

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

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Purchases, Bids, Contracts

The Superintendent RECOMMENDED adoption of the following item:

Resolutions 5241

Director Anthony moved and Director Kohnstamm seconded the motion to adopt the above numbered item. The motion as put to a voice vote and passed unanimously (yes-7, no-0), with Student Representative Davidson voting yes, unofficial.

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RESOLUTION No. 5241

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 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
Safe Transportation, Inc.	4/6/2016 through 6/30/2017 Option to renew annually through 6/30/2021.	Services S 62840	Provide taxi-like or secured transportation services to District students who are unable to be served by a school bus. Maximum contract term through 6/30/2021. RFP 2015-1887	Original Term \$300,000 \$1,500,000 over maximum contract term.	T. Magliano Fund 101 Dept. 5560

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No New IGAs

AMENDMENTS TO EXISTING CONTRACTS

No New Amendments

Y. Awwad

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Other Matters Requiring Board Approval

The Superintendent RECOMMENDED adoption of the following items:

Resolutions 5242 through 5249

During the Committee of the Whole, Director Anthony moved and Director Kohnstamm seconded the motion to adopt Resolution 5242. The motion was put to a voice vote and passed by a vote of 5-2 (yes-5, no-2 [Esparza Brown, Knowles]), with Student Representative Davidson voting yes, unofficial.

During the Committee of the Whole, Director Knowles moved and Director Esparza Brown seconded the motion to amend Resolution 5242. The motion was put to a voice vote and failed by a vote of 2-5 (yes-2 [Esparza Brown, Knowles], no-5), with Student Representative Davis voting no, unofficial. The motion failed.

During the Committee of the Whole, Director Knowles moved and Director Esparza Brown seconded the motion to adopt Resolution 5243. The motion was put to a voice vote and passed unanimously (yes-7, no-0), with Student Representative Davidson voting yes, unofficial.

During the Committee of the Whole, Director Knowles moved and Director Esparza Brown seconded the motion to adopt Resolution 5244. The motion was put to a voice vote and passed unanimously (yes-7, no-0), with Student Representative Davidson voting yes, unofficial.

During the Committee of the Whole, Director Knowles moved and Director Kohnstamm seconded the motion to adopt Resolution 5245. The motion was put to a voice vote and passed unanimously (yes-7, no-0), with Student Representative Davidson voting yes, unofficial.

During the Committee of the Whole, Director Kohnstamm moved and Director Esparza Brown seconded the motion to adopt Resolution 5246. The motion was put to a voice vote and passed unanimously (yes-7, no-0), with Student Representative Davidson voting yes, unofficial.

During the Committee of the Whole, Director Buel moved to move Peninsula into Ockley Green for one additional year. Receiving no second, the motion failed.

During the Committee of the Whole, Director Buel moved to make Peninsula a K-6 for 2016-17 and then review later if it makes sense to move it. Receiving no second, the motion failed.

Director Anthony moved and Director Kohnstamm seconded the motion to adopt Resolutions 5247 through 5249. The motion was put to a voice vote and passed unanimously (yes-7, no-0), with Student Representative Davidson voting yes, unofficial.

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RESOLUTION No. 5242

Authorizing Amendment to the Approved Master Plan and Schematic Design of Roosevelt High School to Include Makerspace and Authorizing use of 2012 Capital Bond Program Funds for this Effort

RECITALS

- A. Board of Education (“Board”) Resolution No. 4852 authorized the Roosevelt High School (“RHS”) Full Modernization Master Plan as part of the 2012 Capital Bond Program.
- B. Board Resolution No. 4936 approved the RHS Schematic Design, the commitment of additional funds, and initiating the Design Development phase of work.
- C. Board Resolution No. 4871 adopted District Education Specifications (“Ed Specs”) for Comprehensive High Schools.
- D. The Board acknowledges the extensive community engagement and public input that developed the PPS Education Facilities Vision, and preferred RHS Master Plan and Schematic Design.
- E. The Board seeks to expand available Science, Technology, Engineering and Math (“STEM”) as well as hands-on Career Technical Education (“CTE”) work spaces for the full modernization of RHS, which has entered its construction phase. These spaces are currently identified in the adopted Ed Specs as Career Preparation/CTE program areas.
- F. The Board seeks to include up to 10,000 additional square feet of Makerspace. The first floor will house two new state-approved CTE programs of study- Manufacturing and Aviation/Transportation in partnership with local industry. A program run by a third party will be available to community members in the evenings. The upper floor will be a modern makerspace open to the whole district as a PPS makerspace HUB that will hold priority for Roosevelt students.
- G. Staff estimates the cost of this makerspace at \$5 million which does not include furniture, fixtures and equipment.

RESOLUTION

- 1. The Board authorizes staff to amend the approved master plan and schematic design of Roosevelt high school and to proceed with design and build up to a 10,000 square foot makerspace on the Roosevelt Campus.
- 2. The Board authorizes use of up to \$5 million from 2012 Capital Bond to fund this work effort. The sources of funding would be our existing and future premium from bond sales.
- 3. Board will continue to work directly with industry partners for supplemental investment and programming expertise.

T. Koehler

April 5, 2016

RESOLUTION No. 5243

Resolution Approving the Request for Extension of the Charter Agreement with
The Arthur Academy Public Charter School

RECITALS

- A. On March 28, 2011, the Portland Public School Board ("Board") approved Resolution 4437 to renew the contract with The Arthur Academy Public Charter School ("Arthur Academy").
- B. The term of this contract was a five-year "flexible" term, which is defined in Section J of the contract with Arthur Academy as the following:

"The term of this agreement shall be for five years, scheduled to terminate as of June 30, 2016 (unless earlier terminated as provided herein). However, this agreement shall be considered a "flexible term" agreement, and will contain the following provisions:

- 1. During the fifth year of this contract, the Board and/or the school will determine whether a renewal process is deemed necessary based on Arthur Academy'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.
 - 2. 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.
 - 3. 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.
 - 4. The process described above will 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)."
- C. As per the contract, PPS's Charter Schools Program Director made a formal visit to Arthur Academy on October 27, 2015.
 - D. Arthur Academy's performance has been reviewed on an annual basis in three major areas: academic, organizational, and financial. According to the data and information gathered, Arthur Academy's performance is strong in all areas.
 - E. On February 24, 2016, the Charter Schools Committee of the Board was briefed on Arthur Academy's contract extension request, and on the staff review of Arthur Academy's program.
 - F. Staff recommends that the contract with Arthur Academy be extended by one year.

RESOLUTION

- 1. The Board approves Arthur Academy's request, and directs staff to extend Arthur Academy's contract by one year.

K. Miles

April 5, 2016

RESOLUTION No. 5244

Resolution Approving the Request for Extension of the Charter Agreement with
The Emerson Public Charter School

RECITALS

A. On March 30, 2009, the Portland Public School Board ("Board") approved Resolution 4064 to renew the contract with The Emerson Public Charter School ("Emerson").

B. The term of this contract was a five-year "flexible" term, which is defined in Section J of the contract with Emerson as the following:

"The term of this agreement shall be for five years, scheduled to terminate as of June 30, 2014 (unless earlier terminated as provided herein). However, this agreement shall be considered a "flexible term" agreement, and will contain the following provisions:

1. During the fifth year of this contract, the Board and/or the school will determine whether a renewal process is deemed necessary based on Emerson'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.
2. 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.
3. 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.
4. The process described above will 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)."

C. As per the contract, PPS's Charter Schools Program Director made a formal visit to Emerson on October 29, 2015.

D. Emerson's performance has been reviewed on an annual basis in three major areas: academic, organizational, and financial. According to the data and information gathered, Emerson's performance is strong in all areas.

E. Emerson made a request to increase its capacity by 25 students for a total enrollment cap of 175.

F. On February 24, 2016, the Charter Schools Committee of the Board was briefed on Emerson's contract extension request, and on the staff review of Emerson's program.

G. Staff recommends that the contract with Emerson be extended by one year and that the enrollment cap be increased to 175.

RESOLUTION

1. The Board approves Emerson's request, including the request to increase the enrollment cap to 175, and directs staff to extend Emerson's contract by one year.

K. Miles

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RESOLUTION No. 5245

Resolution Approving the Request for Extension of the Charter Agreement with
The Opal Public Charter School

RECITALS

- A. On March 28, 2011, the Portland Public School Board ("Board") approved Resolution 4436 to renew the contract with The Opal Public Charter School ("Opal").
- B. The term of this contract was a five-year "flexible" term, which is defined in Section J of the contract with Opal as the following:

"The term of this agreement shall be for five years, scheduled to terminate as of June 30, 2016 (unless earlier terminated as provided herein). However, this agreement shall be considered a "flexible term" agreement, and will contain the following provisions:

- 1. During the fifth year of this 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.
 - 2. 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.
 - 3. 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.
 - 4. The process described above will 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)."
- C. As per the contract, PPS's Charter Schools Program Director made a formal visit to Opal on October 29, 2015.
 - D. Opal's performance has been reviewed on an annual basis in three major areas: academic, organizational, and financial. According to the data and information gathered, Opal's performance is strong in all areas.
 - E. On February 24, 2016, the Charter Schools Committee of the Board was briefed on Opal's contract extension request, and on the staff review of Opal's program.
 - F. Staff recommends that the contract with Opal be extended by one year.

RESOLUTION

- 1. The Board approves Opal's request, and directs staff to extend Opal's contract by one year.

K. Miles

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RESOLUTION No. 5246

Initiation of Ockley Green Middle School for 2016-17 School Year

RECITALS

- A. Portland Public Schools has experienced seven consecutive years of student enrollment growth. When coupled with improved state and local funding, the district has seen an annual rise in the number of schools with an inadequate number of classroom and common spaces for teachers and students.
- B. At the same time, many schools continue to have insufficient enrollment to sustainably provide core program offerings to all students without additional resources. This includes 18 K-8 schools that were reconfigured from K-5s and middle schools in 2005 and 2006.
- C. In February 2013, the PPS Board of Education unanimously approved resolution 4718, the Jefferson Cluster PK-8 Enrollment Balancing Resolution, directing staff “to develop and recommend a process for a comprehensive review of school boundaries district-wide and policies related to student assignment and transfer to better align with the Racial Educational Equity Policy and promote strong capture rates and academic programs at every grade level.”
- D. In November 2014, PPS initiated a District-wide Boundary Review Advisory Committee (D-BRAC) to provide recommendations to the Superintendent on resolving overcrowding, under-enrollment and related population-based issues.
- E. In September 2015, the PPS Board of Education approved an Enrollment Balancing Values Framework, developed by D-BRAC, as guidance for future enrollment balancing decisions. The Framework states, “Regardless of any student demographic, every student will have access to, and opportunities to benefit from, equitable and effective academic programs, including enrichments/elective offerings and appropriate individualized support services that ensure that they can thrive and achieve their potential in Portland Public Schools.”
- F. PPS analysis of current programming reveals that small enrollment at K-8 schools limits access to core academic programs, particularly for students in grades 6-8:
 - 1) In August, 2015, PPS staff presented analysis to DBRAC concluding that K-5 and K-8s schools should have at least two, and preferably three, sections per grade level to offer students a minimum core program. Yet only 9 of 29 K-8 schools had sufficient enrollment for at least two sections per grade level, and only two had enough students to generate three sections per grade level.
 - 2) The analysis showed that students of color and those in poverty are disproportionately likely to be in a K-8 with enrollment lower than the preferred range.
 - 3) In addition, a PPS analysis showed that students in historically underserved racial groups who attended middle schools earned more academic credits by the end of ninth grade than students in historically underserved racial groups who attended K-8s.
 - 4) A facility capacity report revealed that most PPS buildings do not have sufficient classrooms to meet the space needs of three section K-8 schools, particularly schools who receive additional staff allocations due to serving higher percentages of historically underserved students.
- G. In the PPS 2025 Survey conducted in the Spring of 2015, a clear majority of the more than 4,000 respondents said they favored a system of K-5s and middle schools over K-8s in order to ensure sustainable core programming and provide a wider range of elective offerings to students.

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- H. Between October 2015 and March 2016, PPS convened 22 community meetings to gather feedback on staff-generated proposals to balance enrollment across the district, including converting many K-8 schools into K-5 or middle schools. Several issues at schools in the Jefferson cluster gained attention during this process:
 - 1) Community appreciation for the strong relationships students develop in K-8 schools was outweighed by strong concern that middle grades programs at small schools were not providing equitable opportunities. No K-8 schools in the Jefferson cluster had enrollment sufficient for two sections at grade 6-8.
 - 2) Testimony that Beach K-8 School is experiencing significant overcrowding, and that program and facility changes would be needed to sustain large enrollment in future years.
 - 3) Concern about the ongoing complexities associated with operating Chief Joseph/Ockley Green K-8 on two separate campuses.
 - 4) Strong support for converting Ockley Green to a middle school, as it currently houses grades 4-8 and has served as a middle school in the past.
- I. D-BRAC members attended the community events and held dozens of committee meetings to consider options before providing a recommendation to the Superintendent on February 9, 2016.
 - 1) The committee recommended a district-wide restructuring of K-8 schools to a predominantly K-5 and Middle School system.
 - 2) The recommendation included a strong statement of support for a community led request to convert Ockley Green to a Middle School for the 2016-17 school year.
- J. Superintendent Smith conducted additional listening sessions in March 2016 to inform her final proposal, including a session held in partnership with the Jefferson Cluster Visioning Committee, a volunteer group of community members who developed multiple scenarios for bringing middle schools back into the Jefferson cluster.
- K. The Superintendent supported the D-BRAC and community endorsed plan to shift to a predominately K-5 and middle school model over time in her enrollment balancing recommendation made to the Board of Education on March 29, 2016.
- L. The migration will begin with the initiation of Ockley Green Middle School and its system of K-5 feeder schools, beginning in the 2016-17 school year:
 - 1) Conversion of Chief Joseph/Ockley Green K-8 school into two separate schools: Chief Joseph K-5 and Ockley Green Middle School. For the 2016-17 school year, Chief Joseph 5th graders will be located at the Ockley Green campus, due to a lack of space at the Chief Joseph building.
 - 2) Conversion of Beach K-8 School into a K-5 school, assigning grades 6-8 to Ockley Green Middle School. The change applies to students enrolled in both the neighborhood and Spanish Immersion programs located at Beach.
 - 3) Conversion of Peninsula K-8 School into a K-5 school, assigning grades 6-8 to Ockley Green Middle School.
 - 4) Conversion of Woodlawn PK-8 School into a K-5 school, assigning grades 6-8 to Ockley Green Middle School. The change applies to students in the neighborhood program and in the Special Education grade 6-8 Focus classroom at Woodlawn.
- M. Boundary changes to balance enrollment across Ockley Green's K-5 feeder schools will be developed through a D-BRAC and community process for decision by the PPS Board of Education in the Winter of 2016-17 and implementation in the Fall of 2017.
- N. For the 2016-17 school year, students who have transferred into Beach, Chief Joseph/Ockley Green, Peninsula or Woodlawn from other neighborhood schools will be allowed to continue with their classmates to Ockley Green Middle School, or to return to their neighborhood school, by completing an on-time petition transfer requests during 5th grade. In future years, transfer

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students at feeder schools will have the option to request Ockley Green assignment through the hardship petition process. Transfer students who complete 5th grade in the Beach Spanish Immersion program will be automatically assigned to continue Spanish Immersion at Ockley Green Middle School.

- O. All students who reside in the new Ockley Green Middle School boundary will have guaranteed assignment to either Jefferson Middle College of Advanced Studies or Roosevelt High School as the community comprehensive high school through the annual dual assignment process.
- P. Whereas other middle school conversions will have at least one planning year to prepare for the transition, Ockley Green will open more rapidly. There is a mutual community and District understanding that PPS is responding to the community urgency for a rapid opening that will have resulting trade-offs in preparation and readiness.
- Q. The Board of Education acknowledges that changes to school configurations, locations and boundaries will require funding for planning and implementation.
 - 1) The Board notes that the 2015/16 budget was amended on February 3, 2016 to add staffing for this planning and one-time capital funds for implementation of changes.
 - 2) The Board further acknowledges that the budget for 2016/17 proposed by the Superintendent sustains the staffing for this planning added in the 2015-16 budget amendment and adds \$1.8 million to support the middle school conversion planning process, including opening Ockley Green Middle School.
 - 3) The Board acknowledges that additional funding in future years will be required to complete this enrollment balancing and grade reconfiguration work.

RESOLUTION

- 1. The Board of Education adopts Superintendent Smith's reconfiguration recommendations to open Ockley Green as a Middle School in 2016-17 serving students in grades 6-8, and to assign grade 6-8 students from Beach, Chief Joseph, Peninsula and Woodlawn schools to Ockley Green Middle School. For the 2016-17 school year, 5th graders from the current Chief Joseph/Ockley Green boundary will also be located at Ockley Green Middle School.
- 2. The Board directs the Superintendent to initiate staffing and facility changes, transportation routing and other operational adjustments to support effective implementation of these reconfigurations.
- 3. The Board directs the Superintendent to recommend a plan to realign attendance boundaries across Ockley Green's feeder schools by December 2016.
- 4. The Board acknowledges and appreciates the participation of D-BRAC, the Jefferson Cluster Visioning Committee, and of thousands of community members throughout the District-wide enrollment balancing process.

J. Isaacs

April 5, 2016

RESOLUTION No. 5247

Authorizing the Superintendent to enter into a Governance Agreement between PPS, Concordia University, and the Trillium Group Inc. for the operation of the 3 to PhD Initiative, a Collaborative Community Initiative Based in the Faubion School,/Concordia University School of Education Facility

RECITALS

- A. In November 2012, voters approved a school building improvement bond which featured the rebuilding of Faubion PreK-8 school in partnership with Concordia University.
- B. Concordia University and Portland Public Schools entered into a Memorandum of Understanding in September 2012 and a Predevelopment Agreement in September 2013 delineating the responsibilities of the parties to guide master planning and partnership development for school replacement. The Predevelopment Agreement anticipated a Development Agreement to guide school funding and construction.
- C. In 2015, Portland Public Schools and Concordia University entered into a Disposition and Development Agreement, including real estate transactions, leasing and funding obligations for the development of a new, combined Faubion Pk-8 School and Concordia University College of Education.

On March 10, 2016, the Business and Operations Committee, a subcommittee of the Portland Public Schools Board of Education, met to review the 3 to PhD Governance Agreement and unanimously approved its passage to the Board of Education for their support.

RESOLUTION

- 1. The Board of Education authorizes the District to enter into the 3 to PhD Governance Agreement, which memorializes the agreement between PPS, Concordia University, and the Trillium Group, Inc.(Founders) and defines the decision-making processes and governance protocols.
- 2. The Board of Education directs that the terms of this agreement will be supplemented by an operating agreement, to be approved by the Superintendent, that provides specific guidance around the operational aspects of the initiative as well as the facility within which it is housed, and other agreements between and among the Founders related to this initiative.

T. Magliano / C. Vaughan-Tyler

April 5, 2016

RESOLUTION No. 5248

A Resolution of School District No. 1-J, Multnomah County (Portland Public Schools)
(The District), stating that Requirements for the Use of
Qualified Zone Academy Bonds (QZABs) Have Been Met

RECITALS

- A. The District desires to submit an application to the State of Oregon Department of Education (the "State") seeking approval to issue a Qualified Zone Academy Bond (QZAB) and an allotment of volume capacity from the State for the same.
- B. Capital expenditures for equipment, rehabilitation and/or repair of certain public school facilities may be financed with the proceeds of a Qualified Zone Academy Bond ("QZAB") issued pursuant to Sections 54A and 54E of the Internal Revenue Code of 1986, as amended (the "Code").

RESOLUTION

- 1. The Board of Education (the "Board") hereby finds, determines, declares, and resolves as follows:

Section 1. Recitals and Definitions. All of the above recitals are true and correct and the Board so finds and determines.

Section 2. QZAB Authorization. The District is authorized to submit an application to the State of Oregon Department of Education seeking approval to issue a QZAB for those portions of the Project that meet the requirements of Sections 54A and 54E of the Code. In support of such application, the Board specifically finds, determines, declares and resolves as follows:

(a) The District has reasonable expectations that at least 35% of the students attending or participating in the program will be eligible for free or reduced-cost lunches established under the Richard B. Nelson National School Lunch Act as of the date of issuance of the QZAB bonds.

(b) The District will have written commitments from private entity(ies) to make qualified contributions with a present value at the QZAB bond closing date of not less than 10% of the proceeds of the QZAB bond.

(c) The school(s) (or academic program(s) with such school(s)) (the "Academy") for which QZAB bond approval is sought is established by and operated under the supervision of the District, which is an eligible local education agency, as defined by Section 14101 of the Elementary and Secondary Education Act of 1965, in that the District provides education or training below the post-secondary level, and (i) such Academy is designed in cooperation with business to enhance the academic curriculum, increase graduation and employment rates, and better prepare students for the rigors of college and the increasingly complex workforce, (ii) students in the Academy are subject to the same academic standards and assessments as other students educated by the eligible local education agency, and (iii) the comprehensive education plan of the school program is approved by the eligible local education agency.

(d) The District intends to use the proceeds of the QZAB for one or all of the following:

- (1) Rehabilitation or repairing the public school facility in which the academy is established; and/or
- (2) Providing equipment for use at such academy.

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Section 3. Davis-Bacon Act Certification. All laborers and mechanics employed by contractors or subcontractors on projects funded by QZAB proceeds shall be paid wages and fringe benefits at rates not less than those required under the Davis-Bacon Act, 40 U.S.C. 3141 et seq.

Section 4. Conflicts of Interest. Applicable state and local law requirements governing conflicts of interest are and will be, at issuance of any QZAB will be satisfied, and if additional conflict of interest rules are imposed by Internal Revenue Service or other federal regulation, such additional rules will be satisfied with respect to such issuance.

Section 6. Spending Plan. The District has written spending plans for the use of QZAB proceeds on file in its offices.

Section 7. Qualified Schools. The District has determined that all schools where QZAB funds will be spent meet the federal requirements and therefore will designated each as a Qualified Zone Academy. (See Appendix A for a list of designated Zone Academy schools).

Section 8. QZAB coordinator. The District, under a separate agreement, has selected McLiney And Company as their QZAB coordinator to handle all steps required for successful financing. Any fees or expenses associated the QZAB may only be paid upon a successful completion.

Y. Awwad

RESOLUTION No. 5249

Minutes

The following minutes are offered for adoption:

March 29, 2016