

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

INDEX TO THE AGENDA

October 24 2017

Board  
Action  
Number

Page

Purchases, Bids, Contracts

5526	Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority.....	3
5527	Expenditure Contracts that Exceed \$150,000 Limit for Delegation of Authority.....	4

Other Matters Requiring Board Approval

5528	Feeder Pattern and Attendance Area Changes for Harriet Tubman and Roseway Heights Middle Schools (Madison, Grant, and Grant/Jefferson Clusters) .....	6
5529	Authorization to Commission Legal Representation .....	10
5530	Minutes .....	10

Purchases, Bids, Contracts

The Superintendent RECOMMENDS adoption of the following items:

Numbers 5526 and 5527

**RESOLUTION No. 5526**

Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$150,000 per contractor are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW REVENUE CONTRACTS**

No New Revenue Contracts

**NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Gresham-Barlow School District	7/1/17 through 6/30/18	Intergovernmental Agreement / Revenue IGA/R 65320	Columbia Regional Program will provide school age classroom services for Deaf/Hard of Hearing regionally eligible children.	\$174,100	V. Truong Fund 299 Project S0031
David Douglas School District	7/1/17 through 6/30/18	Intergovernmental Agreement / Revenue IGA/R 65332	Columbia Regional Program will provide school age classroom services for Deaf/Hard of Hearing regionally eligible children.	\$268,550	V. Truong Fund 299 Project S0031

**AMENDMENTS TO EXISTING REVENUE CONTRACTS**

No Amendments to Existing Revenue Contracts

*Y. Awwad*

**RESOLUTION No. 5527**

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**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
BBL Architects, LLC	10/25/17 through 12/30/18	Architectural Services ARCH 65356	Architectural and engineering consultant services on the Tubman Re-Roof Project. RFP 2017-2269	\$252,382	J. Vincent Fund 455 Dept. 2199 Project DS006
Sather, Byerly & Holloway LLP	11/16/17 through 11/15/20	Legal Services LS 65389	Worker’s compensation legal services. Direct Negotiation – PPS-46-0525 (4)	\$300,000	M. Lee Fund 601 Dept. 5540
Opsis Architecture, LLC	10/26/17 through 12/31/22	Architectural Services ARCH 65391	Architectural and engineering services on the Madison High School Modernization Project. RFP 2017-2263	\$11,041,181	J. Vincent Fund 455 Dept. 3218 Project DA007
Culver Glass Company	10/25/17 through 10/25/22	Construction C 65403	Repair and replacement of broken/damaged windows for all District facilities on an “as needed basis”. ITB-C 2017-2301	Original Term \$198,000 \$990,000 renewed through maximum contract term	J. Vincent Fund 101 Dept. 5592

**NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)**

No New IGAs

**AMENDMENTS TO EXISTING CONTRACTS**

No New Amendments

Y. Awwad

Other Matters Requiring Board Approval

The Superintendent RECOMMENDS adoption of the following items:

Numbers 5528 through 5530

**RESOLUTION No. 5528**

Feeder Pattern and Attendance Area Changes for Harriet Tubman & Roseway Heights Middle Schools  
(Madison, Grant, and Grant/Jefferson Clusters)

**RECITALS**

- A. Under Resolution #5308 in 2016, the Portland Public Schools Board of Directors directed the Superintendent to open Roseway Heights and Harriet Tubman Middle Schools in the 2017-18 school year, later amended to the 2018-19 school year.
- B. This resolution results in the establishment of Harriet Tubman Middle School as a 6-8 school beginning in the year 2018-19 by:
  - 1) Establishing Boise-Eliot/Humboldt, Sabin, Irvington, and Martin, Luther, King Jr as K-5 feeders to Harriet Tubman.
    - a. Enrolling current students in grades 5-7 from the above named feeders at Harriet Tubman Middle School beginning in 2018-2019
  - 2) Establishing Harriet Tubman's attendance boundary as corresponding to those of its K-5 feeder pattern
  - 3) Establishing Harriet Tubman within the feeder pattern to the high school dual assignment zone of Grant/Jefferson.
- C. This recommendation supports enrollment balancing among the Harriet Tubman K-5 feeders by:
  - 1) Reconfiguring Martin Luther King, Jr. from a K-8 to a K-5 school beginning in the year 2018-19.
    - a. Expanding its attendance area through a boundary change that assigns the area south of Prescott St and west of 10<sup>th</sup> (currently a portion of Sabin) to Martin Luther King, Jr.
  - 2) Reconfiguring Irvington from a K-8 to a K-5 school beginning in the year 2018-19.
    - a. Expanding its attendance area through a boundary change that assigns the area north of I-84 and west of 28<sup>th</sup> (currently a portion of Beverly Cleary) to Irvington
    - b. Current students in grade 5-7 at Beverly Cleary who live in the boundary area shifting to Irvington will have the option of continuing at Beverly Cleary or enrolling at Tubman Middle School; these students will have the choice to attend either Grant or Jefferson High School.
  - 3) Reconfiguring Sabin from a K-8 to a K-5 school beginning in the year 2018-19.
    - a. Current students in grades K-4 living in the boundary change area to Martin Luther King, Jr. will continue to attend Sabin
  - 4) Reconfiguring Boise-Eliot/Humboldt from a K-8 to a K-5 school beginning in the year 2018-19.

- D. This recommendation results in the establishment of Roseway Heights Middle School as a 6-8 school beginning in the year 2018-19 by:
- 1). Establishing Vestal, Scott, Jason Lee, and Rose City Park as K-5 feeders to Roseway Heights
    - a.. Enrolling current students in grades 5-7 of Vestal, Scott, and Jason Lee at Roseway Heights Middle School beginning in 2018-2019. Current students in grades 5-7 at Roseway Heights K-8 will remain at Roseway Heights 6-8
  - 2). Establishing Roseway Heights's attendance boundary as corresponding to those of its K-5 feeder pattern
  - 3) Establishing Roseway Heights within the feeder pattern to Madison High School.
- E. This recommendation supports enrollment balancing among the Roseway Heights K-5 feeders by:
- 1) Opening Rose City Park as a K-5 neighborhood school and establishing its attendance area as north of I-84, south of Sandy Blvd/Stanton St, west of 72<sup>nd</sup> Ave, east of 47<sup>th</sup> Ave
    - a. Current students in grades K-4 at Roseway Heights will enroll at Rose City Park in the 2018-19 school year
    - b. Current students in grades K-4 at Lee who live in the boundary area shifting to Rose City Park (area south of Tillamook and west of 72<sup>nd</sup> Ave) will enroll at Lee in the 2018-19 school year
    - c. Current students in grade 5 at Alameda who live in the boundary area shifting to Rose City Park (area south of Stanton St.) will have the option of enrolling at Beaumont Middle School; these students will attend Madison High School. Current students in grade 8 at Beaumont who live in the boundary area shifting to Rose City Park/Roseway Heights Middle School will have the option of enrolling at either Grant or Madison High School
    - d. Current students in grades 5-7 at Beverly Cleary who live in the boundary area shifting to Rose City Park will have the option of continuing at Beverly Cleary or enrolling at Roseway Heights Middle School; these students will attend Madison High School.
  - 2) Reconfiguring Scott from a K-8 to a K-5 school beginning in the year 2018-19
    - a. Expanding its attendance area through a boundary change that assigns the area north of Sandy Blvd/Stanton St, east of 57<sup>th</sup> Ave (currently a portion of Roseway Heights K-8) to Scott
    - b. Expanding its attendance area through a boundary change that assigns the area north of Stanton St, east of 52<sup>nd</sup> Ave, west of 57<sup>th</sup> Ave (currently a portion of Alameda) to Scott. Students currently enrolled in grade K-4 at Roseway Heights who live in the new Scott boundary will have the option of shifting immediately to Scott
    - c. Current students in grade 5 at Alameda who live in the boundary area shifting to Scott will have the option of enrolling at Beaumont Middle School or Roseway Heights Middle School; these students will attend Madison High School. Current students in grade 8 at Beaumont who live in the boundary area shifting to Scott/Roseway Heights Middle School will have the option of enrolling at either Grant or Madison High School
  - 3) Reconfiguring Vestal from a K-8 to a K-5 school beginning in the year 2018-19
  - 4) Reconfiguring Jason Lee from a K-8 to a K-5 school beginning in the year 2018-19

- a. Expanding its attendance area through a boundary change that assigns the area south of Sandy Blvd and east of 72<sup>nd</sup> avenue (currently assigned to Roseway Heights K-8) to Lee. Students currently enrolled in grades K-4 at Roseway Heights who live in the new Lee boundary will have the option of shifting immediately to Lee.
  
- F. Overcrowding relief will be provided to Beverly Cleary K-8 by decreasing its attendance area
  - 1) Current students in grades K-3 at Beverly Cleary who live in the boundary area shifting to Irvington Elementary School will enroll at Irvington Elementary School in fall 2018 and will attend Harriet Tubman Middle School; they will be in the Grant and Jefferson high school dual enrollment area
  - 2) Current grades K-3 students at Beverly Cleary who live in the Rose City Park boundary change area will enroll at Rose City Park Elementary School in fall 2018 and will feed into Roseway Heights Middle School and Madison High School
  - 3) Current grade 8 students who live in the boundary areas shifting to Irvington or Rose City Park elementary schools will have the option of enrolling at either Grant or Madison High School.
  
- G. All boundary changes will follow the implementation practice described in policy 4.10.045-P, and will begin at the start of the 2018-2019 school year, with the exception of the high school change which will begin in 2019, and the boundary changes for Beverly Cleary, which need to happen immediately due to overcrowding.
  
- H. To better serve students who qualify for Talented and Gifted services, PPS will:
  - 1) For the 2018-19 school year, relocate ACCESS Academy to a bridge or permanent facility with a capacity for about 350 students for the 2018-19 school year
  - 2) Develop a complementary district-wide TAG program to serve students in neighborhood schools, including a system to screen and identify all PPS students in need of TAG services so the full spectrum of diverse learners can receive TAG services. The Superintendent will determine the timeline for development and implementation.
  
- I. The 2018-19 budget will allocate resources to under-enrolled K-8s and K-5s so that students have access to a full curriculum and including elective classes or specials and supports.
  
- J. By January 1, 2018, options will be presented to the Board for Vernon middle grade students to have a middle school assignment. In addition, PPS will provide a report to the Board on the cost to make the necessary facility improvements to open up usable space at Beaumont Middle School.
  
- K. No later than November 15, the community and board will receive a comprehensive health and safety assessments for Harriet Tubman School, including testing for lead, radon, asbestos, diesel particulates, visible mold, and carcinogens. In addition, new testing will be performed, as needed, for interior and exterior air quality. Results will be publicly available. All air quality testing should follow, at a minimum, all appropriate state and federal protocols. It is expected that external testing for air quality will be done on weekdays during the hours when students are typically on school grounds, such as before and after school and during lunchtime. Any remediation or corrective action measures should, at a minimum, follow appropriate state and federal protocols, and be shared publicly.



- L. In consideration of ongoing enrollment imbalances and the need to continue converting K-8s to K-5s and middle schools, and in anticipation of the construction of the rebuilt Kellogg Middle School, the Board asks the Superintendent to present a plan and timeline for completion of the Educational Options analysis, including potential changes to the lottery process for focus options; a plan for expanding dual language immersion programs; and a comprehensive redrawing of school boundaries on the east side of the district.

### **RESOLUTION**

1. The Board of Education adopts the above recommendations for feeder pattern and attendance area changes to schools in the Harriet Tubman Middle School catchment and Grant/Jefferson Dual Assignment High School Clusters.
2. The Board of Education adopts the above recommendations for feeder pattern and attendance area changes to schools in the Roseway Heights Middle School catchment and the Madison and Grant High School Clusters.
3. The Board directs the Superintendent to initiate staffing and facility changes, transportation routing, and other operational adjustments to support effective implementation of these attendance area changes.
4. The Board directs the Superintendent to take all necessary steps to implement this resolution, including preserving ACCESS and developing a continuum of TAG services, budgeting for under-enrolled K-5s and K-8s, conducting a comprehensive environmental assessment of Harriet Tubman, and developing a plan to convert Vernon from a K-8 to a K-5 and provide a middle school assignment.
5. The Board acknowledges and appreciates the participation of community members and staff throughout the middle school implementation process.

**RESOLUTION No. 5529**

Authorization to Commission Legal Representation

**RECITALS**

- A. The Portland Public Schools Board of Directors previously engaged Stoel Rives to provide legal advice concerning various employee matters, including investigations, and advice concerning investigatory processes, among other issues as they arise, and to advise the Board on such matters, pursuant to Contract No. LS 65154, effective September 7, 2017.
- B. The Portland Public Schools Board of Directors previously approved, by Resolution No. 5510, a commission of an independent investigation into questions raised by the District's handling of allegations involving former District employee Mitch Whitehurst. The Board approved the engagement of Stoel Rives to supervise the investigation by the law firm of Garvey Schubert Barer and Norm Frink. A \$125,000 contract with Stoel Rives was authorized for Stoel Rives' engagement of Garvey Schubert Barer and Norm Frink to conduct that independent, privileged investigation. This \$125,000 contract was intended solely for the fees associated with the investigators' services.
- C. Due to a conflict, Stoel Rives may not represent the District on matters related to public records requests made by the Oregonian. Accordingly, it is necessary to engage separate outside counsel to handle those matters, including the October 18, 2017 appeal of a public records request related to the Whitehurst investigation.

**RESOLVED**

- 1. The PPS Board of Education approves the continued engagement of the law firm of Stoel Rives under the scope of work outlined in Contract No. LS 65154, and authorizes an \$10,000 amendment to that existing contract for Stoel Rives' provision of legal advice concerning various employee matters, including investigations, such as the Whitehurst investigation being conducted by Garvey Schubert Barer and Norm Frink, and advice concerning investigatory processes, among other issues as they arise, and to advise the Board on such matters.
- 2. The PPS Board of Education further approves the engagement of the law firm of Harrang Long to represent the District on matters related to public records requests made by the Oregonian, including the October 18, 2017 appeal involving records related to former District employee Mitch Whitehurst. The PPS Board of Education authorizes \$10,000 for that contract.
- 3. The Board further grants the School Board Chair the contract and signing authority necessary to engage Stoel Rives and Harrang Long.

**RESOLUTION No. 5530**

Minutes

The following minutes are offered for adoption:

October 3 and 16, 2017