

BOARD OF EDUCATION

Portland Public Schools
REGULAR MEETING
 April 10, 2018

BOARD AUDITORIUM

Blanchard Education Service District
 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. | <u>OPENING AND RECOGNITION</u> | 6:00 pm |
| 2. | <u>BOARD POLICIES</u> | 6:20 pm |
| | a. Second Reading: Anti-Harassment with Amendment – vote | |
| | b. Second Reading: Teen Dating Policy – vote | |
| | c. Second Reading: Amendments to School Naming Policy - vote
(public comment accepted on each above Policy) | |
| | d. First Reading: Complaint Policy | |
| 3. | <u>SUPERINTENDENT'S REPORT</u> | 6:50 pm |
| 4. | <u>STUDENT AND PUBLIC COMMENT</u> | 7:00 pm
(Time Certain) |
| 5. | <u>APPEALS TO THE BOARD</u> | 7:20 pm |
| | a. Hearings on Two Step 3 Appeals – vote
(public comment accepted on each of the two appeals) | |
| 6. | <u>2018-19 BUDGET UPDATE</u> | 8:00 pm |
| 7. | <u>OTHER BUSINESS / COMMITTEE REFERRALS</u> | 8:10 pm |
| 8. | <u>BUSINESS AGENDA</u> - vote
(public comment accepted) | 8:15 pm |
| 9. | <u>CONVENE INTO WORK SESSION ON 2017 CAPITAL BOND</u> | 8:20 pm |
| 10. | <u>RECONVENE BACK TO REGULAR MEETING</u> | 9:20 pm |
| | a. Funding for Middle School Implementation – vote
(public comment accepted) | |
| 11. | <u>ADJOURN</u> | 9:30 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.

Chinese, Russian, Somali, Spanish and Vietnamese Interpreters available at meeting.



Board of Education Informational Report


MEMORANDUM

Date: 3/16/18
To: Board
From: Mary Kane
Subject: Non-Discrimination/Anti-Harassment Policy

The first reading of the amended Non-Discrimination/Anti-Harassment Policy was held on March 6, 2018. At that Board meeting, Board member Bailey identified a mistake in the language and asked that we make a correction. Subsequent to the meeting, Board member Kohnstamm and Board Chair Brim-Edwards suggested that we take language from the administrative directive relating to this policy and put it into the policy itself as it is a core component of the policy itself. The proposed language is “All complaints may be made anonymously.”

A second first reading was held on March 20, 2018. No additional amendments were made to the policy and there have been no public comments made since the first reading.

A second reading will be held on April 10, 2018.

	<p>BOARD POLICY</p> <p>Non-Discrimination/ Anti-Harassment Policy</p>	<p>1.80.020-P</p>
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Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society.

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race, color, religion, sex, sexual orientation, gender expression or identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran's status, or because of the perceived or actual race, color, religion, sex, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.

The district prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and in accommodating the public at public meetings.

Complaints regarding discrimination and harassment may be filed with any District administrator or manager, including the Office of the Superintendent, at any time. In addition, complaints regarding discrimination may be filed with the United States or Oregon Department of Education's Office of Civil Right at any time. All complaints regarding sexual harassment and sexual violence shall go to the Title IX Coordinator. Complaints may be made anonymously.

District notices regarding non-discrimination and harassment will have contact information for the District's Title IX Coordinator, who shall track all district-related complaints regarding discrimination based on sex, sexual orientation, and gender expression or identity, including reports of sexual harassment and sexual violence. The

District's Title IX Coordinator may be contacted at titleIX@pps.net.

The Superintendent will promulgate administrative directives outlining the complaint procedures providing for the prompt and equitable resolution of complaints from and against students, employees, vendors, and the public. These administrative directives will be available on the District's website.

Legal References: ORS 192.630; ORS 326.051; ORS 339.356; ORS 342.700; ORS 342.704; ORS 342.865; ORS 659.850; ORS 659A.006; ORS 659A.029; ORS 659A.030; ORS 659A.133; ORS 659A.270-.290; Title VII of the Civil Rights Act of 1964, as amended, Americans with Disabilities Act, Family Medical Leave Act, Age Discrimination in Employment Act

OSBA: AC

History: Adpt 2/13/97; Amd 9/9/02; Amd 6/17/13; Amd 1/23/18



Board of Education Informational Report

MEMORANDUM

Date: 4/2/18
To: Board
From: Mary Kane
Subject: Teen Dating Violence/Domestic Violence Policy

The first reading of the Teen Dating Violence/Domestic Violence Policy was held on March 6, 2018. There were no recommended changes to the policy made at that Board meeting. There have been no suggestions or comments made in the 21 day public comment period.

The second reading of the policy will be heard on April 10, 2018.



BOARD POLICY

4.XX.XXX-P

**Teen Dating
Violence/Domestic Violence**

I. Overview and Prohibited Conduct

- A. Portland Public Schools is committed to providing a safe, positive, and productive learning environment. Teen dating violence is unacceptable behavior and prohibited.
- B. This policy applies to alleged student behavior on district grounds, at or during any district-sponsored activity, on district-provided transportation, at any official district bus stop, and in all instances that student discipline applies as provided in Student Discipline Procedures 4.30.020-AD, including when student behavior covered in this policy substantially disrupts the school environment.
- C. Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry is also strictly prohibited. Reports made in bad faith shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.
- D. The District shall investigate all complaints of teen dating violence. The Superintendent shall be responsible for ensuring the development of administrative directives, including reporting and investigative procedures. The Superintendent shall also appoint a Title IX Coordinator who will be responsible for receiving reports related to teen dating violence.
- E. The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grade 7 through 12.
- F. The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, teen dating violence and domestic violence.

II. Definitions

- A. "Teen dating violence" means:
 - 1. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years or age; or

2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.
- B. "Domestic Violence" means abuse as defined by Oregon Revised Statute 107.705 between family and household members, as those terms are described in ORS 107.705.
 - C. "Retaliation" means harassment, intimidation or bullying, menacing, teen dating violence and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of teen dating violence.

Legal References: ORS 339.356; ORS 339.366; ORS 107.705

OSBA: JFCF

History: Adpt 1/18



Board of Education Informational Report

MEMORANDUM

Date: 4/2/18
To: Board
From: Mary Kane
Subject: Naming School District Property Policy

The first reading of the amended School Naming Policy was heard on February 27, 2018. Board members Scott Bailey and Rita Moore made suggestions to the Policy which are reflected in the two versions submitted in this packet. In both, we have amended the language in section VII (4)(a) to allow relief from the requirement to provide a fiscal impact statement and a proposed method for covering the expense of the name change if a party can show the change is to address discrimination. In the second version, we have amended the language in section IV addressing Gifts. Because these amendments constituted a significant change to the policy, it was decided that there would be a second first reading of the policy.

At the March 20, 2018 Board meeting, the Board adopted the suggestions made by both Scott Bailey and Rita Moore. They are incorporated in the draft in this packet.

The second reading of this policy will be held on 4/10/18.

2.20.010-P Naming School District Property

I. Responsibility and Authority

- (1) The naming of all School District properties including, but not limited to, School District schools, school facilities, programs, non-school facilities, as well as school mascots, symbols and other images considered for representation of a school or District is the responsibility of the Board of Education.
- (2) In considering appropriate names for any school, facility, programs, or representative images, it is the responsibility of the Board to ensure that the name properly reflects the type and mission of the school, facility, and focus option so as to not cause public confusion. In respect for the diversity of our community, names shall have broad acceptance in a multicultural society as determined by the Board of Education.
- (3) In the naming process, the Board recognizes the importance of soliciting student, staff, parent and community input, as appropriate, in the selection of names. Names may be presented by individuals, by petition, by chosen committees, or by other representative groups. While every effort will be made to respect student, staff, parent, and community preferences, the Board of Education retains the final authority over selection of names for schools, facilities, programs and representative images.

II. General Criteria for Names

- (1) When evaluating school, non-school facility, program names, and representative images, the following general criteria shall be followed:
 - (a) Names submitted for consideration may:
 - (i) be known and significant to the community, students and staff; or
 - (ii) relate to local neighborhoods, to relevant geographic areas; to places of historical, geographical, geologic or cultural significance; to indigenous and characteristic flora or fauna; or
 - (iii) be persons or groups of persons, deceased at least three years, who have demonstrated international, national, state or local leadership in the fields of education, arts and sciences, or public service; or

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2.20.010-P Naming School District Property

- (iv) be thematic to reflect the character of the community culture and history; or
 - (v) reflect features of the facility or program type, and mission of the facility.
 - (vi) All considerations must reflect our commitment to eliminating systemic discrimination and its impact on student learning and educational activities.
- (b) Names submitted for consideration shall not:
- (i) conflict with the names of other schools or programs in the School District or surrounding School Districts.
 - (ii) reflect the names of specific cities with the exception of "Portland".
 - (iii) be a person, location or character whose primary identification is of a religious nature or be a name of a religious group or members
 - (iv) include the word 'neighborhood' in the school name unless the school has defined attendance barriers.
 - (v) include the word 'school' in its name if it is a special program that does not meet the definition of a school as stated in Board Policy 6.10.022-P.

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III. Special Recognition of Specific Persons

- (1) The Board of Education acknowledges that communities served by School District facilities periodically desire to recognize individuals for long and honorable service. Locations within school facilities or buildings may be named for former School District employees, citizens or students (not necessarily deceased) who have made specific contributions to education within Portland Public Schools.
- (2) Naming of locations inside schools and school facilities are subject to the approval of the Superintendent, with notice to the Board.

IV. Gifts

- (1) The Board acknowledges that it has the authority to accept monetary or in-kind donations from individuals and entities. In exceptional circumstances, consideration may be given to naming locations within a school or non-school facility for a significant gift as determined by the Board, in consultation with the

2.20.010-P Naming School District Property

Superintendent. Any names in this instance shall be consistent with all School Board policies and shall reflect the donor’s appropriate financial support as well as the donor commitment to the School District’s mission and vision and the objectives of the public school system.

V. Charter Schools

Agreements signed between Public Charter Schools and the School District will contain the requirement that the word ‘Charter’ be included as part of the Charter School name. Charter schools do not have defined attendance boundaries and, thus, shall not have the title ‘neighborhood’ as part of their name.

VI. School Conversions, Mergers, or Reconfigurations

When a school undergoes conversion or is reconfigured into separate distinct units, each of which meets the definition of a school as stated in Board Policy 6.10.022-P, those schools will be named following the conditions and criteria for new schools as outlined in this policy. When two or more schools are merged and there is community support for a name other than the current name of the facility, the school community shall go through the renaming process using the criteria in this policy. The district shall waive the fiscal impact statement in these cases.

VII. Renaming or Amending of Current Names

- (1) The Board recognizes that renaming existing schools or facilities or amending existing names by adding or deleting words or phrases is a serious, considered decision, and should not be made arbitrarily, frivolously, or in haste.
- (2) Such a decision must take into account the District’s focus on eliminating systemic discrimination and its impact on student learning and educational activities.
- (3) Because the impact of renaming an existing school or amending an existing name is substantial in terms of potential public confusion, and administrative and fiscal costs, the burden is upon the party or parties proposing the name change to present persuasive evidence that the benefits of renaming outweigh community and School District impacts.

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2.20.010-P Naming School District Property

- (4) In considering a name change, the Board shall consider input and recommendations from the school community and the community at large. The request for a name change must be accompanied by a fiscal impact statement and a proposed method of covering the expense of the name change.
 - (a) The District will allow for an exemption to the fiscal impact statement and proposed method of covering the expense of the name change when a party can show the change is being made to address discrimination.

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VIII. Implementation

- (1) The Board of Education has the ultimate authority to determine if the criteria in this policy have been satisfied.
- (2) The Board authorizes the Superintendent to develop procedures which provide for implementation of this policy.

History: Adopted 7/12/2004; Amended 4/10/18

Portland Public School District 1st Reading

DATE: April 10, 2018

Public Comment for: REVISED COMPLAINT POLICY POLICY 4.50.030-P

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.

1st Reading by: Julia Brim-Edwards, Chair, Portland Public School Board
Summary: Amended Non-Discrimination/Anti-Harassment 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: May 1, 2018

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

Telephone: 503-916-3741

E-mail: schoolboard@pps.net

Last Date for Comment: May 1, 2018



Board Meeting Date: April 10, 2018

Executive Committee Lead: Liz Large

Department: Legal

Presenter/Staff Lead: Liz Large

SUBJECT: Complaint Policy 4.50.030-P

BACKGROUND

The Board requested revisions to the policy to conform to state law and to provide a transparent and clear process for receiving, reviewing, and deciding formal complaints.

BOARD COMMITTEE REVIEW (IF APPLICABLE)

The Policy and Governance Special Committee directed the revisions to the policy, met multiple times, and provided extensive input into the revisions.

RELATED POLICIES / BOARD GOALS AND PRIORITIES

The timely review and response to formal complaints is a Board priority, and these revisions are in furtherance of that objective.

PROCESS / COMMUNITY ENGAGEMENT

The Board Subcommittee meetings were open to the public, and members of the public participated in the meeting. The Board members on the subcommittee have received feedback on the complaint policy and requested changes.

ALIGNMENT WITH EQUITY POLICY IMPLEMENTATION PLAN

The complaint policy makes clear that the formal complaint process must be implemented in a manner that is accessible to, and welcoming of, all of our students, parents/guardians, and community members. All parties to the complaint process will be treated, and will treat others, with dignity and respect. The policy also directs that support will be given to those needing language or other assistance with the process.

BUDGET / RESOURCE IMPLICATIONS

No fiscal implications are anticipated.

NEXT STEPS / TIMELINE / COMMUNICATION PLAN

First Reading for the Board will be April 10, 2018. Once the final policy language is approved by the Board, it will be posted on the PPS website. Staff will also amend the Administrative Directive, 4.50.031-AD, to conform to the policy changes and will provide training for building administration and designated district staff in the implementation of the policy and administrative directive.

QUESTIONS FOR BOARD DISCUSSION

ATTACHMENTS



Formal Public Complaints—First Reading 4.50.032-P

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

Whenever possible, concerns should be resolved informally through communication with the school or department directly involved in the issue. If this approach does not resolve the concerns, the District provides a formal complaint process. The Board intends that complaints be resolved as expeditiously as possible and in compliance with state law.

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

- I. Administrative Directive creation and review; Annual reports; Transparency and accessibility**
 - A. The Board of Education directs the Superintendent to implement an administrative directive that sets forth the specific process and procedure for complaint resolution. The administrative directive and any changes that are subsequently made will be submitted to the Board for review. The Board further directs the Superintendent to make information regarding the complaint process to members of the school community in a manner that is accessible and user-friendly, and to provide training for building administration and designated district staff in the implementation of the policy and administrative directive. Since complaints can be an important indicator of the health of an organization, the Superintendent will provide to the Board at least annually a document that provides data on trends and emerging issues, as well as the functioning of the process.

A full explanation of the complaint procedure, including all forms, shall be available at the district's administrative office and on the home page of the district's website.

1. Types of complaints

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

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

II. TIMELINES

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

III. FILING A COMPLAINT

A. STEP 1:

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

IV. FILING AN APPEAL

A. STEP 2: APPEAL TO THE SUPERINTENDENT

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

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

B. STEP 3: APPEAL TO THE PPS SCHOOL BOARD

The Board will vote on the substance of the appeal within 30 days of the written request to appeal the Superintendent's decision. The Board will have the full written record of the decisions at Step 1 and Step 2. The complainant may submit additional written information to the Board and may provide testimony during public comment. The Board shall decide that the Superintendent's final decision is:

1. Affirmed and no further action will be taken; or
2. Reversed and may direct the Superintendent to take alternative steps or other course of action. To the extent the Board modifies the Superintendent's decision, it will issue a final decision that addresses each concern raised in the complaint and contains reasons for the District's decision.

If the complainant is not satisfied with the decision of the Board, the complainant can file an appeal with the Oregon Department of Education (ODE) as permitted by OAR 581-022-2370(4) and OAR 581-002-0040.

C. Anonymous Complaints

PPS accepts confidential anonymous complaints by email at [_____] and phone at [_____]. Those making complaints anonymously should provide as much information as possible when making the complaint. PPS will investigate any complaint, including anonymous complaints, as fully as it can.

D. Other provisions

1. Translation and interpretation services are available to complainants. [INSERT LINK TO REQUEST SERVICES]
2. The District will provide resources for complainants who request assistance in preparing a written complaint. [INSERT LINK TO REQUEST ASSISTANCE]
3. The Superintendent shall avoid any conflicts of interest, or the appearance of conflicts of interest, in assigning the district representative to investigate and respond to a complaint.
4. Complainants may bring an advocate or support person to any meeting or proceeding.
5. Retaliation against any person who files or participates in the complaint process is strictly prohibited. Retaliation is any action that would deter a reasonable

person from participating in the process. Anyone who believes they have suffered retaliation should immediately report it to the Superintendent or PPS Board of Directors.

6. The District will share with complainants as much information as possible about the findings of the investigation and will, in all cases, share the outcome of its investigation of complaints. However, PPS is often prohibited from disclosing specific information about disciplinary action taken against an employee involved in the complaint. The Board will not hear complaints against employees in a session open to the public unless an employee requests an open session.
7. If the district fails to meet the timelines set forth in this process, the complainant may appeal to the PPS School Board or to the Oregon Department of Education. The timelines may be extended by the mutual consent of the complainant and the District. For example, this may be needed if there are many witnesses to interview, key witnesses are unavailable because of holidays, medical leave, etc., or if a particular Board meeting does not work for the complainant.
8. As used in this policy, “days” will be counted as “calendar days.” Any period for response under this policy that falls on a weekend or legal holiday shall be extended to the next business day.
9. The district may not be able to assure confidentiality of the names of persons who file complaints under this policy.
10. If a complaint alleges employee misconduct that is outside the scope of this policy, the complaint coordinator will notify the Superintendent in writing of that filing, and the District will endeavor to respond in a timely manner to the complaint.
11. Current and former employees may not bring a complaint under this policy regarding the terms, conditions, or status of their employment.

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

Any complaint about the Superintendent shall be reviewed by the Board of Education.

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

after receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

F. Complaints submitted to school board members

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

V. FURTHER APPEAL RIGHTS

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, who is a student, a parent or guardian of a student attending a school in the district or a person who resides in the district, may appeal a final decision by the district to the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-0040.

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

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

END OF POLICY

Legal Reference(s):

[ORS 192.610 to 192.690](#)

[ORS 332.107](#)

[ORS 339.285 to 339.383](#)

[ORS 659.852](#)

[OAR 581-022-2370](#)

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

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April 10, 2018

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Purchases, Bids, Contracts

The Superintendent RECOMMENDS adoption of the following items:

Numbers 5622 and 5623

RESOLUTION No. 5622

Revenue 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”) 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 Department of Education	9/1/16 through 6/30/19	Intergovernmental Agreement / Revenue IGA/R 66073	House Bill 3499 directs the Oregon Department of Education to develop and implement a statewide education plan for English Language Learners.	\$180,000	L. Valentino Fund 205 Dept. 9999 Grant G1702
State of Oregon	5/1/18 through 5/1/21	Intergovernmental Agreement / Revenue IGA/R 66082	General Obligation Bond Program Grant Agreement	\$8,000,000	J. Vincent Fund 438 Project JS009

AMENDMENTS TO EXISTING REVENUE CONTRACTS

No Amendments to Existing Revenue Contracts

RESOLUTION No. 5623

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
Tyler Technologies, Inc.	5/31/18 through 5/30/19 Options to renew for up to four additional one-year terms through 5/30/23	Software SW 66091	Transportation Routing software. RFP 2017-2300	Original Term: \$257,407 Total Term: \$459,189	J. Vincent Fund 101 Dept. 5560
Public Consulting Group	4/11/18 through 4/12/23 Options to renew for up to five additional one-year terms through 6/30/28	Software SW 66005	Professional Learning Management System software. RFP 2017-2328	Original Term: \$269,033 Total Term: \$2,000,000	L. Parker Fund 407 Dept. 5581

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No New IGAs

AMENDMENTS TO EXISTING CONTRACTS

Contractor	Contract Amendment Term	Contract Type	Description of Services	Amendment Amount, Contract Total	Responsible Administrator, Funding Source
Mortensen Construction	4/11/18 through 12/31/18	Design/Build DB 66083 Amendment 1*	Adding funds for additional scope. Design-Build services for Middle School Conversion Project – Tubman. Exemption from Competitive Bidding (Board Reso. 5543)	\$6,400,000 Not to Exceed \$15,600,000	J. Vincent Fund 404 Dept. 5597 Project X0149

Fortis Construction, Inc.	4/11/18 through 12/31/18	Design/Build DB 65943 Amendment 1*	Adding funds for additional scope. Design-Build services for Middle School Conversion Project – other sites. Exemption from Competitive Bidding (Board Reso. 5543)	\$3,200,000 Not to Exceed \$9,200,000	J. Vincent Fund 404 Dept. 5597 Project X0149
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* Amendments are in negotiation and not finalized at this time. Staff seeks advanced authorization for these amendments 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.”

Other Matters Requiring Board Approval

The Interim Superintendent RECOMMENDS adoption of the following items:

Numbers 5624 through 5629

RESOLUTION No. 5624

Resolution to Adopt the Revised 1.80/020-P Non-Discrimination/Anti-Harassment Policy

RECITALS

- A. Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society.
- B. In its desire to reflect more clearly our commitment to non-discrimination in the district, the policy has been amended to define more broadly the protected classes.
- C. The policy also includes information about how to contact the Title IX coordinator for assistance and the availability of filing complaints at the District level and with the state.

RESOLUTION

The Board of Education hereby adopts Policy 1.80.020-P, Non-Discrimination/Anti-Harassment.

RESOLUTION No. 5625

Resolution to Adopt the Teen Dating Violence/Domestic Violence Policy

RECITALS

- A. Healthy Teen Relationships Act (HTRA) requires all Oregon school districts to adopt a policy that:
 - 1) States teen dating violence is unacceptable and is prohibited and that each student has the right to a safe learning environment;
 - 2) Incorporates age-appropriate education about teen dating violence into new or existing training programs for students in grades 7-12, and school employees as recommended by school officials;
 - 3) Identifies by job title the school officials who are responsible for receiving reports related to teen dating violence, which shall be the same school officials identified in the policy adopted by the school district under [the Safe Schools and Equality Act of 2009, which prohibits bullying, cyberbullying and harassment];
 - 4) Establishes procedures for the manner in which employees of a school are to respond to incidents of teen dating violence that take place at the school, on school grounds at school-sponsored activities or in vehicles used for school-provided transportation;
 - 5) Notifies students and parents of the teen dating violence policy adopted by the board.
- B. On March 6, 2018, staff presented the first reading to the Board of Education the Teen Dating Violence/Domestic Violence Policy.
- C. Per District policy, the public comment period was open for 21 days. There were no comments from the public.

RESOLUTION

The Board of Education hereby adopts the Teen Dating Violence/Domestic Violence Policy.

RESOLUTION No. 5626

Resolution to Adopt the Revised 2.20.010-P Naming School District Property Policy

RECITALS

- A. On December 19, 2017, the Superintendent referred a policy proposal to the Board of Education's Policy and Governance Special committee to review naming policies for District property.
- B. On January 5, 2018, the Policy and Governance Special Committee met to discuss the current policy on Naming School District Property and proposed changes that would provide clear guidance on naming of District property.
- C. On February 6, 2018, the Policy and Governance Special Committee met to review proposed revisions and recommended to move forward the proposed policy to the full Board for approval.
- D. On February 27, 2018, staff presented the first reading of Policy 2.20.010-P Naming School District Property.
- E. On March 20, 2018, staff presented two proposed policies for a second first reading of Policy 2.20.010-P Naming School District Property. The Board adopted both proposals.
- F. Per District policy, the public comment period was open for 21 days. Comments were shared with staff and with the Board of Education.

RESOLUTION

The Board of Education hereby adopts Policy 2.20.010-P Naming School District Property as presented at the March 20, 2018 First Reading.

RESOLUTION No. 5627

Appointment of Custodian Civil Service Board Member

RECITALS

- A. There is a vacancy on the Custodian Civil Service Board.
- B. Siobhan Murphy has been nominated to serve on the Custodial Civil Service Board for a term of two years. Ms. Murphy is a Human Resources Professional, specializing in labor and employee relations. She has nearly a decade of public sector experience, including working in the judicial system, education and regional government. Ms. Murphy holds a J.D. from Lewis and Clark Law School and a B.A. in Economics from the University of California, Santa Cruz.

RESOLUTION

Siobhan Murphy is appointed to the Custodian Civil Service Board with a term that expires on June 30, 2020.

RESOLUTION No. 5628

Settlement Agreement

The authority to pay a total of \$200,000 is granted to settle claims in the lawsuit brought by Kathryn Rosson. The settlement agreement will be in a form approved by the Interim General Counsel.

E. Large

RESOLUTION No. 5629

Minutes

The following minutes are offered for adoption:

March 20 and 23, 2018