impact of early payment discounts, compression and the collection rate.

EXHIBIT B:

EXPLANATORY STATEMENT (500 words)

Portland Public Schools currently serves over 49,000 students in 81 schools and other programs throughout the neighborhoods of Portland.

For the ninth straight year, PPS' 4-year graduation rates increased in 2017-2018. The graduation rate of 79.6% remains above the statewide average and has risen more than 17 points since 2010.

In serving the students of Portland, the district continuously strives to be fiscally responsible with taxpayer resources. Through many years of budget cuts, the school district and Board have worked to preserve classroom education. At the same time, PPS has advocated for a greater level of state investment by the Legislature and worked to ensure that all dollars are spent well and used for educational services for students. In December 2018, independent auditors gave PPS a clean financial bill of health and the district will receive regular independent performance audits to monitor effective use of taxpayer resources.

The legislature has recently increased its investment in K-12 education, but more investments are needed to continue to build career and technical programs, maintain class size and better support struggling students. In the meantime, funds raised by this local option levy will help to close the funding gap.

If renewed, the levy is estimated to produce \$99.9 million for Portland Public Schools in school year 2020-2021. The proposed levy renewal would:

Fund teaching positions and classroom supports at every school in the district

- The funds help support a well-rounded education, with enrichments for elementary and middle grades and electives in varied interest areas and disciplines for high school students.
- The funds help support career and technical programs and STEM programs, including computer science education, so students can graduate with the skills necessary to be career or college ready.
- Over the past five years, the levy funded an average of 825 teaching positions annually. If approved, that average will be maintained.
- Academic support for struggling students is included.

Continue to provide fiscal accountability and independent oversight

- This renewal maintains the existing local option levy rate of \$1.99 per \$1,000 assessed value and ensures that all funds raised are directed to the voter-approved purpose of supporting schools.
- This local option requires independent citizen oversight so that tax dollars are used only for purposes approved by local voters.
- Funds will be placed in a sub-account to ensure their correct use and accurate reporting.
- No funds from this local option levy will be used for district administration.

Maintain the existing tax rate of \$1.99 per \$1,000 of assessed value

- For a home with an average assessed value of \$233,925, the cost would be less than \$39 per month, or \$465 per year.

This local option levy replaces the one passed by voters in 2014, and maintains the existing tax rate. For a home with an average assessed value of \$233,925 and taxed at the maximum levy rate of \$1.99 per \$1,000 of assessed value, the estimated cost would continue to be about \$465 per year or \$39 per month.

Submitted by Guadalupe Guerrero
Superintendent Portland Public Schools

RESOLUTION No. 5945

Resolution to Uphold the Superintendent's Decision on a Step 3 Appeal – Complaint No. 2019-04

RECITALS

The Board of Education has received and reviewed Complaint # 2019-04 submitted and the Superintendent's response to it.

RESOLUTION

The Board of Education upholds the Superintendent's decision of the Step 3 appeal as the final decision.

RESOLUTION No. 5946

Settlement Agreement

The authority is granted to pay a total of \$92,167.29 to resolve a disputed employment matter, Settlement Agreement and Release. The settlement agreement will be in a form approved by the General Counsel.

RESOLUTION No. 5947

Students Requesting Exemption from PE State Requirement

RECITALS

- A. In accordance with OAR 581-022-1910, Portland Public Schools may excuse students from a state required program or learning activity, where necessary, to accommodate students' disabilities or religious beliefs:
- B. Approval of the exemption shall be based upon and shall include:
 - 1) A written request from the student's parent or guardian or the student, if that student is 18 years of age or older or a legally emancipated minor, listing the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt;
 - 2) An evaluation of the request and approval by appropriate school personnel (the alternative should be consistent with the student's educational progress and career goals as described in OARs 581-022-1670 and 581-022-1510).
- C. Following approval by Portland Public Schools Board of Education, and upon completion of the alternative, credit shall be granted to the student.

RESOLUTION

- 1. Be it resolved that the Board of Education approves one Portland Public Schools high school student to be granted exemption from the state PE requirement.
- 2. In accordance with OAR 581-022-1910, all students have a physician statement that documents their specific physical limitation as it relates to this requirement, as well as a written state of agreement from their parent/guardian. All students will replace the PE credit requirement with alternative coursework as required.

RESOLUTION No. 5948

Rescission of Program for Disruptive Students, 4.30.030-P

RECITALS

- A. On June 4, 2019, the Board of Education’s Policy and Governance Committee reviewed and considered the necessity and relevance of the policy, Program for Disruptive Students, 4.30.030-P.
- B. On July 16, 2019, the Board presented the first reading to rescind the policy.
- C. Per District policy, the public comment period was open for at least 21 days, and no public comments were received.

RESOLUTION

The Board hereby rescinds the policy Program for Disruptive Students, 4.30.030-P, and instructs the Superintendent to rescind or modify any administrative directives derived from this policy.

RESOLUTON No. 5949

RESOLUTION NO.

Hire Internal Auditor

To authorize the hiring of a Lead Internal Performance Auditor for Portland Public Schools as recommended by the Audit Committee, pending criminal background check.

RESOLUTON No. 5950

Minutes

The following minutes are offered for adoption:

- June 11, 2019
- June 14, 2019
- July 02, 2019
- July 16, 2019