

**BOARD OF EDUCATION**

Portland Public Schools  
**REGULAR MEETING**  
March 14, 2017

**Board Auditorium**

Blanchard Education Service Center  
501 N. Dixon Street  
Portland, Oregon 97227

***Note:** Those wishing to speak before the School Board should sign the public comment sheet prior to the start of the meeting. No additional speakers will be accepted after the sign-in sheet is removed, but testifiers 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 those testifying must abide by the Board's Rules of Conduct for Board meetings.*

*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**

- |    |                                                                                    |         |
|----|------------------------------------------------------------------------------------|---------|
| 1. | <b><u>STUDENT TESTIMONY</u></b>                                                    | 6:00 pm |
| 2. | <b><u>PUBLIC COMMENT</u></b>                                                       | 6:15 pm |
| 3. | <b><u>FIRST READING: RESERVE POLICY</u></b>                                        | 6:35 pm |
| 4. | <b><u>UPDATE: SCHOOL STAFFING</u></b>                                              | 7:00 pm |
| 5. | <b><u>RECONSIDERATION: NON-EXTENSIONS / NON-RENEWALS</u></b><br><i>action item</i> | 8:00 pm |
| 6. | <b><u>BUSINESS AGENDA</u></b>                                                      | 8:30 pm |
| 7. | <b><u>ADJOURN</u></b>                                                              | 8:45 pm |

**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.

# Portland Public School District 1<sup>st</sup> Reading

DATE: March 14, 2017

## Public Comment for: REVISED POICY 8.10.025-P: CONTINGENCIES AND RESERVES POLICY

---

The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

---

**1<sup>st</sup> Reading by: Tom Koehler, Chair**, Portland Public School Board  
**Summary:** Revised Policy 8.10.025-P: Contingencies and Reserves Policy

**Draft Policy Web Site:** <http://www.pps.net/Page/1807>  
(click on blue "draft policy" box)

**Recommended for 1st Reading by:** Board of Education

**Policy Contact:** Rosanne Powell, Board Office Manager

**Last Date for Comment:** April 4, 2017

**Address:** P.O. Box 3107, Portland, OR 97208-3107

**Telephone:** 503-916-3741

**E-mail:** [schoolboard@pps.net](mailto:schoolboard@pps.net)

**Last Date for Comment: April 4, 2017**



# Board of Education Informational Report

## **MEMORANDUM**

**Date:** March 14, 2017  
**To:** Members of the Board of Education  
**From:** Yousef Awwad, Deputy Chief Executive Officer  
**Subject:** **8.10.025-P Contingencies and Reserves Policy**

---

Current Board policy (established 4/8/02) states it is the goal of the Board to maintain an operating contingency in the general fund that is at a minimum of 3% of annual expenditures. Based on the FY2016/17 approved budget for School District 1J, uncommitted contingency is approximately \$15.2 million, including a \$1.5 million commitment to the reserve for self-insurance, or about 2.6% of total estimated annual expenditures. The Board is not within its policy guidelines.

The CBRC finds that an operating contingency in the general fund of 3% does not comply with recommended practices established by the Government Financial Officers Association [GFOA] and general accounting practices and recommends the Board establish and fund a 5% operating contingency by 2020. By 2025, the Board should increase the operating contingency to 10% to ensure the district can meet its commitments to the community, while aligning its budget principles to recommended practices to survive any financial instabilities

This policy revision was presented to the Business and Operations committee on November 7, 2016. The Business and Operations moved the policy to the Board for considerations.

**COMMUNITY BUDGET REVIEW COMMITTEE**  
**Contingency and Reserves Policy Recommendations for PPS Board of Education Revised**  
**by Staff on 11-07-2016**

Current Board policy (established 4/8/02) states it is the goal of the Board to maintain an operating contingency in the general fund that is at a minimum of 3% of annual expenditures. Based on the FY2016/17 approved budget for School District 1J, uncommitted contingency is approximately \$15.2 million, including a \$1.5 million commitment to the reserve for self-insurance, or about 2.6% of total estimated annual expenditures. The Board is not within its policy guidelines.

The CBRC finds that an operating contingency in the general fund of 3% does not comply with recommended practices established by the Government Financial Officers Association [GFOA] and general accounting practices and recommends the Board establish and fund a 5% operating contingency by 2020. By 2025, the Board should increase the operating contingency to 10% to ensure the district can meet its commitments to the community, while aligning its budget principles to recommended practices to survive any financial instabilities. The rationale for these recommendations is based on the following:

- The vast majority (about 75%) of the district's funding comes from the state through the State School Fund. A significant portion of the state's revenue is based on income tax receipts. Income tax is a very volatile source of revenue and the state has experienced numerous budget shortfalls as a result of economic fluctuations. Significant swings in state revenue are likely to continue with major, negative impacts on PPS' budget.
- The voters have very generously provided PPS with local option tax revenue to augment funds available to help pay teachers' salaries. The district has realized a reduction in anticipated tax revenues from this source over the last few years due to compression. Revenues are building but the local option tax source remains vulnerable to compression if home values should experience another major decline.
- As a result of poor performance in the equity markets, and an unfavorable Oregon Supreme Court ruling, PERS rates will increase significantly. The full impact of the increases to PPS is not yet known. PPS's "side account" will mitigate some of the impact, but a budget impact is inevitable for the foreseeable future.
- In addition to these revenue concerns, PPS has normal expected cost increases including negotiation of existing contracts with our valued employees, the backlog of facilities maintenance, and inflation as well as unexpected costs that PPS must be prepared to manage.
- PPS is committed to providing students a quality education from the time they enter pre-K or kindergarten through graduation from high school. Fulfilling this commitment requires access to the resources necessary to enable the district to consistently offer core programs over the long-term. Budget reserves should be designated and funded to ensure that the district can minimize the impact of inevitable ebbs and flows of available funding and provide a consistent educational experience.
- The Board has an adopted principle to "Take a Long-Term Perspective" in budgeting. To adequately plan and budget beyond the current year or biennium, a reserve must be established that can help to maintain and support at minimum current levels of service.

PPS has made significant investments in new teachers, educational assistants, funding full-day kindergarten, a full-time counselor and at least two full-time secretaries in all schools. These critical investments must be protected by rebuilding our reserves to a level that will help ensure PPS can weather the inevitable economic downturn that will once again impact our state. A suggested revision of the existing policy continues on the next page.

**COMMUNITY BUDGET REVIEW COMMITTEE**  
**Contingency and Reserves Policy Recommendations for PPS Board of Education Revised**  
**by Staff on 11-07-2016**

**8.10.025-P Contingencies and Reserves Portland Public Schools - REVISION**

Reserve funds will be established and maintained to meet the district's commitment to providing a stable, excellent education for students throughout their career with Portland Public Schools. Reserve funds will address emergencies, a temporary revenue shortfall or provide stability during slow economic cycles.

(1) The Board resolves to establish a minimum **5%** unassigned contingency in the general fund by **June 30, 2020**.

(2) It is the goal of the Board to fund and maintain an unassigned contingency in the general fund of a minimum **10%** of annual expenditures by **June 30, 2025**. It is the policy of the Board to establish this contingency each fiscal year during the budget process.

(3) When funds become available such as at reconciliation of ending fund balance or a surplus of expected revenues, a minimum of 50% of available funds should be put into reserves to meet the short- and long-term goals.

(4) Unassigned contingency will be established pursuant to ORS 294.352. Subsequent intrafund transfers from contingency will be made in accordance with ORS 294.450. Requests for use of contingency amounts up to a combined total of 15% of the total appropriations authorized in the fund are within the authority of the Board to authorize. Transfers that exceed 15% may be made only after Board approval and adoption of a supplemental budget for that purpose.

(5) Uncommitted contingency funds may be used only for budgetary stabilization to respond to extreme events such as precipitous drops in state income tax revenues or natural disasters. Contingency funds should not be used for new or increased operating costs or investments.

(6) To achieve financial stability, when the contingency account is used, the Board will seek to restore the account as soon as possible.



**Portland Public Schools  
Head Start Program**

Applegate Site

7650 N. Commercial Ave • Portland, OR 97217  
Phone: (503) 916-6294 • Fax: (503) 916-2131

February 10, 2017

Ms. Shirley Wu  
ODE Child Nutrition Specialist  
Oregon Department of Education  
255 Capitol St., NE  
Salem, OR 97310


Dear Ms. Wu,

We want to thank you for your recent program review and the opportunity to respond to the minor finding regarding the Child Enrollment forms. All PPS Head Start staff work hard to manage an organized program. Your findings bear out the fact that we do.

Your Administrative Review Summary identifies Section 6: Child Enrollment Forms as an area for corrective action. As you discovered, we maintain files by classroom. Each folder contains a classroom roster and Child Enrollment Forms are attached alphabetically. We have taken the following steps to improve management of the Child Enrollment forms;

- 1) CACFP Coordinator will produce Child Plus Classroom Enrollment rosters monthly.
- 2) The Head Start Health Data support staff member will reconcile the Child Enrollment forms against the current enrollment rosters.
- 3) Results of the review will be documented, initialed and dated by the Health Data support staff and provided to the CACFP Coordinator. The monthly review documentation will be kept with CACFP confidential files.
- 4) CACFP Coordinator will immediately correct any errors noted in the review.

This procedure will ensure that our Child Enrollment Forms are current and complete. If you have any concerns or suggestions for further improvement please let us know.

Sincerely,  
  
Jon Anderson  
Portland Public Schools Head Start  
CACFP Coordinator  
7650 N. Commercial Ave.  
Portland, OR 97217

CC: Deborah Berry, Eileen Isham, Carol Lowry, Leah Van Winkle

**CACFP Administrative Review Report**

**Response due within 30 calendar days from the date of receipt of this report**

**Sponsor:** Portland SD – Head Start

**Agreement #:** 2616023

**Review Date(s):** February 7-8, 2017

**Exit Conference Date:** February 8, 2017

**Sponsor Staff Interviewed:** Jon Anderson, CACFP Coordinator

Leah VanWinkle, Head Start Registered Dietitian

Eileen Isham, Co-Director PPS Head Start

Carol Lowry, Family Services Manager

**Reviewers:** Shirley Wu, ODE Child Nutrition Specialist

Karen Williams, ODE Assistant Specialist

**Test month/Year:** November 2016

The Oregon Department of Education Child Nutrition Program (ODE CNP) staff conducted an Administrative Review of the operation of Portland School District – Head Start's Child and Adult Care Food Program (CACFP) operation. We commend you for participating on the CACFP and for your commitment to serving nutritious meals in healthy environments. We appreciate the courtesy and cooperation shown to Shirley Wu and Karen Williams during the review.

The Administrative Review included the areas listed in Table 1 below. The Administrative Review was not intended to discover all Program deficiencies in the operation of the CACFP and the omission of any such deficiencies from this report or future reports does not mean all sponsor practices are acceptable.

ODE CNP reviewer(s) evaluated Portland School District Head Start's November 2016 administrative records. A meal service observation was conducted at Sacajawea Head Start and site records were reviewed

The ODE CNP Reviewer found:

- Nine areas in compliance with Federal and/or State regulations and policies.
- One area not in compliance with Federal and/or State regulations and policies.

**Table 1: Administrative Review Summary**

Section Reviewed	Corrective Actions Required? Y/N	Procedural Y/N	Clerical Y/N	Severity (Minor, Significant or Critical)
Section 1: Program Information	N			
Section 4: Attendance Records	N			
Section 5: Meal Counts	N			
Section 6: Child Enrollment Forms	Y	N	Y	Minor
Section 7: Menu Records and Meal Pattern Requirements	N			
Section 8: Financial	N			
Section 9: Staff Training	N			
Section 10: Multi-site Sponsors	N			
Section 12: Civil Rights Compliance	N			
Section 15: Program Administration	N			

This report includes findings and the specific corrective actions Portland School District Head Start must develop, submit and implement to bring your CACFP operation into compliance with Federal and State regulations and policies, and a timeline for compliance. Federal regulation(s) and USDA CACFP Center Manual Chapter(s) governing each area of noncompliance are cited in the report.

**You are required to:**

- 1. Implement all corrective actions by no later than March 10, 2017, which is 30 days from the date this report is signed, unless otherwise noted, and**
- 2. Submit the written corrective action plan to ODE CNP, Attention Shirley Wu, by March 10, 2017, which is 30 days from the date this report is signed.**

Failure to provide a written corrective action plan that is satisfactory and permanently corrects deficiencies noted will result in Portland School District – Head Start being categorized as *seriously deficient* per Federal Regulation 7 CFR 226.6 (c).

After submission and approval of the required corrective action plan described in this report; your organization will be notified in writing of any financial assessment due to the Administrative Review findings. Appeal rights will be explained at that time.

If you have any questions concerning this report or the corrective actions required, please contact Shirley Wu, (503) 947-2508 or Lynne Reinoso, at (503) 947-5892.



**Portland School District – Head Start**  
**Agreement No. 2616023**  
 Administrative Review Report  
 Review Dates: February 7-8, 2017

<b>Section 6: Child Enrollment Records</b>
<b>7 CFR 226.15(e)2</b>
<b>USDA/CACFP Center Manual Chapter 5</b>

Findings:

1. Child Enrollments forms for 4 participants at the Sacajawea Head Start site were not accurately completed or were missing. See Table 2 below. Errors were determined to be clerical.

**Table 2: Participants with missing or incomplete Child Enrollment Forms**

<b>Participant Name</b>	<b>Classroom</b>	<b>Child Enrollment Form Error</b>
Z. McLeod	Amber	Parent name instead of child's on form
J. Harris	Korey AM	No hours, days, meals in care
J. West Hyde	Korey AM	Form not in files
D. Moreno-Villa	Mary Frances	No date for parent/guardian signature

Corrective Actions:

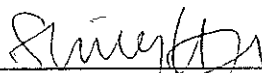
1. Develop, implement and submit to ODE CNP a double-check system to ensure that all enrolled participants have complete and current CACFP Child Enrollment Forms on file. Include in this procedure:
  - a. The title/position of the staff responsible for the double check.
  - b. The timeline for completing the double check.

Technical Assistance and Other Observations:


1. All PPS Head Start staff were welcoming and generous with their time to the ODE CNP reviewers who were on site. ODE CNP appreciates the high level of organization and quality of care provided to the children at the site visited.
2. ODE CNP recommends updating the street address (Lines 6-9) in the Sponsor Information Sheet to match the mailing address as most CACFP administrative personnel are located at 7650 N. Commercial Ave.
3. Meal counts were correctly calculated using the ChildPlus software, however, some confusion occurred during the review and the ODE CNP reviewer did not get the accurate, sponsor-verified version initially. It is highly recommended for the sponsor to save all meal count documentation with accurate labels to facilitate internal and external auditing.
4. Site monitoring was thorough and well-documented, and the site review reflected the high level of training and monitoring that are provided to site staff.


5. Old versions of the "And Justice for All" poster may be taken down. The new version has been posted.
6. ODE CNP commends PPS Head Start for all the resources that are provided to the families at their sites. The additional resources help participants develop a healthy relationship with nutritious foods by providing a supportive food environment.
7. ODE CNP will be holding in-person training on the new CACFP meal pattern during the last two weeks of April 2017. This training will fulfill annual training requirements for the Food Program Coordinator.

Reviewer certifies that s/he has reviewed the contents of this *Administrative Review Report* and all required Corrective Actions with the Sponsor's representative at the exit conference.


	ODE Child Nutrition Specialist	2-8-2017
Signature of reviewer	Title	Date

Sponsor's representative certifies that s/he has had the opportunity to review the contents of the *Administrative Review Report* with the reviewer, understands the required Corrective Actions and has received a copy of the *Administrative Review Report*.

	Family Services Mgr	2/8/17
Signature of sponsor representative	Title	Date

	CO-Director	2/8/17
Signature of sponsor representative	Title	Date

	Consulting Dietitian	2-8-17
Signature of sponsor representative	Title	Date

	CACFP Coordinator	2-8-17
Signature of sponsor representative	Title	Date

If the Sponsor's Board Chair is not present at the exit conference, a copy of the *Administrative Review Report* will be mailed to the Board Chair.

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

INDEX TO THE AGENDA

March 14, 2017

Board  
Action  
Number

Page

Personnel

5423	Notice of Non-Renewal .....	3
5424	Notice of Non-Renewal .....	3
5425	Notice of First Time Non-Extension Contract Teacher .....	4
5426	Notice of First Time Non-Extension Contract Teacher .....	4
5427	Notice of Non-Renewal of a Probationary Administrator .....	5

Other Matters Requiring Board Approval

5428	Approval of Head Start Recommendations and Reports Process.....	7
5429	Appointing Cynthia Duley to the Multnomah Education Service District Budget Committee .....	8
5430	Minutes .....	8

Personnel

The Interim Superintendent RECOMMENDS adoption of the following items:

Resolutions 5423 through 5427

**RESOLUTION No. 5423**

Notice of Non-Renewal

**RECITAL**

On the advice of the Chief Human Resources Officer, the Superintendent recommends that the contracts of the probationary teachers below not be renewed. This means that the educators listed below will not be re-employed.

**RESOLUTION**

The Board of Education accepts the Superintendent's recommendations and by this resolution hereby does not renew the contracts of the probationary teachers listed below, under ORS 342.835. The Human Resources Department is instructed to notify these personnel that their employment contracts are not renewed for the 2017-2018 school year and that their contracts will terminate June 2017.

Last Name	First Name
Samore	Brian

*S. Murray*

**RESOLUTION No. 5424**

Notice of Non-Renewal

**RECITAL**

On the advice of the Chief Human Resources Officer, the Superintendent recommends that the contracts of the probationary teachers below not be renewed. This means that the educators listed below will not be re-employed.

**RESOLUTION**

The Board of Education accepts the Superintendent's recommendations and by this resolution hereby does not renew the contracts of the probationary teachers listed below, under ORS 342.835. The Human Resources Department is instructed to notify these personnel that their employment contracts are not renewed for the 2017-2018 school year and that their contracts will terminate June 2017.

Last Name	First Name
Smith	Stuart

*S. Murray*

**RESOLUTION No. 5425**

Notice of First Time Non-Extension Contract Teacher

**RECITAL**

On the advice of the Chief Human Resources Officer, the Superintendent recommends that the contracts of the teachers below not be extended for the first time. First time non-extensions generally result in placement on a program of assistance for improvement and continuation of employment for another school year.

**RESOLUTION**

The Board of Education accepts the Superintendent’s recommendations and by this resolution hereby does not extend the contracts of the contract teachers listed below, on the grounds and processes identified in state law (ORS 342.865, ORS 342.895, ORS 342.905). The Human Resources Department is instructed to notify these personnel that their employment contracts are not extended for the 2017-2018 school year.

Last Name	First Name
Bradley	Rachael

*S. Murray*

**RESOLUTION No. 5426**

Notice of First Time Non-Extension Contract Teacher

**RECITAL**

On the advice of the Chief Human Resources Officer, the Superintendent recommends that the contracts of the teachers below not be extended for the first time. First time non-extensions generally result in placement on a program of assistance for improvement and continuation of employment for another school year.

**RESOLUTION**

The Board of Education accepts the Superintendent’s recommendations and by this resolution hereby does not extend the contracts of the contract teachers listed below, on the grounds and processes identified in state law (ORS 342.865, ORS 342.895, ORS 342.905). The Human Resources Department is instructed to notify these personnel that their employment contracts are not extended for the 2017-2018 school year.

Last Name	First Name
Grant	Derek

*S. Murray*

**RESOLUTION No. 5427**

Notice of Non-Renewal of a Probationary Administrator

**RECITAL**

On the advice of the Chief Human Resources Officer, the Superintendent recommends that the administrator listed below not be re-employed.

**RESOLUTION**

The Board of Education accepts the Superintendent's recommendation and by this resolution hereby does not renew the contract of the probationary administrator listed below. The Human Resources Department is instructed to notify this administrator that his/her employment is not renewed for the 2017-2018 school year and that their contract will terminate June 2017.

Last Name	First Name
Bertrand	Antony

*S. Murray*

Other Matters Requiring Board Approval

The Interim Superintendent RECOMMENDS adoption of the following items:

Numbers 5428 through 5430



**RESOLUTION No. 5428**

Approval of Head Start Recommendations and Reports Process

**RECITALS**

- A. Federal requirements call for the Governing Board of a Head Start Program to approve all recommendations to a Corrective Action Plan in response to deficiencies found during a program review.
- B. The Board of Directors for Portland Public Schools serves as the Governing Board for the PPS Head Start Program.
- C. During the week of February 7, 2017, the PPS Head Start program participated in The Oregon Department of Education Child Nutrition Program review. ODE staff conducted an Administrative Review of the operation of Portland School District-Head Start's Child and Adult Care Food Program (CACFP) operation. The reviewers found:
  - 1. Nine areas in compliance with Federal and/or State regulations and policies.
  - 2. One area not in compliance with Federal and/or State regulations and policies:
    - a. Child Enrollment forms for four participants at the Sacajawea site were not accurately completed or were missing.
- D. The Corrective Action Plan includes the following steps:
  - 1. CACFP Coordinator will produce Classroom Enrollment rosters monthly.
  - 2. Head Start Health Data support staff will reconcile the CACFP forms against the current enrollment roster.
  - 3. Results of the review will be documented and provided to the CACFP Coordinator.
  - 4. CACFP Coordinator will immediately correct any errors noted in the audit.
- E. Head Start Policy Council approved the recommendation to submit the Corrective Action Plan on February 21, 2017.

**RESOLUTION**

The Board of Directors for Portland Public Schools, School District No. 1J, Multnomah County, Oregon, approves the Corrective Action Plan in response to the CACFP review.

*D. Berry / H. Adair*

**RESOLUTION No. 5429**

Appointing Cynthia Duley to the Multnomah Education Service District Budget Committee

**RECITALS**

- A. By law, the budget committee is charged with preparing a budget for the operational and administrative expenses of the MESD.
- B. The budget committee shall have the responsibility for reviewing the financial program of the MESD, reviewing the proposed MESD budget as presented by the Superintendent and recommending an annual or biennial MESD budget in keeping with the provisions of applicable state laws.
- C. The budget committee shall consist of the seven members of the MESD Board, along with an equal number of representatives, plus one, who are appointed by the MESD Board from among members of component district boards or designees of component district boards.
- D. To be eligible for appointment, the appointive member must:
  - 1. Live and be registered to vote in the district;
  - 2. Not be an officer, agent or employee of the education service district.
- E. The Portland Public Schools (PPS) budget committee position was previously held by Sarah Bottomley who is no longer an employee of PPS and will be replaced by Cynthia Duley.

**RESOLUTION**

The Board of Education appoints Cynthia Duley to the Budget Committee of the Multnomah Educational Service District.

*L. Baker / R. Dutcher*

**RESOLUTION No. 5430**

Minutes

The following minutes are offered for adoption:

March 7, 2017



# Board of Education Staff Report to the Board

**Board Meeting Date:** March 7, 2017

**Executive Committee Lead:** Jerry Vincent

**Department:** Office of School Modernization

**Presenter/Staff Lead:** Jerry Vincent

**SUBJECT: Appointment of New Members to Current 2012 Bond Accountability Committee**

## **BACKGROUND**

The 2012 General Obligation Bond ballot measure (Notice of Bond Election) and explanatory statement language was referred to the Multnomah Elections Division on August 21, 2012. The measure's summary statement identified the requirement for PPS to provide citizen accountability and oversight, and annual audits of bond projects and expenditures. With the passage of the 2012 Capital Construction Bond, staff developed a Bond Accountability Committee (BAC) charter with Board input to address this requirement. It was decided the membership of the committee would include six committee members and a chairperson comprising a mix of individuals with a good reputation in the community for fairness and transparency and people with a combination of experience in building design; construction; construction financing; public contracting, budgeting and/or auditing.

There are two current committee members who have notified PPS of their intent not to renew their membership term once their terms expired on December 31, 2016. These two members, John Mohlis and Steve March, represent the needed experience in the committee related to auditing and unions.

To replace the original committee members and meet the requirements set forth in the explanatory statement language and the Bond Accountability Committee charter, two candidates, Tenzin Kalsang Choephel and Charlie Johnson, have applied for membership to the committee. With the Board's approval and direction, staff would appoint these community members to the committee and inform the candidates of their membership. If appointed, the candidates would be able to fully participate in committee oversight and decisions.

Also for Board input, is the reappointment of Kevin Spellman for Bond Accountability Committee Chair. His four-year term is ending this school year and staff are recommending renewing his membership and reappointing him as Chair of the BAC committee.

## **RELATED POLICIES / BOARD GOALS AND PRIORITIES**

- Board Resolution No. 4640 (August 20, 2012) calling a Measure Election to Submit to the Electors of the District the Question of Authorizing \$482,000,000 of General Obligation Bonds and Providing for Related Matters.
- Long Range Facility Plan Guiding Principle C: Demonstrate Fiscal Responsibility identifies best fiscal practices as including credible forecasts, rigorous cost-benefit analysis, transparent budgets, responsible expenditures and audited financial statements.

**Reviewed and Approved by  
Executive Committee Lead**

**PROCESS / COMMUNITY ENGAGEMENT**

Current BAC members reached out to the community and spoke to several potential replacements. The names of recommended candidates were then forwarded to PPS staff for review.

---

**ALIGNMENT WITH EQUITY POLICY IMPLEMENTATION PLAN**

---

**BUDGET / RESOURCE IMPLICATIONS**

None

---

**NEXT STEPS / TIMELINE / COMMUNICATION PLAN**

The Board will review the proposed new candidate vitae and provide direction regarding membership appointments and reappointments.

---

**QUESTIONS FOR BOARD DISCUSSION**

---

**ATTACHMENTS**

- A. Portland Public Schools Capital Construction Bond Citizen Accountability Committee Charter.
- B. Bios of Proposed Members to Capital Construction Bond Citizen Accountability Committee



**Tenzin Choephel, Senior Management Auditor, Audit Services Division, City of Portland.**

Tenzin Choephel is a senior management auditor with experience leading complex performance audits. Her past audits have included reviews of procurement activities at the state and local levels of government, including regional education service districts. Tenzin is a Certified Internal Auditor, and a board member for the Institute of Internal Auditor's Portland chapter. She has a master's degree in public administration from Portland State University and a bachelor's degree from Whitman College. Prior to her career in government, Tenzin held positions in the nonprofit sector at organizations of local and national scope. In graduate school, Tenzin researched public-nonprofit partnerships and supported programs that developed nonprofit leaders of color in Oregon. She currently serves on the board for the Immigrant and Refugee Community Organization.



**Charlie Johnson, Business Manager/FST-Sheet Metal Local #16, Board Member-Oregon State Building Trades Council.**

Charlie Johnson is the Business Manager and Financial Secretary Treasurer for the Sheet Metal Worker Local Union #16 representing nearly 2000 members. Charlie is also an Executive Board Member for the Oregon State Building Trades Council that represents approximately 30,000 union construction workers. Charlie has been very interested in education for many years, he has taught many different courses since the early 1990's and has a BA in Labor Education and History. Charlie has worked in a variety of capacities on small and large construction sites from Craftsperson to Project Superintendent.



## Portland Public Schools Capital Construction Bond Citizen Accountability Committee

### Charter

#### **Background:**

Portland Public Schools (PPS) has referred a Capital Construction Bond Measure for voter approval on the November 6, 2012, ballot. The Superintendent and School Board desire to establish a citizen accountability committee to assist in monitoring the planning and progress of the bond program.

#### **Committee Charge:**

In response to the need for accountability regarding the District's effective use of capital construction bond funds, the PPS School Board will appoint a Citizen Accountability Committee ("Committee") whose charge will be to monitor the planning and progress of the bond program relative to voter-approved work scope, schedule and budget objectives. The Superintendent has overall responsibility for performance of staff engaged in the implementation of the bond program.

The Committee will actively review the bond program, and provide advice to the Board on:

- Whether the school district bond revenues are expended only for the purposes for which the bond was approved, and that bond revenues are not used for any purpose prohibited by law;
- Alignment with the goals and principles of the Long Range Plan;
- Alignment with the goals of the Business Equity Policy;
- District standards and innovative practices for achieving lower maintenance and construction costs while improving operating efficiency and increasing building longevity;
- Historic preservation and school renovation opportunities compatible with the architecture of surrounding Portland neighborhoods;
- Potential capital partnerships for joint and shared use of PPS facilities;
- Implementation of appropriate ways to address seismic issues;
- Compliance with ADA; and
- Communicating key information related to the bond to the School Board, public groups, organizations and stakeholders.

The Committee will receive and review copies of Bond Program performance and financial audits, and has the option to inspect school facilities and grounds related to bond activities to ensure Bond revenues are expended in compliance with state law and the ballot measure language.

The Committee will review quarterly reports produced by the District each year the bond proceeds are being spent in order to verify general compliance with the purposes set forth in the capital improvement program as approved by the voters

The Committee will perform other reasonable duties requested by the School Board or Superintendent.

### **Committee Membership:**

The Committee shall consist of seven members. The Superintendent will make recommendations to the School Board for six committee members and a chairperson to the Board for appointment.

The Committee shall be comprised of a mix of individuals with a good reputation in the community for fairness and transparency and a majority of the committee will be people with a combination of experience in building design; construction; construction financing; public contracting, budgeting, and/or auditing.

a) The Committee members shall receive no direct or indirect compensation from the District for their services as members of the Committee.

b) The Committee members may not have an active or pending contract with the District, nor enter into a contract during their term on the Committee.

c) The Committee may not include any employee or official of the District, or any vendor, contractor or consultant of the District.

d) A Committee member serves to advise the Superintendent and School Board. If a Committee member resigns, violates the Ethics Policy contained herein (see attachment), fails to attend two consecutive Committee meetings without reasonable excuse, or otherwise becomes unable to serve on the Committee, the Superintendent may declare the position on the Committee to be vacant and appoint another qualified person to the Committee with the approval by the Board.

e) Members are appointed to staggered 2, 3 and 4-year terms and may reapply for consideration to serve additional terms. A member may not serve more than eight consecutive years.

### **Committee Operations:**

The charge to the Committee does not include:

- a. Approval of construction contracts;
- b. Approval of construction change orders;
- c. Appropriation of construction funds;
- d. Handling of legal matters;
- e. Approval of construction plans and schedules;
- f. Approval of the sale of bonds;
- g. Priorities and order of construction for the bond projects;
- h. Selection of architects, engineers, construction managers, project managers, and such other professional service firms;
- i. The approval of the design for any project;
- j. The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the performance of the Bond Program;
- k. Setting or approving schedules of design and construction activities; or
- l. Activities, roles or responsibilities that have been designated by the Superintendent or her designee to staff or consultants, or any policy-making responsibilities.

**Committee Meetings:**

- a) The Committee will meet quarterly or as requested by the School Board, Superintendent, District staff or the Committee chair.
- b) Committee meetings are advisory and not related to formal decision-making by the PPS School Board. Committee meetings shall be publicly noticed and include opportunity for public comments.
- c) The Chief Operating Officer, Chief Financial Officer, and Director of the Office of School Modernization will provide support and staffing to the Committee.
- d) PPS staff will provide necessary technical and administrative assistance as follows:
  - (1) A meeting room, including any necessary audio/visual equipment;



- (2) Preparation and copies of any documentary meeting materials, such as agendas and reports; and distribution of those materials to the committee in a timely manner.
- (3) Provision of quarterly reports covering the School Bond Program.
- (4) Preparation of Committee meeting minutes and posting for public viewing and use on the PPS web site.
- (5) PPS staff will attend Committee meetings in order to report on the status of capital improvement projects, to respond to questions, and to receive advice and counsel on the overall bond program or any of its component parts. PPS project consultants may attend Committee meetings at the discretion of PPS staff.

## Attachment

### Portland Public Schools Capital Construction Bond Citizen Accountability Committee: Ethics Considerations

An ethics policy provides general guidelines for Committee members to follow in carrying out their roles. Not all ethical issues that Committee members face are covered in this Policy. However, this Policy captures some of the critical areas that help define ethical and professional conduct for Committee members. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

#### **Policy:**

**CONFLICT OF INTEREST.** A Committee member shall not make or influence a District decision related to:

1. any contract funded by bond proceeds; or
2. any construction project which will benefit the Committee member's outside employment, business, or provide a financial benefit to a family member, such as a spouse, child, parent or sibling.

**OUTSIDE EMPLOYMENT.** A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to:

1. any contract funded by bond proceeds; or
2. any construction project. A Committee member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind.

For a period of one (1) year after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of one (1) year after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to:

1. bidding or proposing to provide services on projects funded by the bond proceeds; and/or
2. any construction project funded by the District.

**COMMITMENT TO UPHOLD LAW.** A Committee member shall uphold the federal and Oregon Constitutions, the laws and regulations of the United States and the State of Oregon, and the policies, procedures, rules and regulations of the Portland Public School District.

**COMMITMENT TO THE PUBLIC.** A Committee member shall place the interests of the public above any personal or business interest of the member.