

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:

Numbers 5531

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

Chair Brim-Edwards moved and Director Anthony seconded the motion to amend the contract date and amount for Miller Nash Graham Dunn LLP to read: "8/1/17 through 12/31/19" and "\$200,000". The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

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**RESOLUTION No. 5531**  
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>
Miller Nash Graham Dunn LLP	8/1/17 through 12/31/19	Legal Services LS 65439	Outside legal counsel Direct Negotiation PPS-46-0525	\$200,000	J. Harris Fund 101 Dept. 5460
Oh Planning & Design	11/15/17 through 12/31/18	Architectural Services ARCH 65454	Architectural and Engineering Services for fire alarm and sprinkler design for Improvement Projects of 2017 RFP 2016-2082	\$698,940	J. Vincent Fund 455 Dept. Varies Project Varies

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

<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>
Oregon City School District	7/1/17 through 6/30/18	Intergovernmental Agreement IGA 65427	Columbia Regional Program will provide autism support services for regionally eligible students	\$154,800	V. Truong Fund 205 Dept. 5433 Grant G1700

**AMENDMENTS TO EXISTING CONTRACTS**

<b>Contractor</b>	<b>Contract Amendment Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Amendment Amount, Contract Total</b>	<b>Responsible Administrator, Funding Source</b>
Andersen Colas Construction	11/15/17 through 7/5/19	Contract Manager General Contractor CM/GC 62956 Amendment 12	Guaranteed Maximum Price (GMP) agreement for the Grant Modernization Project RFP 2015-2044	\$64,824,907 \$116,894,915	J. Vincent Fund Varies Dept. Varies Project Varies

Y. Awwad

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Other Matters Requiring Board Approval

The Superintendent RECOMMENDED adoption of the following items:

Numbers 5532 through 5539

During the Committee of the Whole, Director Esparza Brown moved and Director Bailey seconded the motion to adopt Resolution 5532. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

During the Committee of the Whole, the Board voted unanimously to adopt Resolution 5533 (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

During the Committee of the Whole, Director Kohnstamm moved and Director Rosen seconded the motion to adopt amended Resolution 5534. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

Director Bailey moved and Director Anthony seconded the motion to amend Resolution 5534 with the following language under "Recitals":

- E. 1) Opening Rose City Park as a K-5 neighborhood school and establishing its attendance area as: NE 57<sup>th</sup> Ave from I-84 to NE Halsey Street; NE Halsey from 57<sup>th</sup> Avenue to 47<sup>th</sup> Avenue; NE 47<sup>th</sup> Avenue from Halsey to NE Wisteria Drive; NE Wisteria Drive from 47<sup>th</sup> to Alameda; NE Alameda to NE 52<sup>nd</sup> Avenue; NE 52<sup>nd</sup> Avenue from Alameda to NE Stanton; NE Stanton from 52<sup>nd</sup> to Sandy Boulevard; NE Sandy Boulevard up to 72<sup>nd</sup> Avenue; NE 72<sup>nd</sup> Avenue to Sacramento Street; NE Sacramento Street west to 72<sup>nd</sup> Drive; NE 72<sup>nd</sup> Drive to NE Jonesmore; NE Jonesmore from 72<sup>nd</sup> to 74<sup>th</sup>; NE 74<sup>th</sup> Avenue to I-84; I-84 from 74<sup>th</sup> to 57<sup>th</sup>.
  - a. The Vietnamese Dual-Language Immersion Program will move to Rose City Park.
- E. 2) b. Students currently enrolled in grades K-4 at Roseway Heights who live in the new Scott boundary will have the right to guaranteed transfer to Scott.
- J. Prior to December 31, 2018, PPS will develop options to be presented to the PPS Board of Directors for increasing enrollment at King K-5 in order to create two robust neighborhood (non-immersion) strands.

Under "Resolution":

- 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, designating an articulation path for the Vietnamese Dual-Language Immersion Program, developing a plan to convert Vernon from a K-8 to a K-5 and provide a middle school assignment and developing options for boosting King K-5's enrollment.

Director Anthony moved and Director Moore seconded the motion to add the following language in Recital K of Resolution 5534: "heavy metals, cadmium, zinc, copper and iron oxide.

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During the Committee of the Whole, Director Bailey moved and Director Anthony seconded the motion to adopt Resolution 5536. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

Director Kohnstamm moved and Director Rosen seconded the motion to adopt Resolution 5537 through 5539. The motion was put to a voice vote and passed unanimously (7-yes, 0-no), with Student Representative Tran voting yes, unofficial.

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**RESOLUTION No. 5532**

Extension for District Council Unions 2015-17 Contract

**RECITALS**

Pursuant to the ORS 332.075(3) and the Public Employee Collective Bargaining Act, (ORS 243.650-243.782), a tentative agreement to extend the current District Council of Unions (DCU) 2015-2017 contract for one year has been reached between Multnomah County School District #1J (District) and DCU, and is recommended to the District's Board of Education for its consideration and approval.

- A. The DCU has a contract which is set to expire December 31, 2017.
- B. The District and DCU have met and negotiated a one year contract extension through December 31, 2018.
- C. The extension provides for:
  - a. A three percent (3%) wage increase for employees covered by the DCU contract
  - b. The 2018 benefits year, the District shall only pay the benefit premiums necessary to maintain current benefits for employees.

**RESOLUTION**

The Board approves the recommended agreement reflected in Attachment A.

*L.. Cusack*

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**Attachment "A" to Resolution 5532**

Contract Extension Agreement  
Between  
PORTLAND PUBLIC SCHOOLS  
And  
DISTRICT COUNCIL OF UNIONS

Portland Public Schools ("PPS") and the District Council of Unions ("DCU") hereby agree to the following:

- I. The 2015-2017 Agreement between PPS and DCU shall be extended for one year. The new expiration date of the Agreement shall be December 31, 2018. (This Contract Extension shall be attached as Appendix E)
- II. Except as expressly modified by this Contract Extension Agreement, the terms of the 2015-2017 Agreement will continue in full force and effect until December 31, 2018 unless the parties mutually agree otherwise.
- III. On July 1, 2018, a three percent (3.0%) increase shall be applied to the salaries in the 2015-2017 Agreement. (Please see the attached schedule for each craftclassification's wage rate)
- IV. Effective January 1, 2018, the District will contribute to the School District No. 1 Health and Welfare Trust the amount necessary to maintain the 2017 plan design and corresponding employee premium share(if any), notincluding any employee rate holiday. The District's contribution shall not exceed \$1,355 per participating full-time eligible employee per month.

For employees covered by the Teamsters 206 Employers Trust pursuant to Appendix A and Appendix C of the 2015-2017 Agreement, the District will continue to contribute the actual monthly composite amount set by the Teamsters Trust. The District's contribution shall not exceed \$1,355 per active eligible employee per month.

- V. This Agreement constitutes the complete agreement between the parties regarding the terms for extending the 2015-2017 Agreement. This Agreement may only be modified through a signed writing by both parties.
- VI. This Agreement will take effect immediately upon ratification by the DCU membership and approval by the Board of Education.

David S. Smith

On behalf of PPS

11-6-17

Date

Pat Christian

On behalf of DCU

10-5-17

Date

Stephanie Harper  
STEPHANIE HARPER  
SENIOR LEGAL COUNSEL  
OSB # 952901



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Wage Schedule

APPENDIX A

	<u>Current</u>	<u>July 1, 2018</u>
Warehouse Worker/Truck Driver	\$23.69	\$24.40

APPENDIX B

	<u>Current</u>	<u>July 1, 2018</u>
Lead Mechanic	\$30.18	\$31.09
Mechanic	\$29.30	\$30.18
Serviceman	\$24.01	\$24.73
Bus Fueler	\$24.01	\$24.73
Shop Assistant	\$18.25	\$18.80

APPENDIX C

	<u>Current</u>	<u>July 1, 2018</u>
Chief Engineer	\$31.33	\$32.27
Assistant Engineer		
Production Manager	\$28.38	\$29.23
Producer		
Master Control		
Operator		
TV Technician		
Step 5	\$24.98	\$25.73
Step 4	\$22.48	\$23.15
Step 3	\$20.00	\$20.60
Step 2	\$17.47	\$17.99
Step 1	\$14.98	\$15.43
Production Assistant		
Step 5	\$22.48	\$23.15
Step 4	\$20.23	\$20.84
Step 3	\$17.97	\$18.51
Step 2	\$15.72	\$16.19
Step 1	\$13.46	\$13.86

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APPENDIX D

	<u>Current</u>	<u>July 1, 2018</u>
Brick Mason	\$29.29	\$30.17
Carpenter	\$28.70	\$29.56
Carpet and Linoleum Layer	\$23.38	\$24.08
Cement Mason	\$26.31	\$27.10
Electrician	\$34.91	\$35.96
Glazier	\$28.52	\$29.38
Laborer	\$23.38	\$24.08
Landscape Laborer	\$23.38	\$24.08
Locksmith	\$28.70	\$29.56
Machinist	\$29.31	\$30.19
Painter	\$23.38	\$24.08
Plasterer	\$26.40	\$27.19
Plumber	\$35.75	\$36.82
Roofer	\$23.38	\$24.08
Sheet Metal Worker	\$32.69	\$33.67
Steamfitter	\$35.75	\$36.82
Tile Setter	\$24.82	\$25.56
<u>OTHERS</u>		
Mason Tender	\$23.38	\$24.08
Plumber Helper	\$23.38	\$24.08
Motor Winder	\$27.93	\$28.77
Electronic Technician	\$31.42	\$32.36
Machinist Helper	\$25.35	\$26.11
Building Automation Specialist	\$35.75	\$36.82

Employees assigned as Corrosion Technician, Fire Sprinkler Technician, and Backflow Technician shall receive an additional three percent (3%).

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**RESOLUTION No. 5533**

2017-19 Service Employees International Union Contract

**RECITALS**

Pursuant to the ORS 332.075(3) and the Public Employee Collective Bargaining Act, (ORS 243.650-243.782), a tentative agreement for the July 1, 2017 through June 30, 2019 contract has been reached between Multnomah County School District #1J (District) and Service Employees International Union (SEIU) Local 503 and is recommended to the District's Board of Education for its consideration and approval.

- A. The District and SEIU have met and negotiated a contract for the July 1, 2017 through June 30, 2019 contract period.
- B. The proposed contract provides for wage adjustments of 3% retroactive to July 1, 2017 and 2% on July 1, 2018
- C. The cap for District costs for medical benefits remains unchanged.
- D. There are no significant contract language changes.

**RESOLUTION**

The Board approves the recommended agreement reflected in the document: "Agreement between School District No. 1 Multnomah County, Oregon, and Service Employees International Union Local 503, School Employees Union Local 140 2017-2019"

*L.. Cusack*

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**RESOLUTION No. 5534  
(Modifies Resolution 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.
  - 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  
Current students in grades 4-7 at Beverly Cleary who live in the boundary area shifting to Irvington may remain at Beverly Cleary. These students will have the guaranteed right to transfer to Harriet Tubman Middle School for grades 6-8.
  - 3) Reconfiguring Sabin from a K-8 to a K-5 school beginning in the year 2018-19.
    - a. 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.

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- 2). Establishing Roseway Heights's attendance boundary as corresponding to those of its K-5 feeder pattern: Lee, Rose City Park, Scott and Vestal
  - 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: NE 57<sup>th</sup> Ave from I-84 to NE Halsey Street; NE Halsey from 57<sup>th</sup> Avenue to 47<sup>th</sup> Avenue; NE 47<sup>th</sup> Avenue from Halsey to NE Wisteria Drive; NE Wisteria Drive from 47<sup>th</sup> to Alameda; NE Alameda to NE 52<sup>nd</sup> Avenue; NE 52<sup>nd</sup> Avenue from Alameda to NE Stanton; NE Stanton from 52<sup>nd</sup> to Sandy Boulevard; NE Sandy Boulevard up to 72<sup>nd</sup> Avenue; NE 72<sup>nd</sup> Avenue to Sacramento Street; NE Sacramento Street west to 72<sup>nd</sup> Drive; NE 72<sup>nd</sup> Drive to NE Jonesmore; NE Jonesmore from 72<sup>nd</sup> to 74<sup>th</sup>; NE 74<sup>th</sup> Avenue to I-84; I-84 from 74<sup>th</sup> to 57<sup>th</sup>.
    - a. The Vietnamese Dual-Language Immersion Program will move to Rose City Park.
    - b. Current students in grades K-4 at Roseway Heights will enroll at Rose City Park in the 2018- 19 school year
    - c. 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
    - d. 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
    - e. Current students in grades 4-7 at Beverly Cleary who live in the boundary area shifting to Rose City Park may remain at Beverly Cleary. These students will have the guaranteed right to transfer to Roseway Heights Middle School for grades 6-8. 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. Students currently enrolled in grades K-4 at Roseway Heights who live in the new Scott boundary will have the right to guaranteed transfer to Scott.
  - 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 right to guaranteed transfer to Lee.

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- 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
- 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 or facilities 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. Prior to December 31, 2018, PPS will designate a middle school assignment for Vernon middle grade students. 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.
- J. Prior to December 31, 2018, PPS will develop options to be presented to the PPS Board of Directors for increasing enrollment at King K-5 in order to create two robust neighborhood (non-immersion) strands.
- K. On an expedited basis, 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, heavy metals, cadmium, zinc, copper, iron oxide, 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.

Initial staff assessment at this time indicates that there are no insurmountable health and safety impediments to opening Harriet Tubman. If the ongoing comprehensive environmental assessments shows significant, irremediable health or safety risks for students and staff, the Superintendent will conduct contingency planning for an alternative location. District staff will explore and identify an alternative site for a middle school through a process that includes meaningful, consistent, and extensive collaboration with all the affected school communities and full transparency to ensure the most positive outcomes for students.
- 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

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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, designating an articulation path for the Vietnamese Dual-Language Immersion Program, developing a plan to convert Vernon from a K-8 to a K-5 and provide a middle school assignment and developing options for boosting King K-5's enrollment..
5. The Board acknowledges and appreciates the participation of community members and staff throughout the middle school implementation process.

**RESOLUTION No. 5535**

WITHDRAWN

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**RESOLUTION No. 5536**

Authorization of Bond Program Contingency Obligation of \$4m to the Grant High School  
Modernization as part of the 2012 Capital Bond Program

**RECITALS**

- A. Sixty Six percent (66%) of Portland Public School District ("PPS") voters approved a ballot measure in November 2012 for a Portland Public Schools bond to improve schools.
- B. The approved 2012 Capital Bond Program includes four major projects which are the full modernization of three comprehensive high schools: Franklin, Grant, and Roosevelt with the replacement of the Faubion PK-8 School.
- C. Following voter approval of the capital bond program a community-wide visioning process resulted in Resolution No. 4800 adopting the Education Facility Vision as part of the District-wide Education Specifications.
- D. Consistent with the Facility Vision, phase 2 of the Education Specification process ensued resulting in a comprehensive high school area program which includes required core and advanced educational program; fine and performing arts; athletics; administration; counseling/career; SPED; ESL; student center/commons (also serves as cafeteria); media center; miscellaneous educational, student, custodial, mechanical and electrical support spaces; enhanced electives; partner/community use; and wrap-around service providers.
- E. The 2012 capital bond program was developed with individual project contingencies, a \$45 million program-level escalation contingency, and a \$20 million program-level bond reserve for use at the Board's discretion consistent with the projects identified in the voter- approved ballot measure.
- F. Resolution 4840 was adopted and authorized increasing capacity for Franklin, Roosevelt and Grant High Schools with the use of \$10 million program-level bond reserve funding for implementation.
- G. Resolution 5324 was adopted which authorized the use of \$6 million program-level bond reserve funding for the Franklin High School Modernization Project to replenish project contingency.

**RESOLUTION**

With the successful opening of three of the four major projects in the 2012 Capital Bond Program, staff is recommending that the remaining \$4 million be moved from the program-level bond reserve funding to the Office of School Modernization Program Reserve to offset the market realities that are challenging the construction budget of the Grant High School Modernization Project.

The Board of Education directs staff to allocate the remaining \$4 million of funds from the program level bond reserve to the Grant High School Modernization project.

*D. Jung*



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**RESOLUTION No. 5537**

Memorandum of Agreement with Portland Association of Teachers

**RECITALS**

Pursuant to the ORS 332.075(3) and the Public Employee Collective Bargaining Act, (ORS 243.650-243.782), a tentative agreement has been reached between Multnomah County School District #1J (District) and Portland Association of Teachers (PAT) and is recommended to the District's Board of Education for its consideration and approval.

- A. There have been prior disputes between the parties regarding the application of contract language related to the transfer of staff when schools or programs merge or close.
- B. During the Interest Based Bargaining process the parties agreed to clarifications in the contract language.
- C. The District will be creating two new middle schools and making other school/program changes for the 2018-19 year.
- D. The processes for staffing the schools and programs involved must start in the next few weeks.
- E. To avoid further disputes, the parties want to apply the new language to these processes.
- F. The parties have engaged in bargaining and reached the attached Memorandum of Agreement, subject to the approval of the Board.

**RESOLUTION**

The Board approves the recommended agreement reflected in Attachment A.

*L.. Cusack*

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**Attachment "A" to Resolution No. 5537**



PORTLAND PUBLIC SCHOOLS  
**Human Resources**  
501 N Dixon Street • Portland, OR 97227  
503-916-3544 • Fax: 503-916-3107  
Portland Public Schools is an equal opportunity and affirmative action employer.

**MEMORANDUM OF AGREEMENT**  
between  
**Portland Public Schools**  
And  
**Portland Association of Teachers**  
Interim - School Merger language

**Background:**

1. PAT and PPS are currently negotiating a successor agreement for the 2013-16 Collective Bargaining Agreement
2. PPS is in the process of creating two new middle schools for the 2018-19 school year and changing boundaries for feeder schools. This process requires initial steps in staffing the schools prior to an anticipated contract settlement.
3. It is in both parties interest to have clear contract language regarding school mergers and closures so the process of planning and communication to affected staff may begin

**Agreement:**

Therefore, until a final agreement is executed by the parties regarding language changes to Article 15.F.8 and 9, the parties agree that the language below will be in effect:

8. In the event of a merger of classes or programs from two (2) or more schools, the follow-the-student concept shall prevail. Professional educators from merged schools or programs will be compared equally using the criteria described in F.2 above in filling all the positions in the school. The faculty lists are merged and then staff is given the choice to be placed into the new merged school or stay in the current school based on seniority and licensure order. If there are not enough positions at the original school, then the regular unassignment process shall take place.
  - a. A merger causes a school to be comprised of at least forty percent (40%) of its students from the original school if two (2) schools are involved, or at least the following percentage if more than two schools are involved: 3 schools: 27%; 4 schools: 20%, 5 schools: 16% (1 divided by number of schools involved times 80%).
  - b. When a middle school is being formed, all the professional educators from the K-8 schools involved who have experience in grades 6-8 in the past five (5) years shall be included in the process for staffing the new school.

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9. When classes, or programs from two (2) or more schools are combined in one school, professional educators who have their program, or school closed shall be placed in the school where their program, or class is transferred provided there are sufficient positions available. If there are insufficient positions, the criteria of F.2 shall apply. In a closure, the faculty members of the open programs keep their positions and the faculty of the closed program will be offered the remaining open positions based on licensure and seniority. Usually there are not enough positions and the remaining professional educators are unassigned.

This Memorandum of Agreement requires the approval of the District's Board of Education

FOR THE DISTRICT

By: [Signature] 10/18-17  
Laird Cusack Date  
Sr. Director Employee and Labor Relations

FOR PAT

By: [Signature] 10/20/17  
Marty Paylik Date  
PAT UniServ

By: [Signature] 10-19-17  
Stephanie Harper OSB #952901 Date  
Senior Legal Counsel

November 14, 2017

**RESOLUTION No. 5538**

A Resolution authorizing the Multnomah County School District #1J (the "School District") to enter into a Settlement Agreement with Jeanne Windham ("Windham").

**RECITALS**

- A. Windham asserted a claim for wage and hour violations for back wages, and final paycheck under Oregon law and overtime under FLSA.
- B. The School District disputes Windham's claims and denies all liability, and Windham maintains that the School District is liable on the claims..
- C. Whereas, the School District desires to resolve the dispute and make an Offer of Judgment to pay Windham \$21,344.61 in a lump sum plus Windham's reasonable attorney fees to date in order to avoid the uncertainties, expense, inconvenience, and burdens of further litigation in the Action and Grievances.

**RESOLUTION**

The School District desires to resolve the dispute and make an Offer of Judgment:

- to pay Windham \$21,344.61 in a lump sum;
- to pay Windham's reasonable attorney fees to date.

RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BOARD OF DIRECTORS OF THE  
PORTLAND PUBLIC SCHOOLS  
MULTNOMAH DISTRICT 1J

By:

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Board Secretary

November 14, 2017

**RESOLUTION No. 5539**

Minutes

The following minutes are offered for adoption:

October 14, 2017