

Regular Meeting  
Tuesday, February 22, 2022 6:00 PM

Dr. Matthew Prophet Education Center - Board  
Auditorium  
501 N. Dixon St  
Portland, OR 97227

## **Agenda**

1. 6:00 pm - Opening
2. 6:05 pm - Consent Agenda: Resolutions 6447 through 6449 Vote- Public Comment Accepted
  - 2.(a) Resolution 6447: Index to the Minutes
  - 2.(b) Resolution 6448: Expenditure Contracts
  - 2.(c) Resolution 6449: Resolution to Appoint Audit Committee Member
3. 6:10 pm - Student and Public Comment
4. 6:35 pm - Student Representative's Report
5. 6:40 pm - Superintendent's Report
6. 6:55 pm - Board Committee and Conference Reports
7. 7:05 pm - Projected Staffing Allocations 2022-2023
8. 7:35 pm - Comments from the Portland Association of Teachers (PAT)
9. 7:40 pm - Comments from the Portland Federation of School Professionals (PFSP)
10. 7:45 pm - Americans with Disabilities Act Transition Plan (Resolution 6450) Vote - Public Comment Accepted
11. 8:00 pm - Update on Portland Public Schools Board Zone Redistricting
12. 8:45 pm - Second Reading of Policy Revisions (Resolutions 6451) Vote - Public Comment Accepted
  - Non-Discrimination / Anti-Harassment Policy 1.80.020-P
13. 8:50 pm - Other Business / Committee Referrals
14. 8:55 pm - Adjourn

**RESOLUTION No. 6447**

The Following Index to the Minutes are offered for Adoption:

- February 08, 2022 – Regular Meeting



# Index to the Minutes

*(Draft for Approval)*

## Regular Meeting

February 08, 2022

*This document is a record of the actions taken by the Board of Education at the Regular Meeting held on February 08, 2022. In accordance with ORS 192.650, the District’s official School Board Meeting Minutes are maintained via video recording and may be viewed at <https://www.youtube.com/watch?v=YImA4av-17s&list=PL8CC942A46270A16E&index=3>*

### Attendance

Present: Chair DePass; Vice-Chair Scott; Directors Brim-Edwards, Greene, Hollands, Kohnstamm, and Lowery; Student Representative Weinberg

Absent: None

### INDEX

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### RESOLUTIONS

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## ACTIONS TAKEN

- **Resolution 6438: Resolution to Recognize February 7-11, 2022 as National School Counseling Week**

Director Greene moved and Directors Scott and Hollands seconded the motion to approve Resolution Number 6438. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Weinberg voting yes (unofficial)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative Weinberg: Yes (Unofficial)

- **Resolution 6439: Proclamation and Recognition of February as Black History Month**

Director Hollands moved and Director Brim-Edwards seconded the motion to approve Resolution Number. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Weinberg voting yes (unofficial)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative Weinberg: Yes (Unofficial)

- **Consent Agenda – Resolutions 6440 through 6441 and 6444**

Director Greene moved and Director Brim-Edwards seconded the motion to approve the Consent Agenda, including Resolutions 6440, 6441 and 6444. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Weinberg voting yes (unofficial)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative Weinberg: Yes (Unofficial)

- **Resolution 6442: Annual Multnomah Education Service District Resolution Process**

Director Kohnstamm moved and Director Hollands seconded the motion to approve Resolution Number 6442. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Weinberg voting yes (unofficial)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative Weinberg: Yes (Unofficial)

- **Resolution 6443: Resolution to Adopt Revised Student Representative and District Student Council Policy 1.20.012-P**

Director Greene moved and Director Hollands seconded the motion to approve Resolution Number 6443. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Weinberg voting yes (unofficial)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative Weinberg: Yes (Unofficial)

- **Resolution 6445: Academic Administrator Compensation**

Director Greene moved and Director Kohnstamm seconded the motion to approve Resolution Number 6445. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Weinberg voting yes (unofficial)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative Weinberg: Yes (Unofficial)

- **Resolution 6446: Resolution to Authorize Superintendent Contract Extension**

Director Greene moved and Director Hollands seconded the motion to approve Resolution Number 6446. The motion was put to a voice vote and passed (7 yes – 0 no), with Student Representative Weinberg voting yes (unofficial)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative Weinberg: Yes (Unofficial)

RESOLUTION No. 6438

Resolution to Recognize February 7-11, 2022 as National School Counseling Week

RECITALS

- A. Portland Public Schools school counselors embrace their role as anti-racist educators by actively looking for ways to interrupt systemic racism in educational policies and practices and integrating anti-racist content into their curriculum to reach all students
- B. School counselors are employed in all Portland Public Schools to help students reach their full potential, explore their abilities, strengths, interests, and talents as these traits relate to career awareness, academic and personal/social development.
- C. School counselors provide invaluable support to school communities including counseling, critical interventions, and school wide curriculum, all in support of students and families.
- D. Comprehensive, developmentally appropriate and prevention focused school counseling programs are considered an integral part of the educational process that enables all students to achieve success and prepare students to realize the Graduate Portrait and lead a more socially just world.
- E. School counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students realize their full potential.

RESOLUTION

The Board of Education of Portland Public Schools extends greetings and best wishes to all observing February 7-11, 2022 as National School Counseling Week. The Board of Education recognizes all Portland Public Schools school counselors for the incredible efforts supporting students throughout this pandemic, acting as critical first responders for student mental health needs and social emotional support during distance learning and a return to in-person learning.

**RESOLUTION No. 6439**

Proclamation and Recognition of February as Black History Month

**RECITALS**

- A. Portland Public Schools celebrates Black excellence to elevate the success of Black students, and acknowledge their histories, and futures, in a way that affirms and allows Black students in our care to achieve their fullest potential and thrive into adulthood.
- B. Black History Month began in 1915 by historian Carter G. Woodson and other prominent leaders, as a way to formally observe the visionary contributions of Black people, and now is a time for recognizing the central role and contributions of members of the African Diaspora in U.S. history.
- C. The contributions of members of the African Diaspora and their endeavors to learn and thrive throughout history and make unforgettable marks in our Nation as artists, scientists, educators, business people, influential thinkers, members of faith communities, athletes, and political and governmental leaders, reflects the greatness of the people of the African diaspora within the United States.
- D. Black history reflects a people with a determined spirit of perseverance and cultural pride in its struggle to equitably share in the opportunities and burdens of a nation founded upon the principles of freedom and liberty for all people.
- E. The local community has enriched the diversity of perspective and experience in our District; and the Board of Education desires to recognize and honor the achievements and contributions of members of the African Diaspora.
- F. All students need an opportunity to understand their rich history and common humanity underlying all people, to develop pride in their own identity and heritage, and to respect, know, and accept the identity and heritage of others.
- G. In service of the Superintendent's audacious strategic framework of targeted universalism, shaped from the community-driven vision, we recognize our commitment to center the realities of Black students, and liberate them from the oppression embedded in our systems that they experience.
- H. Through leadership and practice, Portland Public Schools is dedicated to goals that advance racial justice, and demonstrate anti-racist values especially for Black communities in the Portland Metro area.

**RESOLVED**

The Board of Education of the Portland Public Schools hereby recognizes the month of February 2022 as Black History Month and encourages all educators to commemorate this occasion with appropriate ceremonies, instructional activities, and programs. The struggles and achievements of Black people and their role in America's history profoundly influences and enriches the culture of the United States. Portland Public Schools acknowledges these contributions and reaffirms its ongoing commitment to building awareness and an inclusive society.

**RESOLUTION No. 6440**

The Following Index to the Minutes are offered for Adoption:

- January 11, 2022 - Special Meeting
- January 11, 2022 - Regular Meeting
- January 18, 2022 - Special Meeting
- January 25, 2022 - Regular Meeting

**RESOLUTION No. 6441**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 Admin, Funding Source</b>	<b>Certified Business</b>
The New Teacher Project	2/9/22 through 1/10/23  Option to renew for up to two additional one-year terms through 1/10/25	Personal Services PS 91171	Develop a culturally responsive integrated instructional framework and PK-12 developmental continuum.  Request for Proposals 2021-3017	Original Term: \$148,941  Total through all renewals: \$435,000	C. Proctor Fund 101 Dept. 5445	No
Lewis & Clark College	2/9/22 through 8/31/22	Personal Services PS 91164	Assist with development of Equity-Centered Pipeline Initiative (ECPI) under the Wallace Foundation grant.  Direct Negotiation – Npn-District Funding Source Identifies Contractor PPS-46-0525(6)	\$470,000	S. Reese Fund 299 Dept. 5449 Grant S0455	N/A - nonprofit
First Student	7/1/22 through 6/30/28  Option to renew for up to two additional two-year terms through 6/30/32	Services S 91168	Home to School student transportation services for the Eastside.  Request for Proposals 2020-2903	Original Term: \$88,000,000  Total through renewals: \$154,000,000	C. Hertz Fund 101 Dept. 5560	No
Miller Nash Graham Dunn LLP	2/9/22 through 6/30/22	Legal Services LS 91173	New and ongoing legal services as needed.  Direct Negotiation – Legal Services PPS-46-0525(13)	\$300,000	G. Guerrero Fund 101 Dept. 5460	No

\*A Certified Business is a for-profit business certified as a Minority-Owned Businesses (MBE), Women-Owned Businesses (WBE), Emerging Small Businesses (ESB), and/or Service-Disabled Veteran Businesses (SDV) by the State of Oregon Certification Office for Business Inclusion and Diversity.

**NEW COOPERATIVE PURCHASING AGREEMENTS**

<b>Contractor</b>	<b>Contract Term, Renewal Options</b>	<b>Administering Contracting Agency</b>	<b>Description of Goods or Services</b>	<b>Estimated Spend During Contract Term</b>	<b>Responsible Administrator, Funding Source</b>	<b>Certified Business</b>
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Millerknoll, Inc. dba Herman Miller, Inc.	2/23/22 through 12/31/24  Option to renew for one additional two-year term through 12/31/26	City of Charlotte OMNIA Partners PPS- COA 91183	Furniture, installation, and related services on an as-needed basis.	\$3,000,000	C. Hertz Fund 455 Dept. 5511	No
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### NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No New Contracts

### AMENDMENTS TO EXISTING CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Amendment Amount, Total Amount	Responsible Admin, Funding Source	Certified Business
Catapult Learning West	2/9/22 through 8/31/22	Personal Services PS 90660 Amendment 1	Additional funding for Title I Tutoring at private schools. Direct Negotiation – Title I Tutoring for Private Schools PPS – 46-0525(10)	\$119,688 \$282,267	C. Proctor Fund 205 Dept. Varies Grant G2050	No
STA of Oregon, Inc.	7/1/22 through 6/30/28  Option to renew for up to two additional two-year terms through 6/30/32	Services S 90074 Amendment 2	Home to School transportation services – Westside This amendment increases the wage rate for drivers. Request for Proposals 2020-2903	\$15,000,000 \$86,000,000	C. Hertz Fund 101 Dept. 5560	No

**RESOLUTION No. 6442**

Annual Multnomah Education Service District Resolution Process

**RECITALS**

- A. The 2022-23 Multnomah Education Service District (“MESD”) Local Service Plan (“LSP”) is essentially an annual menu of options offered to the MESD Superintendents’ Council for the Council’s review, modification(s), and approval.
- B. The services offered in the LSP require approval of the component districts’ boards by March 1, annually. The Services offered in the LSP must be adopted by two thirds of component districts’ boards.
- C. A separate list of the specific services for Portland Public Schools, or the District Service Plan, will be included in the 2022-23 budget development process.
- D. The actual selection and use of resolution funds to pay for selected services remains at the discretion of each individual district. This Resolution does not commit Portland Public Schools to each of the specific services offered by MESD; it affirms the overall services offered to all of the local component districts and contains the terms of the LSP offered by the MESD.

**RESOLUTION**

- 1. The Board of Directors of Portland Public Schools, School District No. 1J, Multnomah County, Oregon, agrees to the conditions and provision of all programs and services, described in the 2022-23 Local Service Plan – Multnomah Education Service District with no exceptions.
- 2. In the event that the required resources are not available, each and every program and service is subject to reduction or elimination at the discretion of the Multnomah ESD Board. If such reductions or eliminations are necessary, they will be made through contingency planning in cooperation with the Superintendents of the local component districts.

**RESOLUTION No. 6443**

**Resolution to Adopt Revised Student Representative and District Student Council Policy 1.20.012-P**

**RECITALS**

- A. On December 15, 2021, the Board Policy Committee reviewed and considered the proposed revisions of the Student Representative and District Student Council Policy 1.20.012-P.
- B. On January 11, 2022, the Board presented the first reading of the revised Student Representative and District Student Council Policy.
- C. Pursuant to District policy, the public comment was open for at least 21 days, and there was no public comment received during the comment period.

**RESOLUTION**

The Board hereby adopts the revised Student Representative and District Student Council Policy 1.20.012-P and instructs the Superintendent to amend any relevant administrative directives to conform to this adopted policy.

**RESOLUTION No. 6444**

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”)**

No New Intergovernmental Agreements/Revenue Contracts

**AMENDMENTS TO EXISTING REVENUE CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Amendment Amount, Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
State of Oregon	7/1/21 through 9/30/22	Intergovernmental Agreement/Revenue IGA/R 90271 Amendment 2	Pass through funds to state-sponsored charter schools – Cottonwood.	\$131,845 \$176,242	C. Proctor Fund 251 Dept. 5485 Grant W0500
State of Oregon	7/1/21 through 9/30/22	Intergovernmental Agreement/Revenue IGA/R 90272 Amendment 2	Pass through funds to state-sponsored charter schools – Ivy School.	\$208,493 \$272,143	C. Proctor Fund 251 Dept. 5485 Grant W0501

**RESOLUTION No. 6445**

Academic Administrator Compensation

**RECITALS**

- A. Portland Public Schools must invest in the recruitment and retention of licensed administrators to lead programs and schools and achieve our vision and mission. Our strategic plan calls for developing a diverse, high-quality, thriving workforce that is supported in personal and professional well-being and success.
- B. Labor shortages across many employment sectors are reflected in increased competition for qualified and experienced licensed administrators. The District's ability to attract and retain administrators must be supported by a competitive salary structure; similarly, long-term retention of current administrators requires a salary structure that offers competitive wages and supports meaningful professional growth opportunities.
- C. PPS typically offers a standard cost-of-living adjustment to administrator compensation. A standard 3% cost-of-living adjustment for the academic administrator salary schedule would cost \$1,320,000 for 2022-23.
- D. The 2022-23 school year hiring season for administrators is underway. The Superintendent recommends that the Board authorize a revised salary structure for licensed administrators for use in recruiting and retaining licensed administrators in this current hiring season.

**RESOLUTION**

The School Board authorizes the Superintendent to update the licensed administrator salary structure to include a market-rate increase and adjustments as necessary to support career growth and avoid salary compression in an amount not to exceed \$2,640,000 for the 2022-23 budget, and a 3% cost-of-living adjustment. The revised salary structure will be updated during the current spring hiring season, at which time it will be available on the Human Resources Department webpage with other salary schedules, and will go into effect July 1, 2022.

**RESOLUTION No. 6446**

Resolution to Authorize Superintendent Contract Extension

**RECITALS**

- A. Oregon law authorizes the Board of Education to employ a superintendent of schools, fix the terms and conditions of employment, and compensate for a contract term that does not exceed three years.
- B. Board Policy 1.10.010-P provides that the Board recruits and hires a superintendent as chief executive and evaluates the performance of the superintendent in accordance with the District's adopted mission, core values, and strategic objectives.
- C. Board Policy 1.20.011-P provides for the duties of the Board chair, including signing instruments as the Board may authorize.
- D. The Board of Education has reviewed Superintendent Guadalupe Guerrero's performance and determined that he has been a strong leader of the District since he was hired in 2017 and that the District is well served by extending his contract through June 30, 2024.

**RESOLUTION**

- 1. The Board of Education approves of and authorizes the Board Chair to execute an extension of Superintendent Guerrero's contract through June 30, 2024, on the terms set forth in the amended employment agreement posted for the February 8, 2022, meeting.

**RESOLUTION No. 6448**

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 Admin, Funding Source	Certified Business
Calamp Wireless Networks Corp	2/23/22 through 1/31/27  Option to renew for up to one additional three-year term through 1/31/30	Digital Resource DR 91228	Transportation GPS system for buses and other vehicles. Request for Proposals 2021-3013	Original Term: \$212,976 Total through renewals: \$276,869	C. Hertz Fund 101 Dept. 5560	No

\*A Certified Business is a for-profit business certified as a Minority-Owned Businesses (MBE), Women-Owned Businesses (WBE), Emerging Small Businesses (ESB), and/or Service-Disabled Veteran Businesses (SDV) by the State of Oregon Certification Office for Business Inclusion and Diversity.

**NEW COOPERATIVE PURCHASING AGREEMENTS**

Contractor	Contract Term, Renewal Options	Administering Contracting Agency	Description of Goods or Services	Estimated Spend During Contract Term	Responsible Administrator, Funding Source	Certified Business
Gartner, Inc.	2/23/22 through 1/17/24  May be renewed for two additional one-year terms through 1/17/26	State of Texas COA 91253	Support for ERP modernization of the following areas: Human Capital Management (HCM), Financial Management, Procurement, Budgeting, Payroll, and ancillary ERP technology solutions.	\$3,500,000	C. Hertz Funding Source Varies	No

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

No New IGAs

**AMENDMENTS TO EXISTING CONTRACTS**

Contractor	Contract Term	Contract Type	Description of Services	Amendment Amount, Total Amount	Responsible Admin, Funding Source	Certified Business
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Andersen Construction	2/23/22 through 12/31/24	Construction Manager/General Contractor CM/GC 68193 Amendment 35	Guaranteed Maximum Price Amendment (GMP) for the Benson Modernization Project. Request for Proposals 2018-2536	\$254,874, 494 \$337,641, 599	C. Hertz Funding Source Varies	No
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**RESOLUTION No. 6449**

Resolution to Appoint Audit Committee Member

**RECITALS**

1. Pursuant to Board Policy, the Board Audit Committee shall be comprised of five members appointed by the school board. All appointees shall be independent of the district's management and administrative service. The Audit Committee will be comprised of three members of the school board and two ex-officio public members with a general knowledge of the district and the audit process. Committee members shall serve for two years, serving from July 1 to June 30, and may be re-appointed at the end of their term.
2. The Audit Committee Chair, after consultation with the Committee members, recommends the Board appoint Christian Grand as a member for two years beginning immediately.

**RESOLUTION**

The Board appoints Christian Grand as ex-officio member of the Board Audit Committee for a two-year term through June 30, 2023.



**2022-2023**

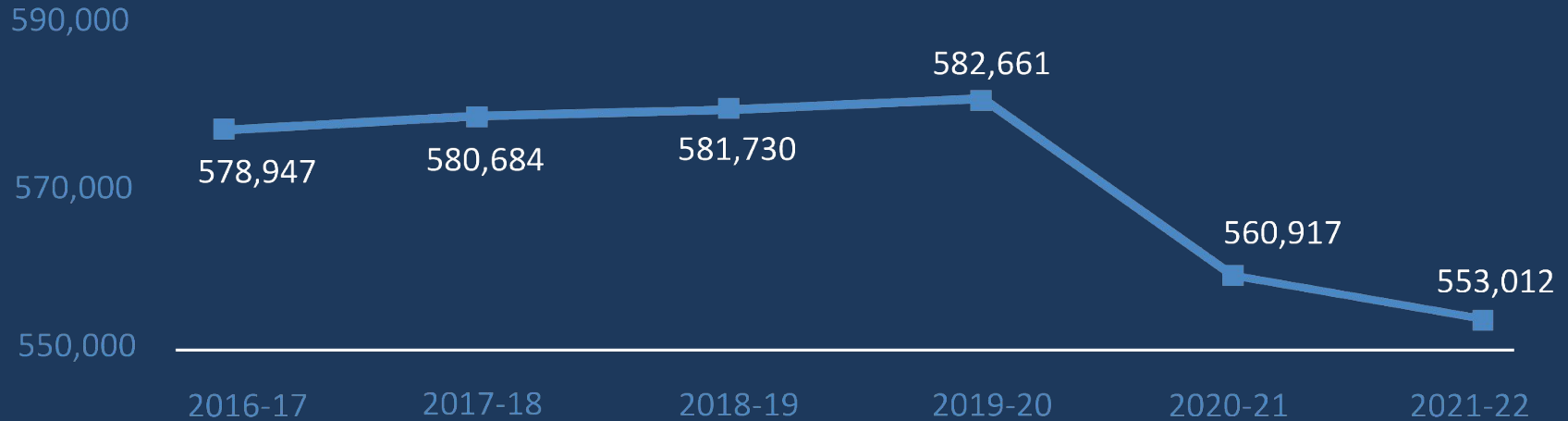
# **Projected Staffing Allocations**

PPS to invest one-time dollars to limit impact on schools and advance key staffing priorities despite reduction due to declining student enrollment

PPS is projected to be down more than **3,400** students next year, or **8%** of this year's total student enrollment.

# Oregon Public School Enrollment

Number of Kindergarten through 12th grade Students



This projected enrollment drop at PPS is similar to the trends that school districts across Oregon and the US are experiencing.



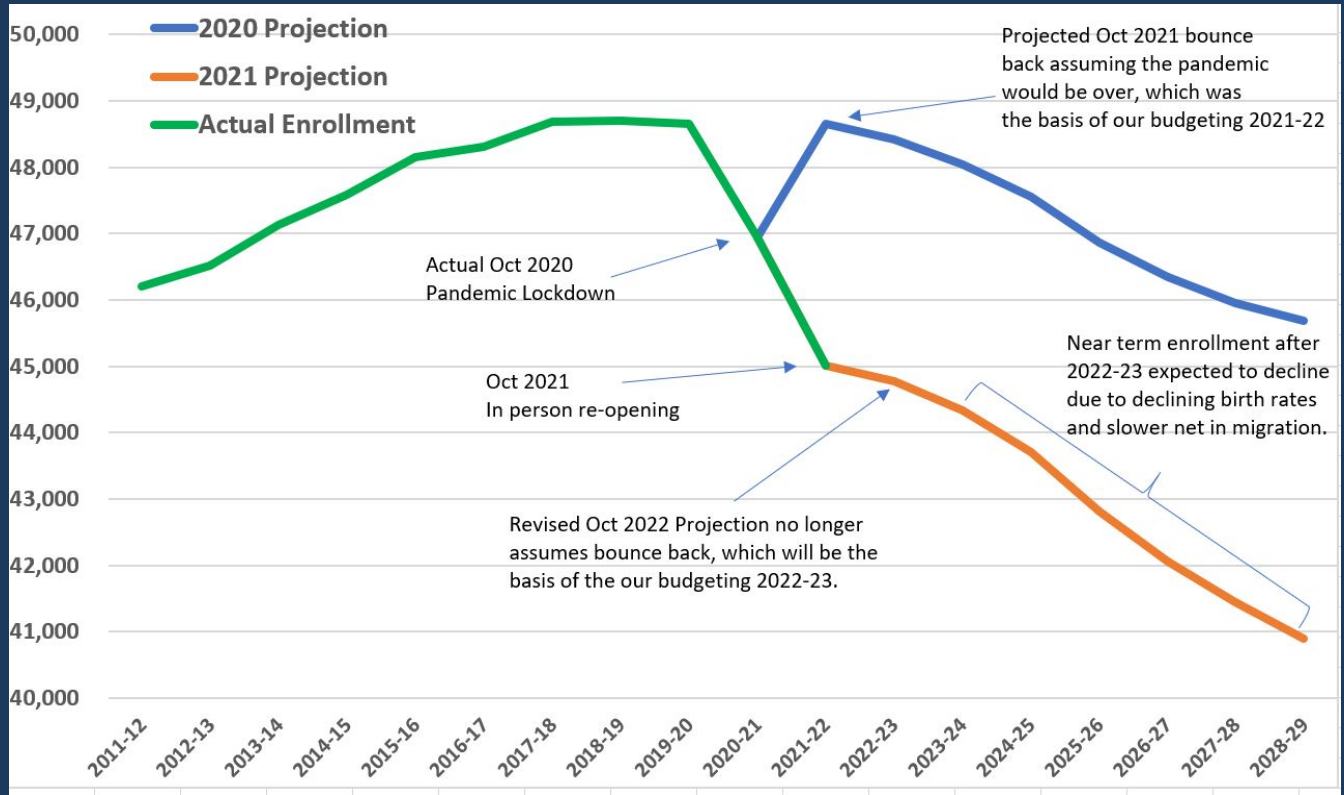
## ENROLLMENT

While PPS projects it will see no change in student enrollment at the high school level, we anticipate a decline in student enrollment at elementary schools: more than a **20 percent decline** from student enrollment prior to the pandemic.

Enrollment	2019-20 Actual	2021-22 Actual	2022-23 Projected	Changes % 2020 (pre-COVID) vs 2023	Changes % 2022 vs 2023
Elementary	19,034	17,529	15,129	-21%	-14%
K-8	6,657	6,729	6,514	-2%	-3%
Middle	7,761	8,274	7,385	-5%	-11%
High	12,713	13,366	13,425	+6%	0%
Subtotal without CBOs, Charters, Special Programs	46,065	45,898	42,453	-8%	-8%



# A Deeper Dive: Actual v. Projected Enrollment Trends



There is no single reason for this decline of student enrollment.

Some factors for this decline in student enrollment include: declining births, enrollment patterns, school re-configurations, and individual choices that families have made during the pandemic.



**Student enrollment determines the revenue the state provides to local school districts like PPS, including teaching staff.**

**While we are projecting an 8% enrollment decline, our staffing adjustment is projected to be 4%.**



# REVENUE

Between 2019/20 and 2021/22 school year, PPS invested dollars by staffing schools at much higher enrollment levels (pre-pandemic) than actual student enrollment.

PPS Enrollment	19-20	20-21	21-22	Projected 22-23
Enrollment #, based on students Registered (ADM <sub>r</sub> )	48,338	46,609	45,898	42,453
Enrollment # Adjusted by Demographics (ADM <sub>w</sub> )	57,825	55,935	53,817	53,563
Enrollment # Used by State for Revenue		57,825	55,935	53,817

\*The State will utilize ADM<sub>w</sub> to distribute funding to schools.

## 2020-2021

- Oregon provided revenue based on 2019-2020 enrollment (57,825) to PPS, even as enrollment declined (55,935).

## 2021-2022

- Oregon provided revenue based on 2020-2021 enrollment (55,935) to PPS, even as enrollment declined (53,817)

## 2022-2023 (Projected)

- Oregon provided revenue based on 2020-2021 enrollment (53,817) to PPS, even as enrollment declined (53,563).



# REVENUE

## Budget Breakdown by Fund

Internal Service  
0.4%

This is cost-reimbursement resources (e.g. worker's comp, property insurance)

\$8.6 million

This is the primary amount of dollars used for day-to-day operations of the District

General Fund  
37.5%

\$771.9 million

Debt Service & Capital Projects  
47.4%

This includes dollars for:

Construction/renovation of school facilities (Bond)

Technology and Curriculum Upgrades (2020 Bond)

Payment of long-term debt (PERS, etc)

\$974.7 million

Special Revenue  
14.7%

\$303.6 million

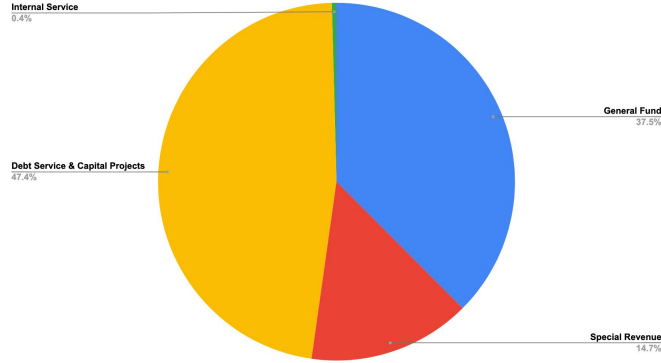
This includes restricted dollars from:

- Federal (i.e. ESSER)
- State (SIA)
- Title
- Individuals with Disabilities Education Act (IDEA)
- Local Grants and Private Donations (Foundations)



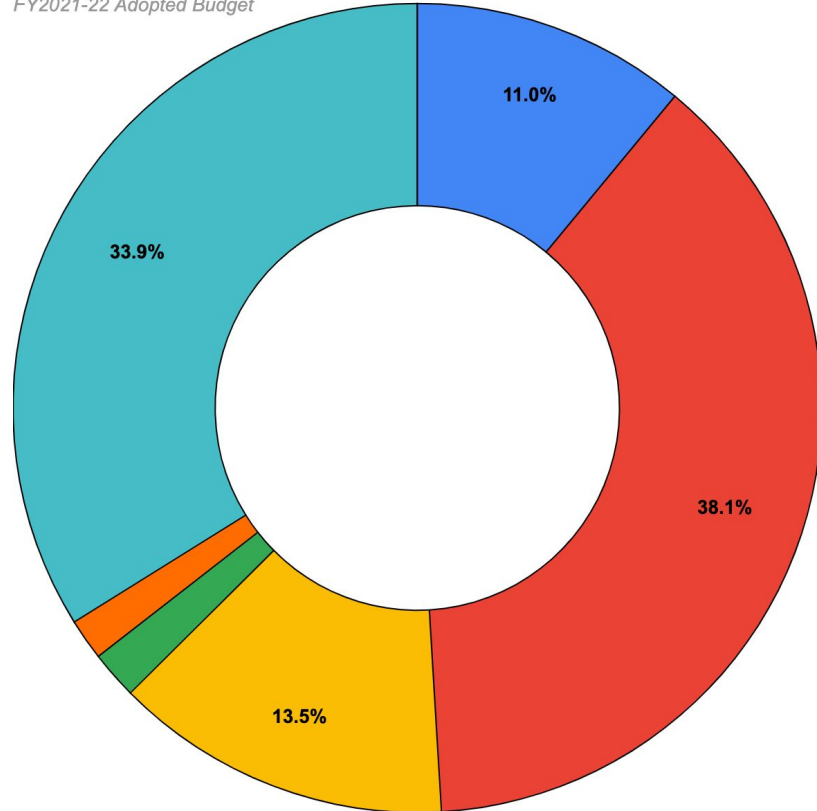
# REVENUE

## Budget Breakdown by Fund



FY2021-22 Adopted Budget

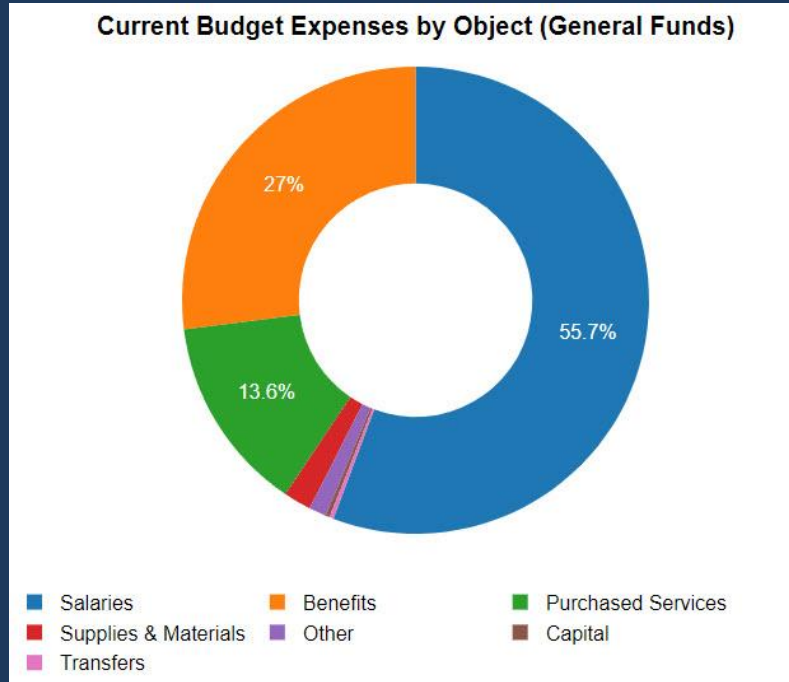
## General Fund Revenue Sources



- Beginning Fund Balance; unspent funding from prior years.
- Current year property taxes other than local option includes propoerty taxes
- Current year local option property taxes
- Other revenue from local sources includes miscellaneous revenue and fees such as civic use of buildings
- Intermediate revenue sources includes city of Portland Arts Tax
- State sources primarily includes State School Fund & Common School Fund
- Federal Sources; note bulk of Federal funding in Special Revenue fund per ODE



## How are our general dollars (based on enrollment) spent?

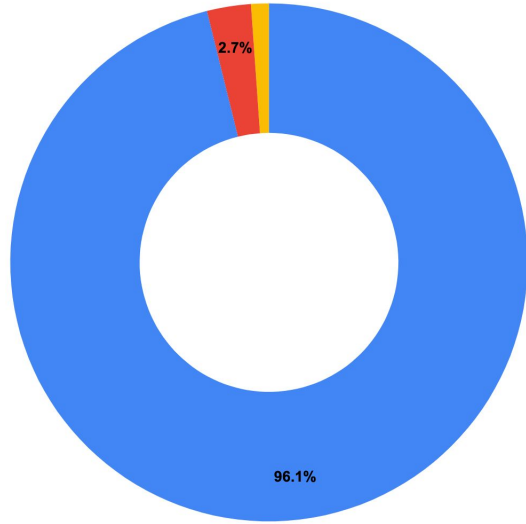


- At PPS, 83.7% of general funds are utilized to fund people.
- These dollars are used to fund positions that include classroom teachers, bus drivers, paraeducators, custodians.
- Other funding sources outside of the general fund (e.g. Title I, SIA) enhance and provide additional supports of what the general fund provides.

# School Example: Revenue + Cost

## What Makes Up a School Site Budget?

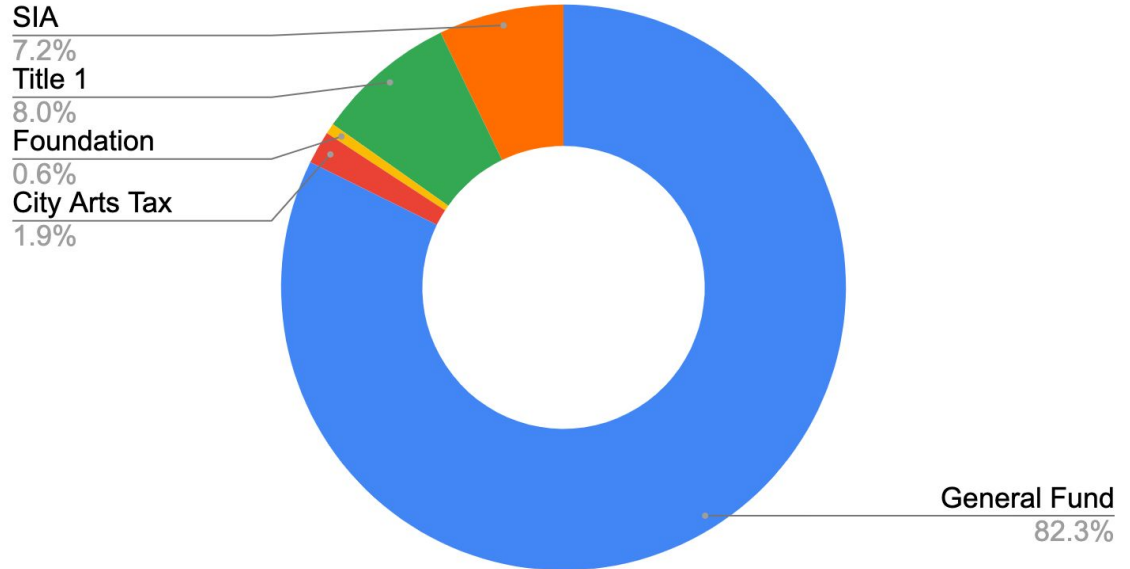
K-5 Title I & TSI School w/268 Students & 26.5 School Staff



- \$2.9M Personnel Expenditures; includes salaries and benefits for teachers, principals, other school based staff
- \$83k Supplies and Materials
- \$34k Services purchased by the school site

## How School Site Staff is Funded

K-5, 268 Students with 26.5 School Staff



# Good Financial Stewardship

<b>General Fund</b>	<b>2021-22 (in \$ Millions)</b>	<b>2022-23 (in \$ Millions)</b>
Beginning Fund Balance <b>(School Board Goal: 10%)</b>	88.0	87.7
Projected State Revenue	677.5	695.1
Projected PPS Expenditures	-686.8	-734.1
Central Budget Savings <b>(\$16M)</b>	9.0	7.0
Total Revised Expenditures	-677.8	-727.1
<b>Ending Fund Balance</b>	<b>\$ 87.7</b>	<b>\$ 55.7</b>
<b>% of Revenue Fund Balance</b>	<b>13.0%</b>	<b>8.0%</b>

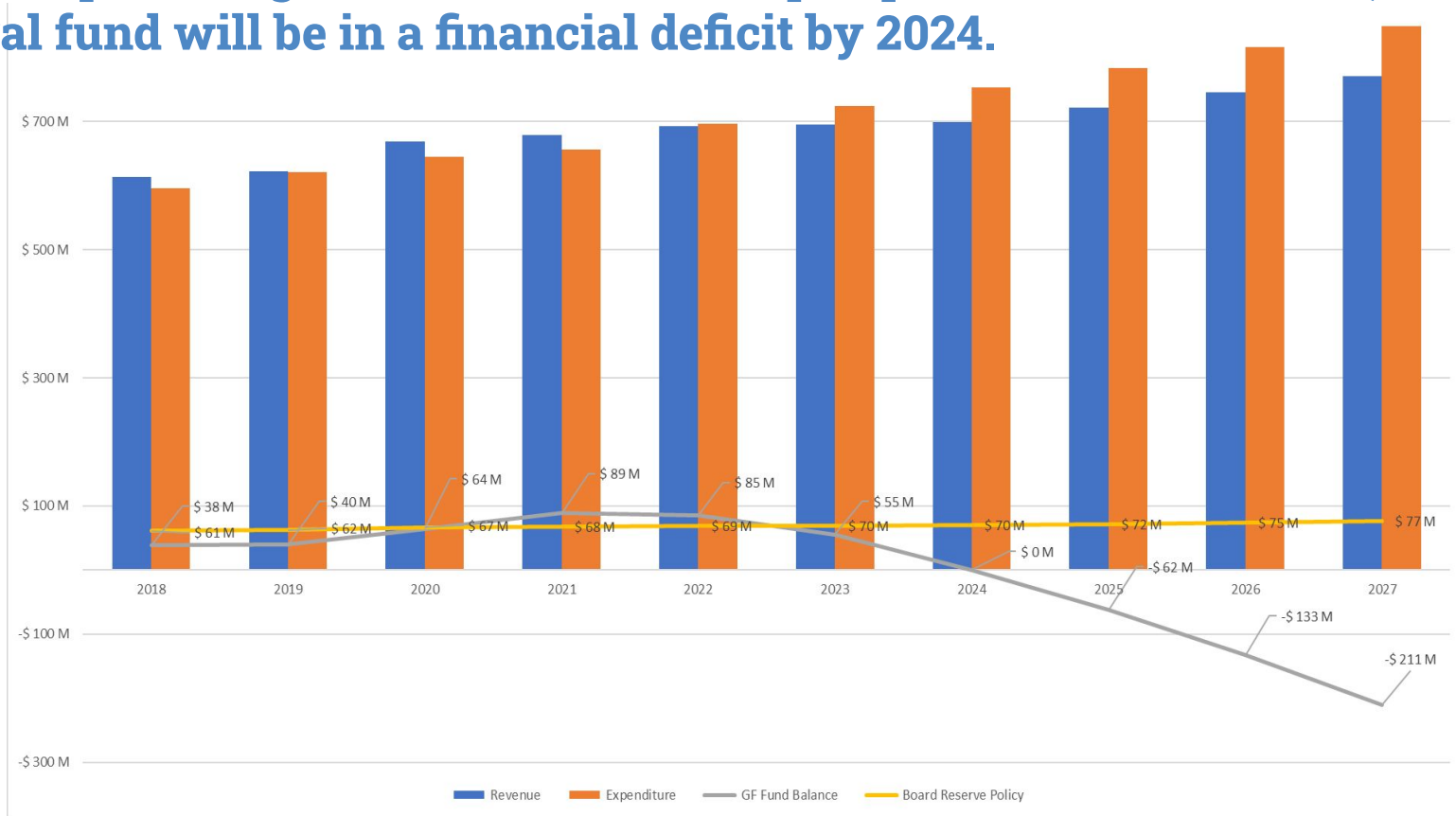
## School Board Goal:

Fund and maintain an operating contingency in the General Fund at 10% of annual revenues.



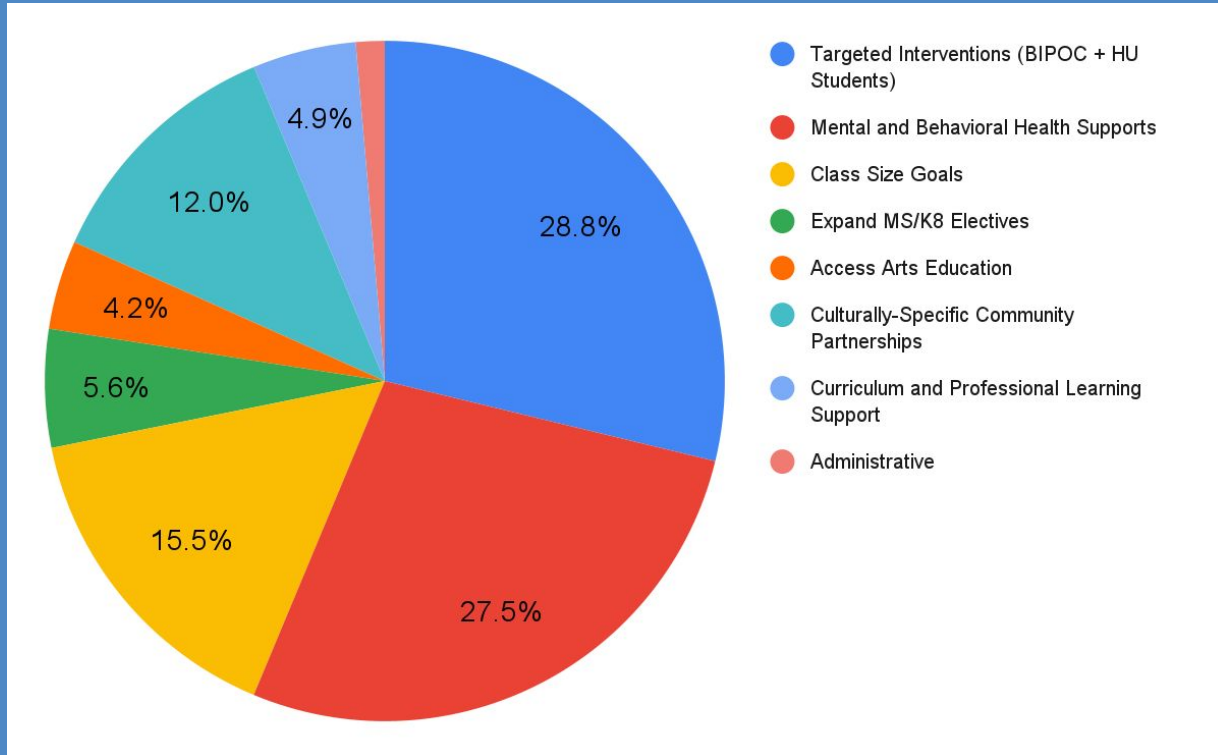
# EXPENSES

If we keep staffing allocations based on pre-pandemic enrollment, PPS's general fund will be in a financial deficit by 2024.



**Since 2019 and 2020, PPS has  
received targeted state dollars  
and one-time federal dollars  
for direct student supports...**

# ...and we are delivering: PPS is investing over \$36M in direct student academic and supports from the state's Student Investment Account.



**...and we are delivering: PPS continues to use (and projects use of) one-time ESSER dollars to accelerate learning, limit the impact of declining enrollment, and make significant efforts to improve the educational experience for students of color.**

During the global pandemic, PPS utilized one-time federal dollars to:

- Address Health and Safety (COVID)
- Student Learning Needs
- Social Emotional & Mental Health Services
- Technology + Online Learning
- Allocation to Alternative Schools (CBOs/Charter)

Preview of 2022-23 Budget Proposal

- Address Health and Safety (COVID)
- Professional Adult Learning
- Learning Acceleration
- Student Learning Supports
- Class Size Reduction
- Technology + Online Learning

One-Time Federal Dollars (ESSER)   \$ in Millions				
	2020-21 (Actual)	2021-22 (Current)	2022-23 (Projected)	2023-2034 (Projected)
Available Funds	\$115	\$104.7	\$69.6	\$37.0
Expenditures	-\$10.3	-\$35.1	-\$32.7	-\$37.0
Available Balance	\$104.7	\$69.6	\$37.0	-

**Given these realities, PPS will invest one-time dollars to limit impact on schools and advance key staffing priorities despite reduction due to declining student enrollment.**

# PPS will target state and one-time federal investments to strategically maintain more than 40 student-facing positions next year.

- **Limit impact** of student enrollment declines
- Make incremental progress towards **class size goals**
- **Prioritize behavioral and mental health** supports
- Maintain and enhance access to **arts education**



# PPS will target state and one-time federal investments to strategically maintain more than 40 student-facing positions next year.

- **Limit the impact of student enrollment declines**
  - K-5 schools will see no more than a 15% year-to-year change in K-5 homerooms, regardless of enrollment change; preserving 14 positions.
- **Make incremental progress towards class size goals**
  - We will lower the staffing allocation ratio to make progress towards our class size goals across:
    - Kindergarten and Grades 1-3 at Title I schools
    - Grades 2 and 3 at CSI schools
    - Grades 4 and 5 across all schools
  - This will maintain 14 homeroom teachers.

## PPS will target state and one-time federal investments to strategically maintain more than 40 student-facing positions next year.

### ● Prioritize behavioral and mental health supports

- PPS will maintain the total number of current counselor positions distributed to schools
  - With single site administrator schools with SES classrooms
  - Close to the student-to-counselor ratio threshold
  - Title I Middle and K-8 Schools
- We maintain 32 FTE social workers to focus on increasing the accessibility of social-emotional student supports.

### ● Maintain and enhance access to arts education

- PPS will use general fund dollars to maintain 4.5 FTE arts positions across 9 schools for next school year.
- PPS will add more than 10 art teacher positions.
  - 75% of all PPS students (a 37% increase from this current year) will attend a school with **BOTH** performing and visual arts.



# PPS continues to use one-time dollars to accelerate learning, limit the impact of declining enrollment, and make significant efforts to improve the educational experience for students of color.

- **Superintendent Guerrero will present a complete balanced budget proposal in April:**
  - Equity Fund: Distribute additional staffing allocations to support schools more equitably.
  - Outline investment plan to achieve school board's goals and the strategic plan.
  - Continue to invest the one-time dollars to address
    - Pandemic-related health and safety needs
    - Support learning acceleration efforts
    - Mental and behavioral health of our students



## RESOLUTION No. 6450

### Resolution to Adopt the ADA Transition Plan

#### RECITALS

- A. Portland Public Schools is committed to equitable access to all programs, for all students, regardless of ability.
- B. The Americans with Disabilities Act, known as the ADA, recognizes persons with disabilities as a protected class, subject to discrimination as valid as inequity based on race, religion, age, and sex, and just as deserving of basic civil rights protections.
- C. Title II of the Americans with Disabilities Act mandates that each public entity examine activities and services, identify problems or physical barriers that may limit accessibility by individuals experiencing disability, and describe potential compliance solutions.
- D. Where it is necessary to remove architectural barriers to program accessibility, Title II mandates the District to prepare an ADA Transition Plan.
- E. The purpose of an ADA Transition Plan is to provide an actionable and coordinated work plan for removing architectural barriers across the buildings and grounds. The ADA Transition Plan outlines a phased barrier-removal schedule.
- F. The barrier-removal schedule presents a time range for each phase of work.
- G. The proposed duration of the phases is an estimate. Staff reviewed various scheduling considerations and provided a schedule that staff believes to be achievable and balances the need to act quickly with project constraints both within and outside the District's control.
- H. Many factors can alter the funding patterns for facility improvements District -wide. Accessibility improvements, like other facility work at the District, are supported through General Obligation Bonds. Bonds depend on voter support and are not a guaranteed funding source.
- I. Portland Public Schools recognizes the urgency of creating a barrier-free school District and seeks to advance the physical accessibility of our schools.

#### RESOLUTION

The Board of Directors adopts the ADA Transition Plan dated February 8, 2022.



# STAFF REPORT

Date: February 8th, 2022

To: Portland Public Schools, Board of Education

From: Dan Jung, Chief Operating Officer  
Dana White, Director of Planning & Real Estate

Subject: Americans with Disabilities Act Transition Plan

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## BACKGROUND

The Americans with Disabilities Act, known as the ADA, began under Section 504 of the Rehabilitation Act of 1973. It recognized persons with disabilities as a class, or legitimate minority, subject to discrimination as valid as inequity based on race, religion, age, and sex, and just as deserving of basic civil rights protections. This act endeavored to establish equal opportunities for those with disabilities.

In 1994, in a response to the federal adoption of the ADA and recognizing the importance of ensuring full accessibility to all facilities, District staff developed an ADA Transition Plan (Plan). The Plan provided a methodology to meet the new 1990 ADA requirements as it applied to the District's existing facilities. The 1994 Plan was never fully implemented and is outdated.

In 2020, staff began the process of developing a new ADA Transition Plan (New Plan) with the primary purpose of providing an actionable and coordinated work plan for removing architectural barriers across the buildings and grounds. The 10-month process included review and input from members of the disability community, via a partnership with FACT Oregon and Community Vision, and included virtual town halls that provided an open forum for community members to voice their concerns, ask questions, and advocate for transition approaches. The process resulted in a document that outlines the structural modifications necessary for equitable access to all District programming. The New Plan can be found in Attachment A.

## RELATED POLICIES/BEST PRACTICES

Title II of the ADA requires that public entities with 50 or more employees evaluate their services, programs, policies, and practices to determine whether they comply with the ADA's nondiscrimination regulations. The regulations detailing compliance requirements were issued in July 1991 and revised in 2010. These regulations mandate that each public entity is required to examine activities and services, identify problems or physical barriers that may limit accessibility by individuals experiencing disability, and describe potential compliance solutions.

## ANALYSIS OF SITUATION

In coordination with other District guiding documents, this transition plan (New Plan) outlines future capital investments supporting our students and community with disabilities.

## FISCAL IMPACT

The implementation of the work plan identified in the New Plan is estimated to be over one hundred million dollars. The 2020 Bond funded over thirty-three million dollars of this amount. The remaining improvements will be funded by future Bonds.

### COMMUNITY ENGAGEMENT

To reach the disability community, the District partnered with [FACT Oregon](#) and [Community Vision](#) – two organizations with a long history of disability advocacy and deep ties to the disability community in Portland. Both FACT and Community Vision were able to connect with families directly impacted by the physical barriers at our schools.

In addition, three individuals experiencing disability were paid by the District to review and provide input on the document. These individuals each experienced a different type of disability so as to garner perspectives on the mobility, sensory, and cognitive impact of District-barriers.

The New Plan was presented to and reviewed by the Facilities and Operations Committee on December 8, 2021, and again on January 19, 2022. On January 19, 2022, the Facilities and Operations Committee approved moving the New Plan forward to the Board to consider for approval.

### TIMELINE FOR IMPLEMENTATION / EVALUATION

The new Americans with Disabilities Act Transition Plan will immediately inform the ADA building improvements that are currently underway and being planned.

### BOARD OPTIONS

1. Approve the new Americans with Disabilities Act Transition Plan.
2. Recommend revisiting the new Americans with Disabilities Act Transition Plan in the Facilities and Operations Board Subcommittee.

### CONNECTION TO BOARD GOALS

The Board is dedicated to creating equitable opportunities and outcomes for all students, including the elimination of the physical barriers that are addressed in the new Americans with Disabilities Act Transition Plan.

### STAFF RECOMMENDATION

Staff recommends adopting the new Americans with Disabilities Act Transition Plan.

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As a member of the PPS Executive Leadership Team, I have reviewed this staff report.

\_\_\_\_\_ (Initials)

### ATTACHMENTS

- A. Americans with Disabilities Act: Transition Plan, Board of Education Review Draft
- B. ADA Transition Plan - Resolution - Draft
- C. ADA Transition Plan - Staff Report - Engagement
- D. ADA Transition Plan - Staff Report - Timeline

- E. ADA Transition Plan - Staff Report - Timeline Revisions
- F. Presentation - 20211208 ADA TP - BOE



# Americans with Disabilities Act Transition Plan

Board of Education Review Draft

Updated: 2022/02/08  
[pps.net/accessibility](https://pps.net/accessibility)

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**AVAILABLE UNDER A SEPARATE COVER:<sup>1</sup>**

- [Appendix A: Cost Estimates by Configuration & Building System](#)
- [Appendix B: Cost Estimates by Building Code Category](#)
- [Appendix C: Site Selection Tool](#)
- [Appendix D: Transition Plan Workbook](#)

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<sup>1</sup> Underlined text throughout this document is hyperlinked.

## PLAN INTRODUCTION

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Portland Public Schools is committed to equitable access to all programs, for all students, regardless of ability. To quote the District's Racial Equity and Social Justice Lens, "... We must ensure that all students are guaranteed a comprehensive, rigorous, equitable, and inclusive education. Universal access to quality education not only benefits students from all backgrounds but strengthens our communities and promotes societal prosperity." Yet, most of the District's buildings and grounds subvert this goal for individuals experiencing disability. Prior to 1973<sup>2</sup> – when 89 of the District's 99 buildings were constructed, protections for individuals experiencing disability did not exist. Students, staff, and community members continue to face obstacles from the pernicious architecture of this time.

In developing this transition plan, we recognize the subtle and often insidious ways the physical environment can shape one's experience. Buildings have historically matched the needs of their dominant culture. Today the challenge we face is a radical reshaping of the inherited structures of our world. This plan will guide the District's future improvements and establish a clear path to achieve full-accessibility, District-wide.

The magnitude of this effort cannot be overstated. Few schools within the PPS portfolio are fully accessible, and the current estimate to bring all sites in alignment with Oregon building code exceeds \$100,000,000. A schedule of improvements broken out into four phases can be found in the last section. These phases were developed in collaboration with community members and partner organizations during Summer 2020. Central to this collaboration is a commitment to continued dialogue with our community - especially those experiencing disability.

### ADA Title II Overview

The Americans with Disabilities Act, known as the ADA, had its beginning under Section 504 of the Rehabilitation Act of 1973, which prohibited discrimination based on disability by recipients of federal funds. It recognized persons with disabilities as a class, or legitimate minority, subject to discrimination as valid as inequity based on race, religion, age, and sex, and just as deserving of basic civil rights protections. This act endeavored to establish equal opportunities for those with disabilities.

The ADA is divided into five topic areas:

#### Title I: EMPLOYMENT

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<sup>2</sup> The Rehabilitation Act of 1973 became law.

Title II: PUBLIC SERVICES  
Title III: PUBLIC ACCOMMODATIONS  
Title IV: TELECOMMUNICATIONS  
Title V: MISCELLANEOUS PROVISIONS

Title II of the ADA requires that public entities with 50 or more employees evaluate their services, programs, policies, and practices to determine whether they comply with the ADA's nondiscrimination regulations. The regulations detailing compliance requirements were issued in July 1991 and revised in 2010. These regulations mandate that each public entity examine activities and services, identify problems or physical barriers that may limit accessibility by individuals experiencing disability, and describe potential compliance solutions.

Further, Title II mandates that public entities may not require eligibility criteria for participation in programs and activities that would screen persons with disabilities unless proven that such requirements are necessary for the service or program's mandatory provision. A public entity must reasonably modify its policies and procedures to avoid discrimination toward individuals with disabilities. If the public body can demonstrate that a modification would fundamentally alter its programming, it would not be required to make that modification. Title II also discusses the use of auxiliary aids necessary to enable persons who have visual, hearing, mobility, or similar impairments to access programs and activities provided by making appropriate and reasonable accommodation.

The sole limitation of these requirements would be modifications causing undue hardship. "Undue hardship" is defined in the ADA as an "action requiring significant difficulty or expense" when considering the nature and cost of the accommodation with respect to the size, resources, and structure of the specific operation. Undue hardship will be determined in the context of District resources and on an individual basis. The District completed a self-evaluation, described below, to assess existing programs and services to assure that barriers are identified and removed. Where it is necessary to remove architectural barriers to program accessibility, the District must also prepare a transition plan.

### **Purpose**

The transition plan's primary purpose is to provide an actionable and coordinated work plan for removing architectural barriers across the district's buildings and grounds. Stated another way: this plan guides the *transition* to compliance with standards, thereby improving Portland Public Schools' facilities for people with disabilities. The transition plan outlines the structural and programmatic modifications necessary for equitable access to all District programming.

### **Collective Access**

Collective access is an essential principle of the ADA and of this transition plan. District programming must be considered at the systems level to ensure incremental, meaningful

access is provided over time. The frameworks discussed here are necessarily scaleable and systems-driven.

On this score, the ADA grants that: “A public entity shall operate each service, program, or activity so that the service, program or activity, *when viewed in its entirety*, [emphasis added] is readily accessible to and usable by individuals with disabilities” (28 CFR 35.150). And so through balancing financial and logistical realities with community vision, the plan will outline strategies that are both structural and non-structural to provide equitable program access across Portland Public Schools.

The distinction between structural and non-structural modifications warrants further discussion. Where appropriate, this transition plan addresses accessibility through non-structural means. Examples of non-structural modifications include program modification, moving programs, or student transportation to more accessible facilities. Per the ADA, “A public entity is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section” (28 CFR 35.150). Non-structural modifications require careful coordination with building administrators and should be reviewed annually by the District’s ADA Coordinators.

### **Resolving Grievances**

In addition to this transition plan, Portland Public Schools is required by the ADA to adopt procedures providing for equitable resolution of Title II violations. District processes make allowance for reasonable accommodation regarding physical barriers when it is financially and logistically feasible. The transition plan and self-evaluation certainly inform the process to resolve the claim but may not pre-determine the resolution. The District will evaluate each request on a case-by-case basis. Please contact the District’s ADA Coordinators to initiate a grievance process.

In addition, students, staff, and community members are encouraged to notify the District’s ADA Coordinators of any barriers not documented in [Appendix D](#). Please see the contact information below.

**Rebecca Winn**  
Code Compliance Manager  
[accessibility@pps.net](mailto:accessibility@pps.net)

**Mail to: ADA Coordinators**  
501 N. Dixon St  
Portland, OR 97227

## PLAN DEVELOPMENT

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### Self-Assessment

First, in 2009, and later with a comprehensive update in 2019/ 2020, the District completed a physical audit of facilities to identify facility barriers and identify recommendations and alterations to meet State and Federal accessibility standards. A complete list of the facilities evaluated and the assessment findings with associated costs are detailed in the appendices of this document. See [Appendix D](#) for detailed information on each of the 1625 barriers identified.

The facility evaluations were conducted according to the ADA 2010 Standards, 2014 Oregon Structural Specialty Code Chapter 11 Accessibility, and the Architectural Barriers Act (ABA). Evaluators used accessibility checklists to evaluate barriers in District facilities. The list covers all manner of barrier conditions commonly found in District facilities and programs, including parking, signage, paths of travel, buildings, and playgrounds.

The facility evaluation findings were entered into a database outlining identified barriers, after which the assessment team proposed barrier removal actions. The resulting facility documentation is available under the appendices. In addition to a list of each potential barrier District-wide, the assessment data provides information about the relevant State and Federal codes, including a planning-level cost estimate to remove the barrier.

Programs can be made accessible in three ways:

1. Minor programmatic changes, such as providing test material in alternate formats,
2. Moving the program to an accessible site, or
3. Making facility upgrades, “structural modifications,” to the program site

When choosing a method of providing program access, the District will prioritize the one that results in the most integrated setting appropriate to encourage interaction, including individuals with disabilities.

### Accessibility Criteria

This transition plan is only one among a collection of documents establishing accessibility criteria for the District. Others include the District's Long-Range Facility Plan, the Ed Specifications, and the Technical Design and Construction Standards.

The criteria described in this document align with the Americans with Disabilities Act Accessibility Guidelines and therefore only measure progress toward federal accessibility

standards. Meaningful accessibility for our students requires a broader lens than federal guidelines. Yet, a narrow focus on federal accessibility guidelines is necessary for the purposes of this document: the Title II of the ADA requires quantifiable and measurable progress toward the Americans with Disabilities Act Accessibility Guidelines over time.

The broader accessibility lens described in other District guiding documents may not be measurable in the same way as federal accessibility guidelines are therefore not discussed in this document. Please see the District's website or contact the ADA Transition Plan Liaison for more details.

The federal requirements described in this document will be applied for existing facilities where new construction or modernization is not otherwise under consideration. Where the District undertakes new development or modernization not restricted to accessibility work, modifications to upgrade accessibility features may be required that are not proposed in this transition plan. Such work may also be triggered by the authority having jurisdiction. This work is separate from the program access requirement addressed by the self-evaluation and transition plan.

### **Prioritization**

Recognizing that the District has limited funds and cannot immediately make all schools fully accessible, District stakeholders and community members were asked to consider prioritization criteria. Once established and adopted by the Board of Education, these criteria will guide barrier-removal across the District's buildings and grounds following a phased, systems-level approach.

Broadly, two types of prioritizations must take place:

#### **1. Prioritization of facilities**

Portland Public Schools buildings evade generalization; each facility must be analyzed individually. District programs and services offered at individual sites will shape the transition plan and the engagement process. This question – *where do we invest first?* – must consider geography, demographics, and programming, to name just three examples. This transition plan explores several lenses through which to view this question in the engagement sections below. This document's appendices contain details on each of the District's facilities, including cost estimates in 2020 dollars.

#### **2. Prioritization of barriers within each facility**

All barriers in this document's appendices are assigned a category aligned with Oregon building codes. These categories follow a sequence of movement from the outside of the building, to the

building entrance, to the intended building program area, including plumbing fixtures and communication devices. The categories are listed below. See [Appendix B](#) for additional details.

- A. Site Accessibility
- B. Accessible Route & Reach Range
- C. Plumbing Elements
- D. Communication Elements
- E. Special Spaces, Built-in Elements & Recreational Facilities

The inherent logic of this sequence needs little explanation; however, should a circumstance arise where departing from this order would benefit a student or community member, Title II of the ADA offers latitude when prioritizing individual barrier removal. The ADA Title II, Technical Assistance Manual, states, “when choosing a method of providing program access, a public entity must give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities.” That is to say, when meeting our obligation to Title II, the District has some leeway in prioritizing specific barriers at individual sites. This question, like the question, *where do we invest first?* discussed above, is viewed through stakeholder and community lenses below.

### Engagement: Introduction

Prioritization criteria were further developed under the guidance of District stakeholders and community members. But, like most components of society in 2020, the COVID-19 pandemic complicated engagement for this effort. After the extended closures under the *Stay Home, Save Lives* order, feedback on transition priorities were broken into four steps:

1. Transition frameworks developed under a funding task force composed of Portland Public Schools staff
2. A twelve-week public review and comment period of a draft transition plan posted to the District website
3. Three virtual town halls developed in collaboration with [FACT Oregon](#) and [Community Vision](#)
4. Spanish-language interviews with parents of students with disabilities

Further complicating the development of this transition plan was the parallel development of the 2020 School Bond. The Bond referral timing preceded much of the community engagement and so limiting the variables for comment. To further illustrate the interplay between the pandemic, the Bond referral, and the development of this plan, see the timeline in the section below.

### Transition Plan Development Timeline

Date	Event
------	-------

2020-01	<i>Barrier Assessment Complete</i>
2020-02	<i>Transition Plan Project Start-Up</i>
2020-03-08	<i>Stay Home, Save Lives Order</i>
2020-04	<i>Transition Plan Engagement Revised</i>
2020-05	<i>District Stakeholder Engagement</i>
2020-06	<i>Transition Plan Drafted</i>
2020-07-13	<i>Draft Transition Plan Posted to District Website</i>
2020-07-21	<i>Special Board Meeting Finalizing ADA Scope for the Bond</i>
2020-07-30	<i>Virtual Town Hall - 1</i>
2020-08-11	<i>Virtual Town Hall - 2</i>
2020-08-13	<i>Virtual Town Hall - 3</i>
2020-09-18	<i>Comment Period on Draft Document Closed</i>
2020-11-03	<i>School Bond Passed by Portland Voters</i>

### **Engagement: District Stakeholders**

Members of the funding task force internal to the District were identified based on three criteria:

1. Project experience with work related to barrier-removal within the District, and/or
2. Anticipated stewardship of barrier-removal projects once the transition plan is complete, and/or
3. Leadership in education for students experiencing disability.

In addition to their roles as accessibility stewards, this group offered expertise on the legislative, operational, and financial feasibility of barrier removal.

Members included:

**Brian Baker**, *Senior Legal Counsel* – Special Education  
**Heidi Bertman**, *Project Manager* – Office of School Modernization  
**Chris Burns**, *Assistant Principal* – Pioneer Special School Program  
**Tricia Curley**, *Assistant Director* – Special Education  
**Maria Gianotti**, *Assistant Director* – Special Education  
**Dani Ledezma**, *Senior Advisor* – Superintendent's Leadership Team  
**Steve Simonson**, *Project Manager* – Office of School Modernization  
**Noelle Sisk**, *Family Engagement Specialist* – Special Education  
**Claire Skelly**, *Assistant Director* – Special Education  
**Jen Sohm**, *Project Manager* – Office of School Modernization  
**Rebecca Winn**, *Code Compliance Manager* – Projects & Construction

The task force met individually with the project liaison in May 2020. Each stakeholder was tasked with developing four transition frameworks. Initial drafts of this transition plan, including the draft posted for public comment, were developed around these frameworks.

### Engagement: District Stakeholder Summary

Multiple stakeholders indicated main-level accessibility as their highest priority, specifically main-level accessibility in multi-level schools without elevators. Several respondents further detailed the minimum requirements of this approach: access to the cafeteria, gymnasium, library, classrooms, and restrooms are critical for this approach to be functionally meaningful.

Many stakeholders reinforced a systems approach to program accessibility. Examples include equitable program access for students across the District, including core curriculum as well as specialized student groups or clubs and educational areas such as STEAM, Maker Spaces, and Career Technical Education. Geographical considerations come into play with this approach, as well.

Stakeholders ranked multi-level access, accessible parking, playgrounds, and SPED classroom improvements as priorities but secondary to universal design considerations around the building entrance and essential functions. Notably, elevators did not appear until the third priority.

Five salient frameworks to accessibility emerged across stakeholders. Each is detailed below.

### Stakeholder Framework One

**Main-level accessibility.** This framework would provide accessibility improvements to the ground level, including portions of the site necessary to reach the main entrance from the bus or drop-off area, the main entrance, and access to essential programming. Here, “essential programming” includes an individual’s classroom(s), the cafeteria, library, and gym, in addition to one or more accessible restrooms.

This framework may require administrators to schedule programming for individuals with disabilities in multi-level buildings without elevators. In addition to instructional programming, sensitivity to school-club placement and other extracurricular activities must be observed.

The advantage of this framework is its economy and relative speed to implement District-wide. By omitting elevators – far and away, the most costly accessibility improvement – the District’s accessibility budget could reach many more schools.

To be sure, the operational challenges this approach may present to building administrators should not be underestimated. Consider a middle school student in a multi-level K-8 building

without an elevator. While classrooms at the elementary level are, for the most part, interchangeable, differences become exaggerated in later grade levels. An eighth-grade science classroom has little in common with an eighth-grade English classroom, for instance.

### Stakeholder Framework Two

**One Accessible School at Each Configuration, per Cluster.** Portland Public Schools consists of, among other programs, eight “clusters” or pathways from kindergarten to graduation based on a student’s home address or election to a focus option program. Aging through a cluster follows a specific sequence of schools. The framework discussed here would ensure that a student with a disability could remain, if not within their neighborhood school, at least within their cluster.

This framework addresses full accessibility but does not optimize geographic distribution. As currently imagined, schools designated for improvements are the most affordable options, typically because they do not require elevators.

### Stakeholder Framework Three

**Title I First.** Schools with large concentrations of low-income students receive supplemental federal funds to meet students’ educational goals. This program is known as Title I. During the 20/21 school year, 24 schools qualified for Title I support. The location of these schools corresponds to a high degree to Portland’s historically under-served and historically Black neighborhoods.

While not directly associated with disability, Title I indicators correlate with disproportionately higher percentages of disability in the United States. According to the Centers for Disease Control and Prevention, one in four Black Americans has a disability, while three in ten Indigenous Americans have a disability, compared with one in five for White Americans.<sup>3</sup> Indeed, Black and Indigenous Americans are more likely than Non-Hispanic Whites to have a disability in every age group.

Race, poverty, and disability overlap in complex, cumulative ways in the United States, compounding existing racial disparities in our society. Children living in poverty are more likely to have asthma, chronic illness, and environmental trauma such as lead poisoning, learning problems, and low birth weight leading to disabilities.<sup>4</sup> Moreover, those experiencing poverty are less able to treat disabling conditions and mitigate their impact. While the reasons for this are complex, limited access to high-quality medical care and early intervention certainly exacerbate many conditions.<sup>5</sup>

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<sup>3</sup> Centers for Disease Control and Prevention. <https://www.cdc.gov/ncbddd/disabilityandhealth/materials/infographic-disabilities-ethnicity-race.html>

<sup>4</sup> Woolf, SH, Aron, L., Laudan, Dubay, L. Simon, S.S., Zimmerman, E. Luk, K.X. (2015) How Are Income and Wealth Linked to Health and Longevity? <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/2000178-How-are-Income-and-Wealth-Linked-to-Health-and-Longevity.pdf>

<sup>5</sup> Pokempner, Jennifer and Roberts, Dorothy E. (2001), “Poverty, Welfare Reform, and the Meaning of Disability”

Our schools are critical institutions in Portland neighborhoods. Creating environments that elevate the health, dignity, and independence for all students – but with particular consideration for those from communities in the long shadow of systemic racism – reinforces Portland Public Schools’ role as vital neighborhood centers.

#### Stakeholder Framework Four

**Focus Option Programs.** In addition to neighborhood schools, the District supports several focus option programs ranging in emphasis from environmental science to the arts. The curriculum for each of these programs is unique, and so unlike neighborhood program curriculum – replicated throughout the District – admission to a focus option program is an unparalleled opportunity.

For this reason, focus options programs present a challenge to many of the accessibility frameworks described above. No transportation solution exists for a student experiencing a disability and hoping to attend a focus option program in an inaccessible building. Therefore, prioritizing accessibility for sites with focus option programs should be distinctly considered in this transition plan.

#### Stakeholder Framework Five

**Elevators at Buildings with Multi-level Programming.** This approach would be tantamount to full accessibility at buildings with multi-level programming. Where second and third floors are accessible, accessible restrooms must be provided, in addition to an accessible route from and including the main entrance to the elevator access.

The logistical and financial challenges of this approach cannot be overstated. Recent (2020) elevator installations have ranged from \$800,000 to \$1.5 million. At a minimum, construction is invasive and can only occur during the summer recess. Indeed, elevators are significant building modifications: adding an elevator to an existing building’s interior is essentially inserting a structural core into an existing structure.

The additional structural benefit of adding an elevator is worth further discussion. When concrete, as opposed to metal studs, is used to construct elevator shaft walls, they can reinforce buildings against lateral movement, improving seismic performance. While not alone a seismic solution, it can be a significant step toward seismic safety, especially when combined with other building updates such as roof-replacements. The District will make every effort to coordinate elevator installations with other significant building modifications.

#### 2020 Bond Development

As mentioned above, Portland Public Schools Board of Education developed and referred the 2020 School Bond, Measure 26-215, to the November 2020 ballot in parallel with the

development of this transition plan. As main-level accessibility District-wide emerged as the salient framework of this transition plan, the Board of Education included support for this transition framework in the final Bond referral.

Community engagement subsequent to the Bond referral used main-level accessibility as a starting place. Questions remained around the sequencing of schools within this framework as well as later phases of the transition plan. A summary of community input on these questions is detailed below.

### **Engagement: Community**

Continued public review and input are critical to the success of this transition plan; the proposed frameworks described here were discussed and further detailed in collaboration with the disability community. During the transition plan development, outreach was supported by [FACT Oregon](#) and [Community Vision](#) – two organizations with close ties to the disability community. Outreach included a series of virtual town halls structured around District accessibility priorities as well as a public review draft of the transition plan, posted to the District's website with a comment form.

The comment period for the draft transition plan closed on September 18, 2020, after being open for ten weeks and collecting 21 comments. Many respondents identified academic supports in a virtual learning environment as their highest priority. The orientation of this transition plan is toward architectural barrier removal and, as such, can offer little support on this score. The virtual learning environment was challenging for the District and our community on many levels. The unpredictable, ever-evolving nature of the pandemic challenged generalizations from month to month and week to week, eluding wide-reaching and straightforward solutions. For details on the District's approach to virtual learning and supports offered during the coronavirus pandemic, please see [pps.net/Page/15080](https://pps.net/Page/15080).

### **Engagement: Virtual Town Halls**

In addition to the public comment on the transition plan, the District hosted three virtual town halls between July and August 2020. The town halls included a brief overview of work on the transition plan completed to date, followed by an open forum for community members to voice their concerns, ask questions, and advocate for transition approaches. Each town hall was recorded and posted, together with meeting notes, to [pps.net/accessibility](https://pps.net/accessibility).

Community feedback largely validated the approach foregrounded by the transition plan task force and carried in the 2020 Bond. Main-level accessibility is a logical and necessary first step in full accessibility; community voice largely echoed District staff and Board of Education support for this transition framework.

One important caveat regarding future planning, repeated in all town halls, was the need to reach out to the community again before committing to future phases. Accessibility investments beyond Phase II presented in this plan are therefore subject to further input, and possible revisions, from the District’s disability community. Nonetheless, for the sake of completing a comprehensive plan, community members identified elevators in middle schools as priority investments, then elevators in elementary schools.

Beyond outlining phasing options, community members elevated aspects of accessibility where federal guidelines are anemic or silent altogether. Examples include the minimum size of restrooms, playgrounds and play equipment, acoustics and speech intelligibility, and, most broadly, building access.

While the orientation of this transition plan is necessarily toward the District’s federal obligation, the disability community clearly articulated the need to exceed or supplement federal guidelines in the areas discussed above. To this end, the District is pursuing supplemental standards, informed by and developed in collaboration with the disability community, to be incorporated into the District’s guiding documents. By foregrounding accessibility across these documents, we seek a culture that privileges inclusion over the architectural status quo.

### **Beyond Federal Requirements**

In the ADA, the term “disability” means, with respect to an individual:

- a physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- a record of such an impairment; or
- being regarded as having such an impairment.

Notably, disability cast in this light includes many invisible disabilities. While meeting our legislative requirement, the mitigation of architectural barriers offers little support for individuals experiencing post-traumatic stress disorder, peripheral neuropathy, or autism, to name just three examples.

Universal Design and Trauma-Informed Design are practical guidelines to protect the physical and emotional health of our community. These guidelines are broader than those of accessible design and barrier-free design. While the orientation of this transition plan is toward barrier removal, the District’s forthcoming Ed Specification<sup>6</sup> will outline specific requirements for the built environment rooted in Universal and Trauma-Informed Design principles.

At their best, our schools gather students and educators together both materially and symbolically in relation to each other and themselves. People with diverse abilities must see a

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<sup>6</sup> [Facilities & Asset Management / Education Specifications](#)

place for themselves in our schools. To be sure, space is not a mute setting for life but rather an active agent in staging meaningful interaction critical for the wellbeing of our students and community.

## IMPLEMENTATION OVERVIEW

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This transition plan is broken into four phases; the duration of each phase is presented as a range. This flexibility is a necessary planning consideration. Funding for accessibility improvements, like other facility improvements, predominantly comes from general obligation bonds. Bonds depend on voter support and are not a guaranteed funding source.

Further, the ranges presented here will allow the Board of Education to determine the precise funding allocation and duration of each phase in the context of Bond planning, and with consideration to a complete accessibility picture for our students.

The District’s accessibility community has emphasized ADA is only one component of larger accessibility outcomes. Many other critical accessibility improvements lay beyond ADA compliance. Accessible playgrounds for all children to play and socialize, restrooms adequately sized for student and staff needs, and classroom acoustics to support auditory and sensory processing disorders are just three examples. They are critical accessibility improvements inadequately addressed within the ADA guidelines.

Staff believe a narrow focus on compliance jeopardizes timely improvements of high-priority accessibility needs not explicitly outlined in federal guidelines. The proposed ADA Transition Plan timing allows the District to have a thoughtful discussion with the accessibility community over many years about how best to weave together strict ADA compliance with a broader view of accessibility.

### Overall Phasing

Phase	Phase Start Range	Phase End Range
<b>Phase I</b>	2021	– 2024
<b>Phase II</b>	2024	– 2028
<b>Phase III</b>	(2025-28)	– (2028-38)
<b>Phase IV</b>	(2025-32)	– (2031-41)

### Phase I

#### Main-level Accessibility: Title I, CSI/TSI<sup>7</sup>, and Focus Option

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<sup>7</sup> Comprehensive Supports and Interventions/Targeted Supports and Interventions. CSI schools are high schools with an overall 4-year graduation rate less than 67 percent, among other indicators. TSI schools are identified by achievement indicators by student group.

Phase I is in progress. Funding has been approved via the 2020 general obligation bond and scope completion is estimated by 2024.

## Phase II

### **Main-level Accessibility: District-wide**

Phase II is in progress. Funding has been approved via the 2020 general obligation bond and scope completion is estimated by 2028.

## Phase III

### **Multi-level access: MS/K-8s, Title I, CSI/TSI, and Focus Option**

Phase III will be considered in the next general obligation bond, anticipated in November 2024. If the scope of Phase III is included in the scope of the 2024 bond and approved by voters, implementation of Phase III could begin as early as 2025. Scheduling constraints, particularly around new elevator installation, will be analyzed during bond planning to provide a specific Phase III completion schedule.

## Phase IV

### **Multi-level access: District-wide**

Phase IV will be considered in the next general obligation bond, anticipated in November 2024. If the scope of Phase IV is included in the scope of the 2024 bond and approved by voters, implementation of Phase IV could begin as early as 2025. Scheduling constraints, particularly around new elevator installation, will be analyzed during bond planning to provide a specific Phase IV completion schedule.



# MEMO

**Date:** March 5, 2021  
**To:** Board of Education  
**From:** Dan Jung, Chief Operating Officer  
**Subject:** ADA Transition Plan - Engagement Summary

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## Overview

Review and input from members of the disability community were critical to the development of the transition plan. The District hosted three virtual town halls between July and August 2020. These included a brief overview of work on the transition plan completed to date, followed by an open forum for community members to voice their concerns, ask questions, and advocate for transition approaches. Each town hall was recorded and posted to [pps.net/accessibility](https://pps.net/accessibility).

The dates of the Virtual Town Halls together with listening notes are provided below. All notes were reviewed, commended on, and edited by participants of the respective town halls.

DATE	TOWN HALL	NOTES
2020-07-30	Virtual Town Hall - 1	<a href="#">LINK</a>
2020-08-11	Virtual Town Hall - 2	<a href="#">LINK</a>
2020-08-13	Virtual Town Hall - 3	<a href="#">LINK</a>

To reach the disability community, the District partnered with [FACT Oregon](#) and [Community Vision](#) – two organizations with a long history of disability advocacy and deep ties to the disability community in Portland. Both FACT and Community Vision were able to connect with families directly impacted by the physical barriers at our schools. Between 12-20 parents of students with disabilities and students affected by disability attended each town hall. The conversations ranged across many aspects of accessibility and disability culture. Key outcomes of these conversations are detailed below.

To reach our Spanish-speaking community, multi-lingual staff reach out to parents directly to conduct phone interviews.

In addition, three individuals experiencing disability were paid by the District to review and provide input on the document. These individuals each experienced a different type of disability so as to garner perspectives on the mobility, sensory, and cognitive impact of District-barriers. This feedback has been incorporated into the current draft of the ADA Transition Plan.

## **Outcomes**

Our conversations with the disability community provided meaningful and actionable direction in shaping accessibility outcomes District-wide. These conversations provided insight to a deeper dimension of accessibility as well as unequivocal support for accessibility priorities: main-level accessibility District-wide was a logical and necessary first step to a fully accessible District and should be addressed first.

Elevators in Middle Schools were identified as the next logical priority. Middle school classrooms support a wide range and variety of programming, suggesting a greater urgency for barrier-free circulation. In elementary schools, where students typically remain in a homeroom most of the school day and therefore circulate less than in Middle schools, there is more opportunity for administrators to shift programming to accommodate students with disabilities. Elevators should be installed at K-5s last.

Beyond outlining phasing options, community members elevated aspects of accessibility where federal guidelines are anemic or silent altogether. Examples include the minimum size of restrooms, playgrounds and play equipment, and most broadly, building access.

**Restrooms.** During community meetings, staff learned that ADA restroom dimensions and grab bar layouts are intended to support individuals with normative upper body strength - a consequence of the selected research models informing the guidelines: veterans with spinal cord injuries. Disability in our students differs in important ways from this research model. Our students with disabilities often have attenuated musculoskeletal systems and struggle with the fine motor operations required for independent toilet transfers.

This input has important implications for the size and layout of our school restrooms - information that was not previously been documented in the District's guiding design documents. Staff are currently working to revise restroom standards in collaboration with community members and District occupational therapists.

**Building access.** Townhall participants stressed the importance of accessible primary student entries throughout the dialogues. Students with disabilities face obstacles and social barriers daily and should not be excluded from the social ritual of morning arrival or afternoon dismissal. Accessibility improvements in phases I and II of the transition plan will therefore prioritize accessibility solutions integrated into the social patterns of the building.

**Playgrounds.** The ADA does not include provisions for accessible playgrounds. Accessible paths to play equipment must be provided, but the play equipment and structures themselves are not required to be accessible per federal requirements. The disability community was unanimous in its support for providing accessible and inclusive playgrounds. The community noted playgrounds are where young students learn indelible social lessons, and too often students with disabilities are segregated from their peers by physical barriers. What's more, District playgrounds tacitly communicate values of inclusion and accessibility to the public and community.

Staff are currently developing guidelines and standards to reflect these values with continued collaboration from the disability community. To be sure, the continued involvement of community members speaks to the durable connections formed during the transition plan development. These standards will guide all future playground improvements District-wide.



# MEMO

**Date:** January 18, 2022  
**To:** Board of Education, Portland Public Schools  
**From:** Dan Jung, Chief Operating Officer  
**Subject:** ADA Transition Plan: Timeline Revisions

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## Background

This memorandum is related to the discussion around the District's Draft ADA Transition Plan at the Facilities and Operations Committee meeting, December 8, 2021. During this discussion, there was clear and unequivocal public opposition to the 20-year barrier-removal timeline presented in the Transition Plan. Staff would like to clarify the Transition Plan barrier-removal timeline and offer an alternative course to forward the District's accessibility goals.

First, to clarify: in no way is the 20-year timeline prescriptive. Instead, it represents a conservative estimate establishing an outer limit by which we must complete this work. Many factors can alter the funding patterns for facility improvements District-wide. Accessibility improvements like other facility work at the District are supported through general obligation bonds. Bonds depend on voter support and are not a guaranteed funding source.

What's more, our commitment to the Americans with Disabilities Act depends on many variables outside the District's control. Supply chain issues like those brought into sharp relief by the COVID-19 pandemic are common among specialized construction trades related to accessibility. When overlaid on the limited construction window of the summer months, these supply chain issues can invite delays of a year or more for school construction. To be sure, no single delay would prevent the District's goals for an accelerated timeline, rather the cumulative, overlapping nature of these delays would create an appreciable risk that a reduced timeline would not be met, further eroding the public's trust in our commitment to this fundamental civil right.

Yet, we recognize the urgency of this issue and seek to support the Board in forwarding the physical accessibility of our schools. To maintain planning flexibility and better align barrier-removal with District Bonds, staff propose the following change to the timeline, summarized below.

**Introduce a timeline range for each transition plan phase.** Staff propose moving the beginning of each phase to align with the 2024 Bond (planned), establishing a more comprehensive timeframe. Further, the duration of each phase is presented as a range, allowing the precise timeline to be determined in the context of Bond planning. To reiterate: the District's Bond program is dependent on many variables outside the influence of the Transition Plan. The timing of each Bond is flexible and depend on voter support.

Some of the project constraints around accessibility improvements — specifically elevator construction — are described below as further background.

### Project Constraints

Elevators are uniquely complex building modifications. Similar to other targeted scopes of work such as roof replacements or seismic retrofits, various factors limit the number of projects that can be completed simultaneously. The constraints around this work are detailed below; to be sure, no single constraint would hinder the District's efforts on any given project; rather the cumulative, overlapping nature of these constraints compound against predictable project outcomes.

**Market Capacity.** Elevators have a limited number of vendors in the Portland region. The limited market availability can connect distinct projects through product or trade bottlenecks. Delays in one project can cause downstream impacts for other, later, projects. These market conditions, combined with the narrow construction opportunities permitted by school schedules, invite delays of a year or more for elevator installation.

To draw a comparison to roof replacements, PPS completes approximately 4-5 roofs each year. This is a targeted number due to the fact of the limited number of vendors in the region that can design and construct this work—attempting to complete more work than the market can result in higher cost of the work (higher bid amounts due to less competition). The work exceeds market capacity, and no contractors are available to complete the work. We saw an example of this recently when multiple roof replacement bids received only one bid, and another project received no bids, causing the project to be delayed an entire year.

**Unpredictable & invasive nature of impacts.** Documentation on District buildings from the 1920s and 50s is anemic at best. Installing an elevator in an existing structure requires extensive demolition, destructive testing, or both before the precise nature of the project can be fully understood. To name just three examples of unforeseen building conditions: the presence of hazardous materials, unknown structural deficiencies, or unstable soil conditions may all cause costly delays in project delivery.

What's more, elevator installation is a lengthy process, typically between 6-10 months, and impossible to complete over the summer recess. And while project teams can align the most disruptive construction activities when the building is vacant, some impact on the learning environment is inevitable as construction continues through the academic year.

**Necessary coordination of building improvements.** It is common for new elevator installations to trigger other, non-ADA-related building improvements that are unknown until the building permit is submitted. The additional complexity and time to the project schedule for these unknown improvements are non-trivial and can significantly impact a project's scope, schedule, and budget. Examples of additional improvements range from relatively small changes such as modified plumbing systems, to much more complex and invasive requirements including new building-level fire sprinkler systems. To be certain, all of these are worthwhile building improvements; however, they are also difficult to predict as conditions of building permit add uncertainty to phasing timelines that are projecting many years into the future.

**Optimal coordination of building improvements.** In addition to necessary concurrent building improvements, other improvements should be planned in coordination with elevator installation. These include roof replacement and seismic upgrades. When combined, these improvements are more efficient (economy of scale), less disruptive (reduced overall construction time), and work together to improve the overall seismic safety of the building.

In insolation, no single project delay would disrupt the District’s transition plan; however, the aggregation of such delays within a discrete building product and niche construction specialty suggests the likelihood of compounded delays is very high.

## Current Timeline Language

Based on a 20-year implementation schedule, this transition plan is broken into four phases. Each phase identifies specific sites to focus investments, creating a holistic, accessible educational opportunity within a reasonable period and with available District resources.

The District will make every effort to accelerate the timeline presented here. The proposed timing of the phases is an estimate made in the absence of information on critical variables.

What’s more, the District’s accessibility community has emphasized ADA is only one component of larger accessibility outcomes. There are many other critical accessibility improvements that go beyond ADA compliance. Accessible playgrounds for all children to play and socialize, restrooms adequately sized for student and staff needs, and classroom acoustics to support auditory and sensory processing disorders are just 3 examples of critical accessibility improvements that are inadequately addressed in ADA.

Staff believe a narrow focus on compliance jeopardizes timely improvements of high-priority accessibility needs not specifically outlined in federal guidelines. The proposed ADA Transition Plan timing affords the District the opportunity to have a thoughtful discussion with the accessibility community, over the course of many years, about how best to weave together strict ADA compliance with a broader view of accessibility.

### Overall Phasing

FY 2021 - 2023 **Phase I**  
FY 2024 - 2026 **Phase II**  
FY 2027 - 2033 **Phase III**  
FY 2034 - 2041 **Phase IV**

### Phase I

Main-level Accessibility: Title I, CSI/TSI<sup>1</sup>, and Focus Option

### Phase II

Main-level Accessibility: District-wide

### Phase III

Multi-level access: MS/K-8s, Title I, CSI/TSI, and Focus Option

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<sup>1</sup> Comprehensive Supports and Interventions/Targeted Supports and Interventions. CSI schools are high schools with an overall 4-year graduation rate less than 67 percent, among other indicators. TSI schools are identified by achievement indicators by student group.

## Phase IV

Multi-level access: District-wide

### Proposed Revised Timeline Language

This transition plan is broken into four phases; the duration of each phase is presented as a range. This flexibility is a necessary planning consideration. Funding for accessibility improvements, like other facility improvements, predominantly comes from general obligation bonds. Bonds depend on voter support and are not a guaranteed funding source.

Further, the ranges presented here will allow the Board of Education to determine the precise funding allocation and duration of each phase in the context of Bond planning, and with consideration to a complete accessibility picture for our students.

The District's accessibility community has emphasized ADA is only one component of larger accessibility outcomes. Many other critical accessibility improvements lay beyond ADA compliance. Accessible playgrounds for all children to play and socialize, restrooms adequately sized for student and staff needs, and classroom acoustics to support auditory and sensory processing disorders are just three examples. They are critical accessibility improvements inadequately addressed within the ADA guidelines.

Staff believe a narrow focus on compliance jeopardizes timely improvements of high-priority accessibility needs not explicitly outlined in federal guidelines. The proposed ADA Transition Plan timing allows the District to have a thoughtful discussion with the accessibility community over many years about how best to weave together strict ADA compliance with a broader view of accessibility.

### Overall Phasing

Phase	Phase Start Range		Phase End Range
Phase I	2021	–	2024
Phase II	2024	–	2028
Phase III	(2025-28)	–	(2028-38)
Phase IV	(2025-32)	–	(2031-41)

### Phase I

#### Main-level Accessibility: Title I, CSI/TSI<sup>2</sup>, and Focus Option

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<sup>2</sup> Comprehensive Supports and Interventions/Targeted Supports and Interventions. CSI schools are high schools with an overall 4-year graduation rate less than 67 percent, among other indicators. TSI schools are identified by achievement indicators by student group.

Phase I is in progress. Funding has been approved via the 2020 general obligation bond and scope completion is estimated by 2024.

## Phase II

### **Main-level Accessibility: District-wide**

Phase II is in progress. Funding has been approved via the 2020 general obligation bond and scope completion is estimated by 2028.

## Phase III

### **Multi-level access: MS/K-8s, Title I, CSI/TSI, and Focus Option**

Phase III will be considered in the next general obligation bond, anticipated in November 2024. If the scope of Phase III is included in the scope of the 2024 bond and approved by voters, implementation of Phase III could begin as early as 2025. Scheduling constraints, particularly around new elevator installation, will be analyzed during bond planning to provide a specific Phase III completion schedule.

## Phase IV

### **Multi-level access: District-wide**

Phase IV will be considered in the next general obligation bond, anticipated in November 2024. If the scope of Phase IV is included in the scope of the 2024 bond and approved by voters, implementation of Phase IV could begin as early as 2025. Scheduling constraints, particularly around new elevator installation, will be analyzed during bond planning to provide a specific Phase IV completion schedule.



# MEMO

**Date:** March 5, 2021

**To:** Board of Education, Portland Public Schools

**From:** Dan Jung, Chief Operating Officer

**Subject:** ADA Transition Plan - Timeline

## BACKGROUND

The purpose of an ADA Transition Plan is to provide an actionable and coordinated work plan for removing architectural barriers across the buildings and grounds. Stated another way: the plan guides the *transition* to compliance with accessibility guidelines, thereby improving access for individuals with disabilities.

To achieve full accessibility across our schools, District programming must be considered at the systems level to ensure incremental, meaningful access is provided over time. Within the phased improvements outlined below, the main-level accessibility district -wide target by 2026 is one example of a systems approach. Achieving this milestone will provide greater opportunity for individuals experiencing disabilities to attend their neighborhood school by allowing administrators to shift programming to the main building level for accommodation. Phases III and IV target multilevel access District -wide with the goal of full -accessibility District -wide by 2041.

Funding for these improvements is expected to predominantly come from general obligation bonds. Phases I and II funding have already been approved as part of the 2020 GO Bond scope of work. It is anticipated future bond authorizations will fund Phases III and IV. The proposed phasing allows the District to align funding (bond authorizations) with the proposed phasing.

The proposed timing of the phases is an estimate . Staff reviewed various scheduling considerations and provided a schedule that staff believe to be achievable and balances the need to act quickly with project constraints both within and outside PPS’s control.

This memo provides further detail around t he proposed timeline to transition Portland Public Schools to full alignment with Title II of the Americans with Disabilities Act. Specifically, many of the project constraints around elevator installation are described here.

For reference, the phasing, timeframe, and a brief scope description are provided below.

Phase	Years	Scope	Elevator Count
Phase I	2021 - 2023	Main-level Accessibility: Title I, CSI/TSI	0
Phase II	2024 - 2026	Main-level Accessibility: District-wide	0

Phase III	2027 - 2033	Multi-level access: MS/K-8s	12
Phase IV	2034 - 2041	Multi-level access: District-wide	12

The duration and scope of Phases I and II were established with the 2020 School Bond. The respective scopes for Phases III and IV were developed in collaboration with community members. At the same time, the duration of these phases is governed by the project constraints around elevator installation, discussed below.

### 2020 BOND: ACCESSIBILITY

In summer 2020, concurrent with the development of the ADA Transition Plan, the Board of Education weighed three funding scenarios for the then-forthcoming Bond. These options are outlined below:

**One accessible school, per configuration, per cluster.** Staff estimated at the time \$11,000,000 would allow the District to remove barriers at one site for each configuration per cluster. This scenario would enable students experiencing disability to remain, if not in their neighborhood school, in their nearest school cluster. This scenario would address full -building accessibility.

**Two accessible K-5s, one accessible MS, one accessible HS, per configuration, per cluster.** Staff estimated at the time \$17,100,000 would allow the District to remove barriers at two K -5s, one MS, and one HS, per cluster. This option would provide greater support for students experiencing disability by reducing transportation needs, potentially allowing these students to remain at their neighborhood school.

**Main-Level accessibility, dis trict -wide.** Staff estimated at the time \$33,800,000 would allow the District to remove barriers at the main level district -wide. This option would allow building administrators to shift programs within schools to accommodate students experiencing disability, potentially allowing students to attend their neighborhood school regardless of ability.

As mentioned above, engagement for the ADA Transition Plan was ongoing during Bond development. Community dialogues completed prior to the Bond development were unequivocal around accessibility priorities: main -level accessibility district -wide was a logical and necessary first step to a fully accessible district and should be addressed first. Subsequent Board of Education conversations validated and built upon this direction.

### PROJECT CONSTRAINTS: ELEVATORS

Elevators are uniquely complex building modifications. Similar to other targeted scopes of work such as roof replacements or seismic retrofits, various factors limit the number of projects that can be completed simultaneously. The constraints around this work are detailed below; to be sure, no single constraint would hinder the District’s efforts on any given project; rather the cumulative, overlapping nature of these constraints compound against predictable project outcomes.

**Market Capacity.** Elevators have a limited number of vendors in the Portland region. The limited market availability can connect distinct projects through product or trade bottlenecks. Delays in one project can cause downstream impacts for other, later, projects. These market conditions, combined with the narrow construction opportunities permitted by school schedules, invite delays of a year or more for elevator installation.

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work (higher bid amounts due to less competition). The work exceeds market capacity, and no contractors are available to complete the work. We saw an example of this recently when multiple roof replacement bids received only one bid, and another project received no bids, causing the project to be delayed an entire year.

**Unpredictable & invasive nature of impacts** . Documentation on District buildings from the 1920s and 50s is anemic at best. Installing an elevator in an existing structure requires extensive demolition, destructive testing, or both before the precise nature of the project can be fully understood. To name just three examples of unforeseen building conditions: the presence of hazardous materials, unknown structural deficiencies, or unstable soil conditions may all cause costly delays in project delivery.

What's more, elevator installation is a lengthy process, typically between 6-10 months, and impossible to complete over the summer recess. And while project teams can align the most disruptive construction activities when the building is vacant, some impact on the learning environment is inevitable as construction continues through the academic year.

**Necessary coordination of building improvements.** It is common for new elevator installations to trigger other, non-ADA-related building improvements that are unknown until the building permit is submitted. The additional complexity and time to the project schedule for these unknown improvements are non-trivial and can significantly impact a project's scope, schedule, and budget. Examples of additional improvements range from relatively small changes such as modified plumbing systems, to much more complex and invasive requirements including new building-level fire sprinkler systems. To be certain, all of these are worthwhile building improvements; however, they are also difficult to predict as conditions of building permit add uncertainty to phasing timelines that are projecting many years into the future.

**Optimal coordination of building improvements.** In addition to necessary concurrent building improvements, other improvements should be planned in coordination with elevator installation. These include roof replacement and seismic upgrades. When combined, these improvements are more efficient (economy of scale), less disruptive (reduced overall construction time), and work together to improve the overall seismic safety of the building.

In insolation, no single project delay would disrupt the District's transition plan; however, the aggregation of such delays within a discrete building product and niche construction specialty suggests the likelihood of compounded delays is very high.

## OPTIONS & RECOMMENDATION

One question posed to staff: what would be tradeoffs if the overall timeline was moved up?

Staff share three primary considerations regarding moving up the proposed timeline:

### **Focusing on Prioritizing High Impact Accessibility Improvements.**

ADA compliance is a critical goal, and one PPS will achieve. However, PPS's accessibility community has emphasized ADA is only one component of larger accessibility outcomes. As highlighted at the January 12, 2021 work session there are many other critical accessibility improvements that go beyond mere ADA compliance. Accessible playgrounds for all children to play and socialize, restrooms adequately sized for student and staff needs, and classroom acoustics to support auditory and sensory processing disorders are just 3 examples of critical accessibility improvements that are inadequately addressed in ADA. Staff believe a narrow focus on compliance jeopardizes timely improvements of high priority accessibility needs not specifically outlined in federal guidelines. The proposed ADA Transition Plan timing affords the

District the opportunity to have thoughtful discussion with the accessibility community, over the course of many years, about how best to weave together strict ADA compliance with non-ADA high priorities.

### **A Systems Approach Toward a Modernized Building Portfolio.**

PPS has well documented capital improvement needs. Capital planning efforts (including general obligation bond development) review, in total, the District's capital needs and prioritize w high scopes of work to fund. The longer approach allows for overlapping and coordinated funding to support related building improvements (EG: pairing a new elevator with a roof replacement). This strategy suggests a higher initial cost (larger project scop e), but ultimately a more efficient construction -path. Grouping and harmonizing related projects is the best path to move the District systematically toward a modernized building portfolio. Ad Hoc or piecemeal approaches to modernization are inefficient an d should be avoided whenever possible.

Additionally, through the modernization process, accessibility can be studied comprehensively and fully integrated into the social patterns of the building. For example, elevator placement can be coordinated with programming to support social cohesion for students experiencing disabilities.

Outside the context of modernization, elevators are typically located on the exterior of the building; this approach is less invasive and more predictable from a project -delivery perspective. What's lost with an exterior placement, however, is a cohesive student circulation system: individuals with disabilities may have to arrive at school from another area of the building or travel to another part of the building to join collective school activities or change classes. The social value of an integrated accessibility solution cannot be overstated and is far more difficult to achieve outside the context of modernization.

### **Leading with Steadfast Determination and Pragmatism**

This memo outlines the operational and construction considerations that produced the proposed schedule. If the final decision is to compress the timeline of phases III and IV, staff will make every effort to achieve this goal. Due to project constraints highlig hted above, staff believe there is an appreciable risk the reduced timeline would not be met.

Staff recommend maintaining the 20 -year transition plan phasing as the most realistic path toward a fully accessible District.

# Americans with Disabilities Act Transition Plan

December 8, 2021





# pps.net/accessibility



PORTLAND PUBLIC SCHOOLS Portland, Oregon

501 N. Dixon St • Portland, OR 97227 • (503) 916-2000



CALENDAR



ENROLL



CONTACT

- About
- Schools & Learning
- Services
- Volunteer
- Jobs
- Board
- Policies
- Departments**

## Facilities & Asset Management

Home > Departments > Facilities & Asset Management > School Buildings: Conditions and Characteristics > Accessibility

### Department Main Page

+ Building Use (Civic Use of Buildings)

Building Use Guidelines-Compliance

Custodial Services

Design Guidelines & Standards

Education Specifications

+ Energy & Sustainability

Furniture & Moves

Real Estate

Keep Your Buildings Safe

Long-Range Facility Plan

+ Maintenance Services

PPS Site Maps and Data

## Accessibility at Portland Public Schools

Portland Public Schools is committed to equitable access to all programs, for everyone in our community, regardless of ability. We are working to remove barriers of all kinds throughout the District.

Our schools are key institutions in Portland neighborhoods. Creating environments that elevate the health, dignity, and independence for all is critical to our mission. To that end, the District's Americans with Disabilities Act Transition Plan will guide future investment and establish clear sightlines to achieve full-accessibility.

Few schools within the PPS portfolio are fully accessible per ADA requirements and the current estimate to bring all sites in alignment with Oregon building code exceeds \$100,000,000. PPS is in the process of updating its ADA Transition Plan and is currently engaging community feedback. The ADA Transition Plan update process will consider various options for phasing of improvements.

While the current focus is on barriers in the built environment, the broader communication landscape will be considered here. If you need support of any kind, please see the sidebar to the right for additional resources. District employees seeking accommodation should visit the [workplace accommodations page](#).

### Virtual Town Halls

Please see the **Timeline** section below for information on previous Town Halls

### Contact

#### John Lyons

*Sr. Program Manager*  
[accessibility@pps.net](mailto:accessibility@pps.net)

### ADA Transition Plan Documents

- [ADA Transition Plan - Public Review Draft](#)
- [Appendix A: Cost Estimates by Configuration & Building System](#)
- [Appendix B: Cost Estimates by Building Code Category](#)



# Outline for Today

1. **Accessibility at Portland Public Schools**
2. **Purpose of a Transition Plan**
3. **Requirements of the Transition Plan**
4. **Inclusive Play Spaces**
5. **Transition Plan Phasing**

**ADA**  
**≠**  
**ACCESSIBILITY**



# Accessibility at Portland Public Schools

Building Characteristic	Count	Year/ Percent
AVERAGE PRIMARY CONSTRUCTION DATE	-	1944
MEDIAN PRIMARY CONSTRUCTION DATE	-	1949
CONSTRUCTED BEFORE 1930	38	39%
CONSTRUCTED BETWEEN 1930 AND 1960	42	43%
CONSTRUCTED BETWEEN 1961 AND 1990	9	9%
CONSTRUCTED AFTER 1990	9	9%



# Accessibility at Portland Public Schools

Building Characteristic	Count	Year/ Percent
AVERAGE PRIMARY CONSTRUCTION DATE	-	1944
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CONSTRUCTED BETWEEN 1930 AND 1960	42	43%
CONSTRUCTED BETWEEN 1961 AND 1990	9	9%
CONSTRUCTED AFTER 1990	9	9%





# Accessibility at Portland Public Schools

- **89** (91%) of District buildings were constructed before the Americans with Disabilities Act was signed into law
- **24** District buildings need elevators
- **1600+** documented barriers
- To fully transition all District buildings: *estimated* **\$69M** hard costs
- **6** District buildings are completely compliant

# ADA



# Purpose

- The purpose of an ADA Transition Plan is to **transition** a public agency into full compliance with the Americans with Disabilities Accessibility Guidelines (ADAAG)



# ADA Compliance

**Programs can be made accessible in three ways:**

- 1. Programmatic changes, such as providing test material in alternate formats,**
- 2. Moving the program to an accessible site, or**
- 3. Making facility upgrades, “structural modifications,” to the program site**



# Requirements of the Transition Plan

- **Identify barriers**
- **Establish a schedule to remove these barriers**
- **Engagement**



# Community Engagement





# Community Engagement

- Three virtual town halls
- Public review draft of the Transition Plan with a comment form
- Spanish-Language interviews





# Transition Plan Phasing

- Phase I** Main-level Accessibility: Title I, CSI/TSI, and Focus Option
- Phase II** Main-level Accessibility: District-wide
- Phase III** Multi-level access: MS/K-8s, Title I, CSI/TSI, and Focus Option
- Phase IV** Multi-level access: District-wide



# Beyond the ADA

- Playgrounds
- Restrooms
- Acoustics
- Access





# ACCESSIBILITY

**ADA**

# INCLUSIVE PLAY SPACES



# ADA Requirements: Play Spaces



- An accessible path from the building or parking lot to the edge of the play area.
- An accessible path from the edge of the play area to the play equipment.
- Surfacing that complies with ASTM F1951-14



# This play space meets the guidelines of the ADA



# This play space meets the guidelines of the ADA









**Couch Park**









# Accessible Play



# Accessible Play







# Beyond the ADA: Playgrounds



- All playgrounds to be inclusive moving forward

***def.* Inclusive playground:**

- The coolest thing on the playground is accessible by everyone



# Accessible Play: Woodmere





# Accessible Play: Woodmere





### LEGEND

- 1 Swings
- 2 Blue: Orientation path
- 3 Inclusive spinner
- 4 Observation/social seating
- 5 Composite play structure with variety of climbers, bridges, and imagination play features at ground level
- 6 Tube slide
- 7 Dual embankment slide
- 8 Artificial turf mound
- 9 Net climber
- 10 Low embankment slide
- 11 Boulder scramble
- 12 Play bridge
- 13 Musical instruments
- 14 Outdoor classroom with variety of seating
- 15 Sensory play panels
- 16 Quiet/cozy space



# Beyond Federal Requirements: Playgrounds

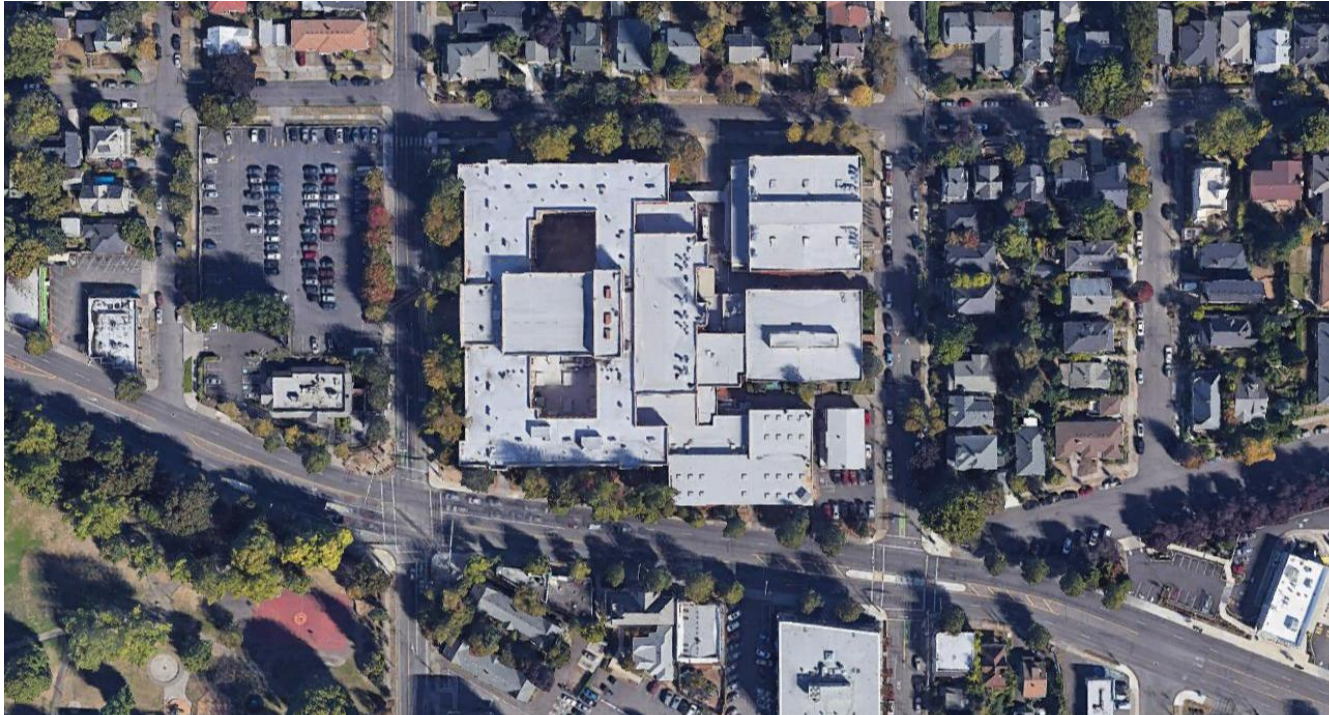


- Carry social meaning
- Ideal setting for social-learning
- Public statement about accessibility

**LEGAL  
BUT NOT  
ACCESSIBLE**

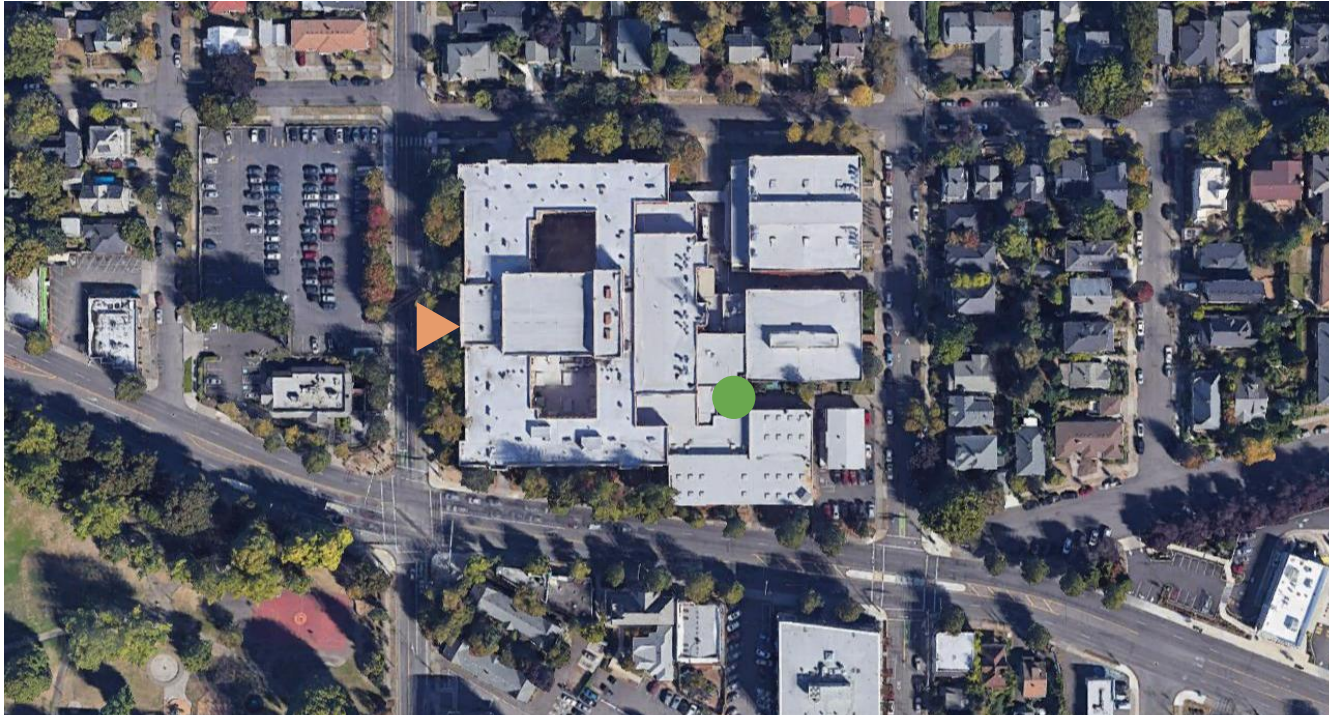


# Legal but not accessible





# Legal but not accessible





# Legal but not accessible



# TRANSITION PLAN



# Transition Plan Phasing

**2020 BOND**



**Phase I**

Main-level Accessibility: Title I, CSI/TSI, and Focus Option

**Phase II**

Main-level Accessibility: District-wide

**Phase III**

Multi-level access: MS/K-8s, Title I, CSI/TSI, and Focus Option

**Phase IV**

Multi-level access: District-wide



**FUTURE  
BONDS**



# Transition Plan Phasing

**2020 BOND**



**Phase I**

**2021 - 2023** Main-level Accessibility: Title I, CSI/TSI, Focus

**Phase II**

**2024 - 2026** Main-level Accessibility: District-wide

**Phase III**

**2027 - 2033** Multi-level access: MS/K-8s, Title I, CSI/TSI, Focus

**Phase IV**

**2034 - 2041** Multi-level access: District-wide



**FUTURE  
BONDS**



# Transition Plan Timeline

- 1. 20-years is a very long time to wait for work that should already be completed**
- 2. 20-years a conservative estimate based on the expected duration of installing 24 elevators**
- 3. Parallel accessibility investments (in things like play spaces) could elevate the experience of our students in the near term while we continue to work toward ADA compliance**

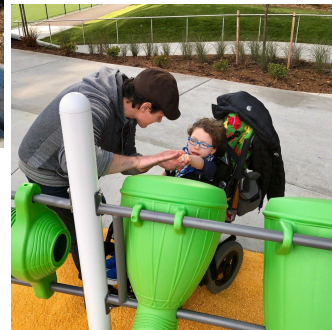
# NEXT STEPS



# Next Steps

- 1. Adopt the ADA Transition Plan**
- 2. Staff are working closely with the community to create additional guidelines to support our students with disabilities**
- 3. Future bonds should include explicit support for accessibility investments beyond the ADA**

# APPENDIX



## Mountain View Champions Park



## Harper's Playground



# ACCESSIBILITY MEANS **MORE** THAN ADA



# Beyond Federal Requirements

- Playgrounds
- Restrooms
- Acoustics
- Access

1. What does the ADA say?
2. Why is it important?
3. Recommended path forward



# Beyond Federal Requirements: Restrooms



- The ADAAG does not address the number of toilet rooms or fixtures required for a building
- ADAAG compliant restrooms can be as small as 35 SF



# Beyond Federal Requirements: Restrooms



- Federal accessibility requirements are insufficient to meet the needs of our students
- These requirements often assume normative adult upper-body strength



# Beyond Federal Requirements: Restrooms



- Standards for Accessible/ Focus Program restrooms developed in dialog with PT/OT/ SPED groups
- Provide one Accessible Restroom per level
- Provide one Focus Program Restroom per building



# Beyond Federal Requirements: Acoustics



- The ADAAG is silent on acoustics
- The 2021 edition of the IBC will describe requirements for classroom acoustics
- ANSI/ASA S12.60 is the prevailing standard and likely inform the language in the 2021 IBC



# Beyond Federal Requirements: Acoustics



- Good classroom acoustics benefit all students
- Good classroom acoustics are critical for students with:
  - Auditory & Sensory processing disorders
  - Speech and language delay
  - Attention issues



# Beyond Federal Requirements: Acoustics



- Acoustical treatments to reduce reverberation time (0.6 to 0.7 seconds) for unoccupied classrooms
- Specify a minimum STC rating for demising walls (TIs & new construction)
- New Construction: meet ANSI/ASA S12.60



# Beyond Federal Requirements: Acoustics

**Kellogg Middle School**





# Beyond Federal Requirements: Access



- 60% of public (unrestricted) entrances must be accessible
- No concession for existing buildings (common misconception)



# Beyond Federal Requirements: Access



From Title II of the ADA: when considering options for barrier-removal... *a public entity must give priority to the one that results in the most integrated setting appropriate to encourage interaction among all users...*



# Beyond Federal Requirements: Access



- Without an accessible primary entrance, students with disabilities are excluded from the social ritual of morning arrival or afternoon dismissal
- Different entrances for different abilities are confusing and potentially dangerous in an evacuation
- Accessible primary entrances better serve the community (predictable, need fewer accommodations)



# Beyond Federal Requirements: Access



- Be intentional about access
- Intentional access means a coordinated solution between the entry, security, busing, and the main office
- Community Input/  
Engagement



# Universal Design: Principles

## Universal Design

- Equitable Use
- Flexibility in Use
- Simple and Intuitive Use
- Perceptible Information
- Tolerance for Error
- Low Physical Effort
- Space for Approach and Use



The door actuator to the left is an **example of universal design**. The push-mechanism extends from the top of the bar to just above the ground, presenting a wider possible reach range than typical button-actuators offer.



# Universal Design: Implementation

Universal Design is Good Design  
Good Design is Universal Design





# Board Zone Redistricting and Voting

**February 22, 2022**





# Zone Redistricting

- Decennial census prompts school districts to adjust zone boundaries to distribute the population equally among electoral districts
- Redistricting DOES NOT change school boundaries
- General rule is that difference in population between zones is within 10%
- Current zones have a maximum differential of 12%
- Total PPS service area population 519,785; target zone population is 74,255





# Current Zone Populations (target is 74,255)

- **Zone 1: 75,048 (over target)**
- **Zone 2: 79,330 (over target)**
- **Zone 3: 79,540 (over target)**
- **Zone 4: 72,145 (under target - 110)**
- **Zone 5: 70,752 (under target - 3,503)**
- **Zone 6: 71,346 (under target - 2,909)**
- **Zone 7: 71,624 (under target - 2,631)**





# Proposed Boundaries

- PSU Population Research Center (PRC) has prepared two proposed plans for consideration:
- **Plan A: “Preservation”** - preserves as much of current boundaries as possible
- **Plan B: “Realignment”** - reconfigures zones along high school attendance zones and neighborhood boundaries.





# Plan A: Preservation

Map:

<https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/219/OverallMapA1.pdf>





# Plan B: Realigned

Map:

<https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/219/OverallMapB1.pdf>





# Type of Voting

- PPS school board currently uses at-large voting (all directors elected city-wide)
- Directors elected by zones (zone residents vote for their representative)
- Combination of at-large and by zone
- ORS 332.132





# Potential for Change

- HB 3310 (2019): Oregon Voting Rights Act provides mechanisms to consider and change the way in which school board directors are elected.
- Two methods for changing how we elect school board directors:
  - 1) Requires public notice to residents of the district about a potential violation/remedy; at least 2 public hearings over a period of not more than 60 calendar days prior to the proposal of any maps; draft maps publicly and then at least two additional public meetings.
  - 2) If a majority of the district school board so decides, the board may provide that directors of the district school board who are nominated from zones also shall be elected from the zones from which they are nominated.





# Timeline for Voting Change

- If Board chooses to pursue a change in how Board Directors are elected using method one (community engagement):
  - The change would not apply until the 2025 election (“may not apply to the first qualifying election after the vote”)
  - Changes to county elections officials by summer 2024.
- If Board chooses to pursue a change by resolution:
  - The change could apply to the 2023 election **BUT ONLY** if the change was communicated to county elections officials by July 2022.





# Questions?



# 2020 Census Redistricting Study: Portland Public Schools

Date: 2022-01-12



---

PRC's mission is to be a world-class center of training and knowledge for solutions to problems in applied demography, including population estimates, projections, geospatial analysis, and census-taking.



Population Research Center

PORTLAND STATE UNIVERSITY

**Population Research Center**, College of Urban and Public Affairs, Portland State University  
Mail Code PRC, PO Box 751, Portland, OR 97207  
Phone: +1 503-725-3922, Email: [askprc@pdx.edu](mailto:askprc@pdx.edu), Website: [pdx.edu/prc](http://pdx.edu/prc)

## Background

---

ORS 332.132 provides that, if a school district is zoned, it “shall divide the district into the necessary number of zones as nearly equal in population, as shown by the latest federal census, as practicable, taking into account attendance areas where possible.” Portland Public Schools (PPS) requested from the Population Research Center (PRC) a proposal for two scenarios for new boundaries for its board member electoral districts (“zones”) that meet these requirements. This summary report describes the data and methodology used to conduct the redistricting analysis, along with final results.

## Data

---

ORS requires use of the latest federal census data, which motivated the use of the Public Law 94-171 Redistricting Data File from the 2020 Census, released during August, 2021.<sup>[1]</sup> Digital boundaries of the current board member zones were obtained via correspondence from CKESD. The redistricting analysis was conducted during census tabulation block level geography, which is the smallest geographic unit at which population and housing counts are available. Block boundaries for the 2020 Census were obtained from the US Census Bureau.<sup>[2]</sup> Building footprints from the Oregon Department of Geology and Mineral Industries (DOGAMI) Statewide building footprints for Oregon (SFBO) dataset were also used to model spatial population distribution.<sup>[3]</sup>

## Methodology

---

PRC developed a Geographic Information System (GIS) workflow to accomplish the following tasks:

- Determine the current population of each board member zone and the total population of the district;
- Adjust boundaries of the current districts so as to make zones as equal in population as feasible, and such that the spread between the lowest and highest population zones is under 10 percent.

These goals were accomplished by adjusting boundaries inside the perimeter of the district by following existing geographic and political boundaries such as major roads, parks or public spaces, neighborhood association and coalition boundaries, city and UGB boundaries, and school attendance zones.

In some cases, census blocks do not align with the boundaries of PPS’s jurisdiction. When this occurred, the total population of a census block was allocated into building footprints within the block, in proportion to the square footage of the building footprints. Then, the population on either side of a line drawn through a block was included with the population of the other blocks wholly contained on either side (Figure 1). This methodology yields more accurate estimates of population than simpler methods.<sup>[4]</sup>



**Figure 1:** Example population estimation per building footprint within a block. Red boundaries indicate a census block. Black boundaries indicate a building. Numbers indicate an actual (if known) or estimated population per building within the block (summing to the block population as reported from the 2020 Census). Figure adapted from [4].

## Results

In the current boundaries, the 2020 Census found that Zones 1 and especially 2,3 grew more quickly than average, and as a result would need to contract. Zones 4,5,6,7 grew less than average and would need to add population (Table 1). The total population of the PPS district is 519,967, translating to a target population (average) of 74,281 persons per district.

**Table 1:** Population of PPS Board Member Zones as of 2020 Census

<b>Baseline: Current Zones</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
TOTAL Population	75,048	79,330	79,540	72,145	70,934	71,346	71,624
Deviation:	767	5,049	5,259	-2,136	-3,347	-2,935	-2,657
Percent	1.0%	6.8%	7.1%	-2.9%	-4.5%	-4.0%	-3.6%
Non-Hispanic, by race:							
White	58,295	56,596	57,356	44,825	50,907	48,637	48,353
Black	1,752	5,455	2,395	6,545	3,916	2,728	2,135
American Indian/Alaska Native (AIAN)	495	447	520	511	376	380	425
Asian	3,635	3,185	6,622	2,941	3,253	7,170	6,919
Native Hawaiian or Pacific Islander (NHPI)	183	185	155	672	153	316	342
Other	513	584	583	462	425	533	422
Two or more races	5,288	5,839	5,524	5,494	4,863	5,128	5,285
Hispanic:							
(Any race)	4,887	7,039	6,385	10,695	7,041	6,454	7,743

To generate the redistricting proposal, two alternatives were generated:

- Plan A attempts to preserve the current boundaries as much as possible.
- Plan B reconfigures board member zones more significantly along high school attendance zones and neighborhood boundaries.

As expected, Plan A maintains most of the features of the current population distribution by race/ethnicity, while Plan B looks somewhat different (Table 2). In particular, Plan B has three zones with 5,000 or more Black residents, compared to two in Plan A. Zone 7 in Plan B has lower Asian and Hispanic populations, while Zone 5 in Plan B has higher Asian and Hispanic populations.

In addition, PPS provided the locations of current board zone members, and PRC determined that under both plans, the proposed zones did not cause any current board member to be moved into a different zone from that in which they currently reside.

**Table 2:** Population of PPS Board Member Zones under 2020 Census Redistricting Proposals

<b>Plan A: "Preservation"</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
TOTAL Population	73,994	74,373	74,142	74,460	74,303	74,631	74,064
Deviation:	-287	92	-139	179	22	350	-217
Percent	-0.4%	0.1%	-0.2%	0.2%	0.0%	0.5%	-0.3%
Non-Hispanic, by race:							
White	57,219	52,568	53,045	45,189	54,075	52,488	50,385
Black	1,767	5,492	2,324	7,165	3,603	2,500	2,075
American Indian/Alaska Native (AIAN)	476	433	512	565	404	334	430
Asian	3,693	3,001	6,387	2,951	3,906	6,573	7,214
Native Hawaiian or Pacific Islander (NHPI)	182	198	151	695	166	246	368
Other	490	537	560	492	446	553	444
Two or more races	5,327	5,474	5,081	5,599	5,189	5,441	5,310
Hispanic:							
(Any race)	4,840	6,670	6,082	11,804	6,514	6,496	7,838
<b>Plan B: "Realignment"</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
TOTAL Population	74,061	74,466	74,075	74,012	74,513	74,266	74,574
Deviation:	-220	185	-206	-269	232	-15	293
Percent	-0.3%	0.2%	-0.3%	-0.4%	0.3%	0.0%	0.4%
Non-Hispanic, by race:							
White	57,330	54,108	52,934	46,634	46,581	51,477	55,905
Black	1,760	4,936	2,331	6,104	6,236	2,141	1,418
American Indian/Alaska Native (AIAN)	473	380	515	535	504	432	315
Asian	3,692	2,955	6,388	3,040	6,421	6,545	4,684
Native Hawaiian or Pacific Islander (NHPI)	178	155	155	675	369	306	168
Other	493	481	557	504	468	540	479
Two or more races	5,281	5,517	5,127	5,589	5,171	5,226	5,510
Hispanic:							
(Any race)	4,854	5,934	6,068	10,931	8,763	7,599	6,095

A basic map of the proposed zones is provided below (Figure 2). Additional maps are included as attachments with additional detail in higher resolution.

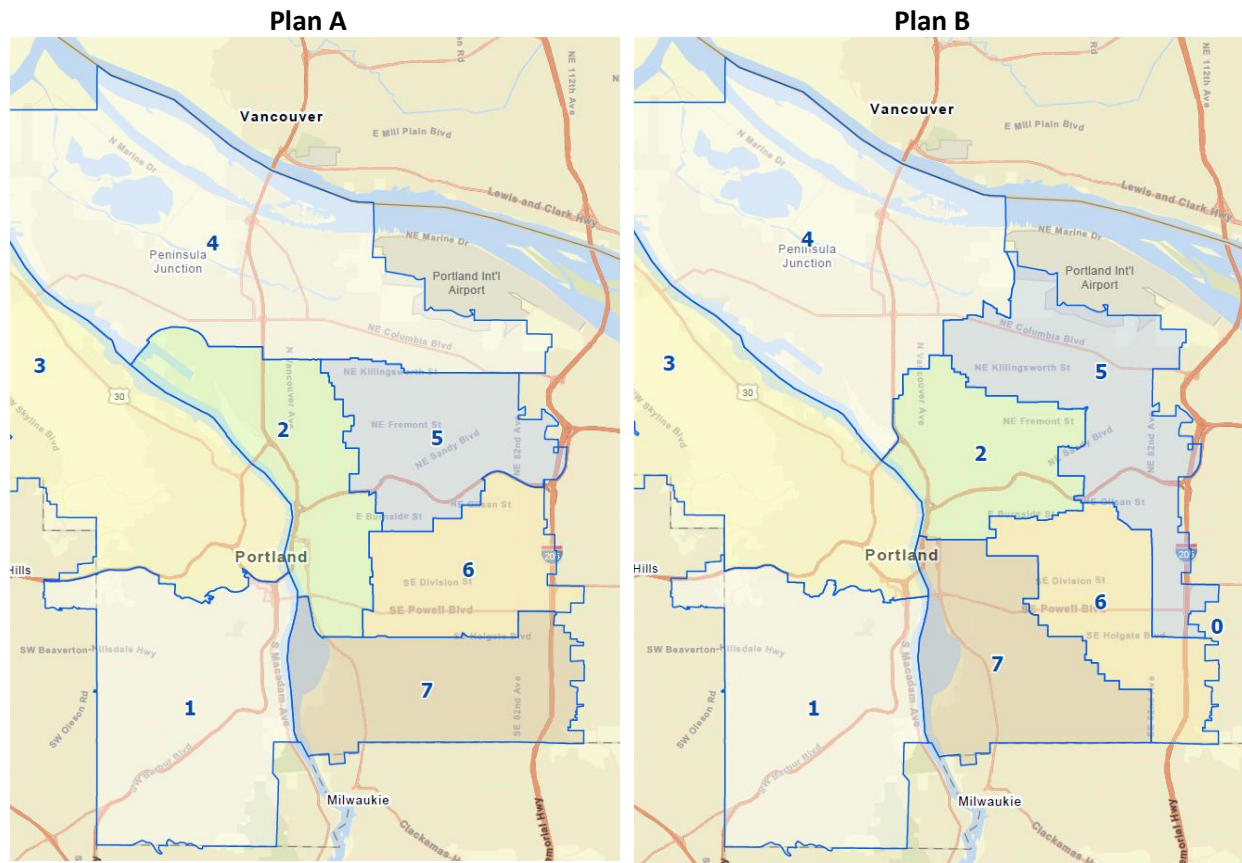


Figure 2: Proposed PPS Board Member Zones (see attachments for further detail).

## Enclosures

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1. GIS format (shapefile) boundaries
2. PDF format maps
3. 2020 Census PL94-171 data for census blocks in the State of Oregon are available in repackaged form at <https://pdx.edu/prc/census-data-oregon>

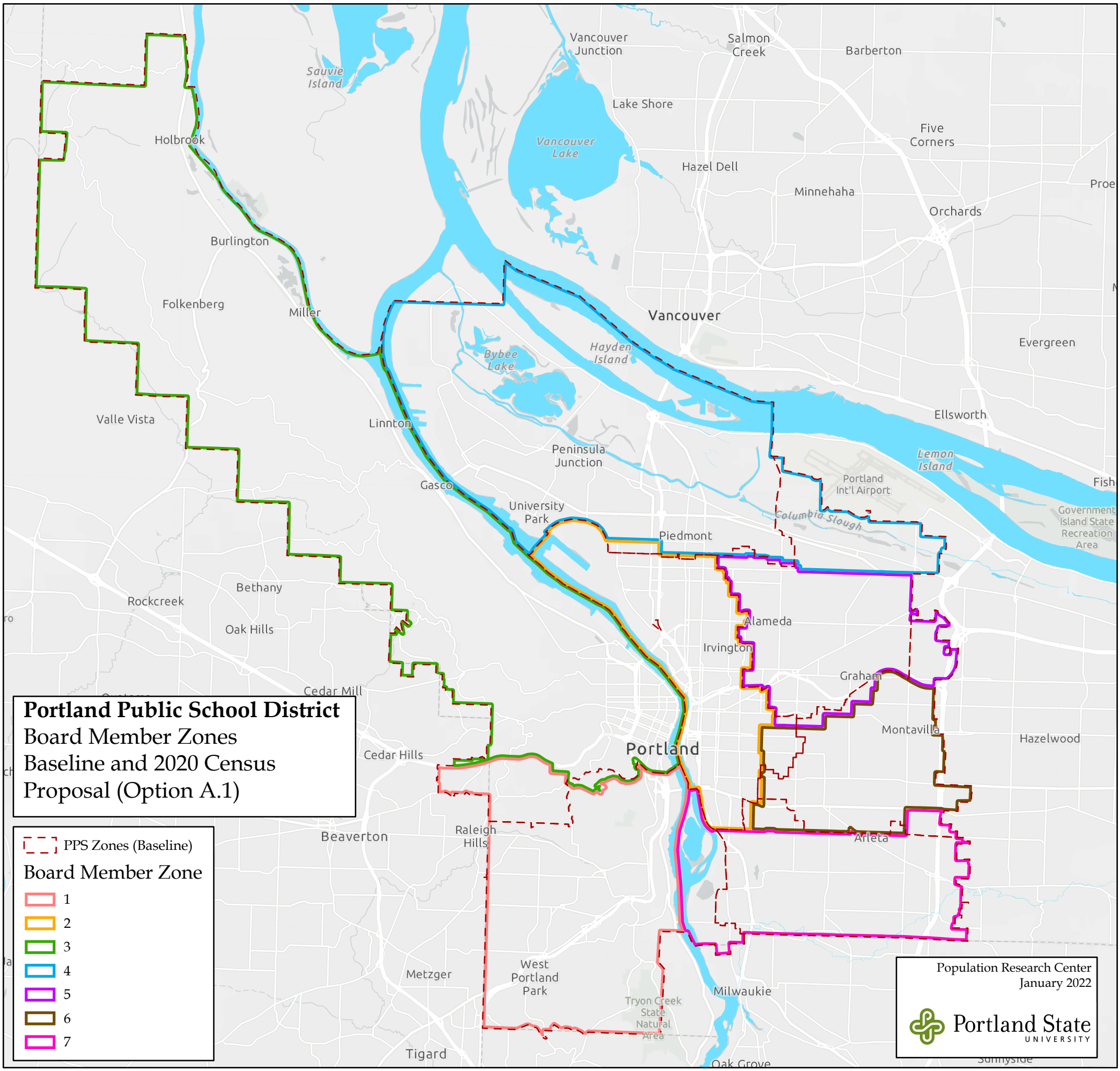
## References

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- [1] U.S. Census Bureau. 2020 Census: P.L. 94-171 Redistricting Data File. August 16, 2021. URL: <https://www.census.gov/programs-surveys/decennial-census/about/rdo/summary-files.html>
- [2] U.S. Census Bureau. 2020 Census: P.L. 94-171 Redistricting Data Shapefiles. January 25, 2021. URL: <https://www.census.gov/geographies/mapping-files/time-series/geo/tiger-line-file.2020.html>

[3] Williams, M. "Statewide building footprints for Oregon: Release 1.0 (SFBO-1)". Oregon Department of Geology and Mineral Industries (DOGAMI), 2021. URL: <https://www.oregongeology.org/pubs/dds/p-SBFO-1.htm>

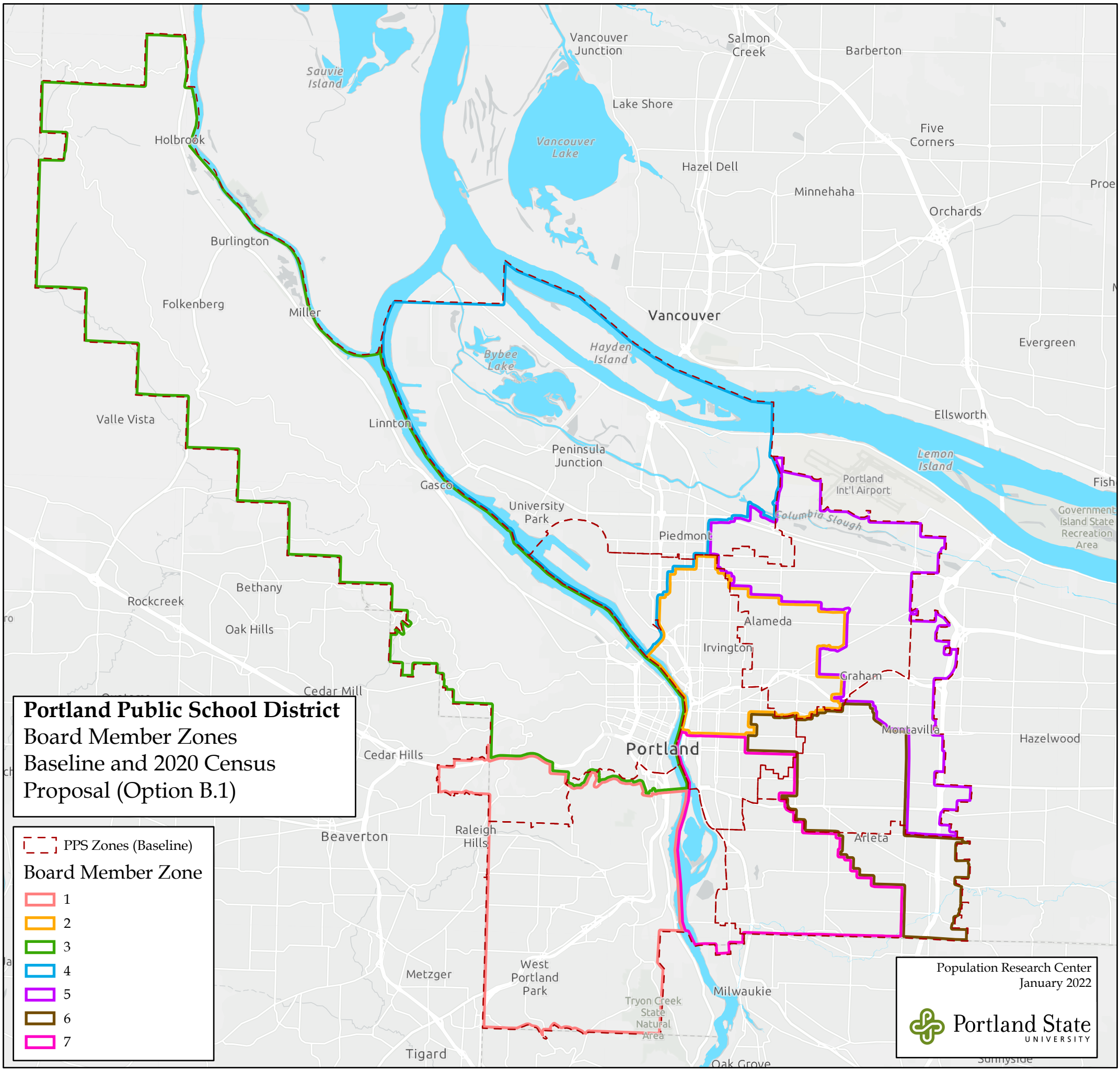
[4] Lwin, K and Murayama, Y. "A GIS Approach to Estimation of Building Population for Micro-spatial Analysis". *Transactions in GIS*, 2009, 13(4): 401-414. doi: 10.1111/j.1467-9671.2009.01171.x



**Portland Public School District**  
 Board Member Zones  
 Baseline and 2020 Census  
 Proposal (Option A.1)

- PPS Zones (Baseline)
- Board Member Zone**
- 1
- 2
- 3
- 4
- 5
- 6
- 7

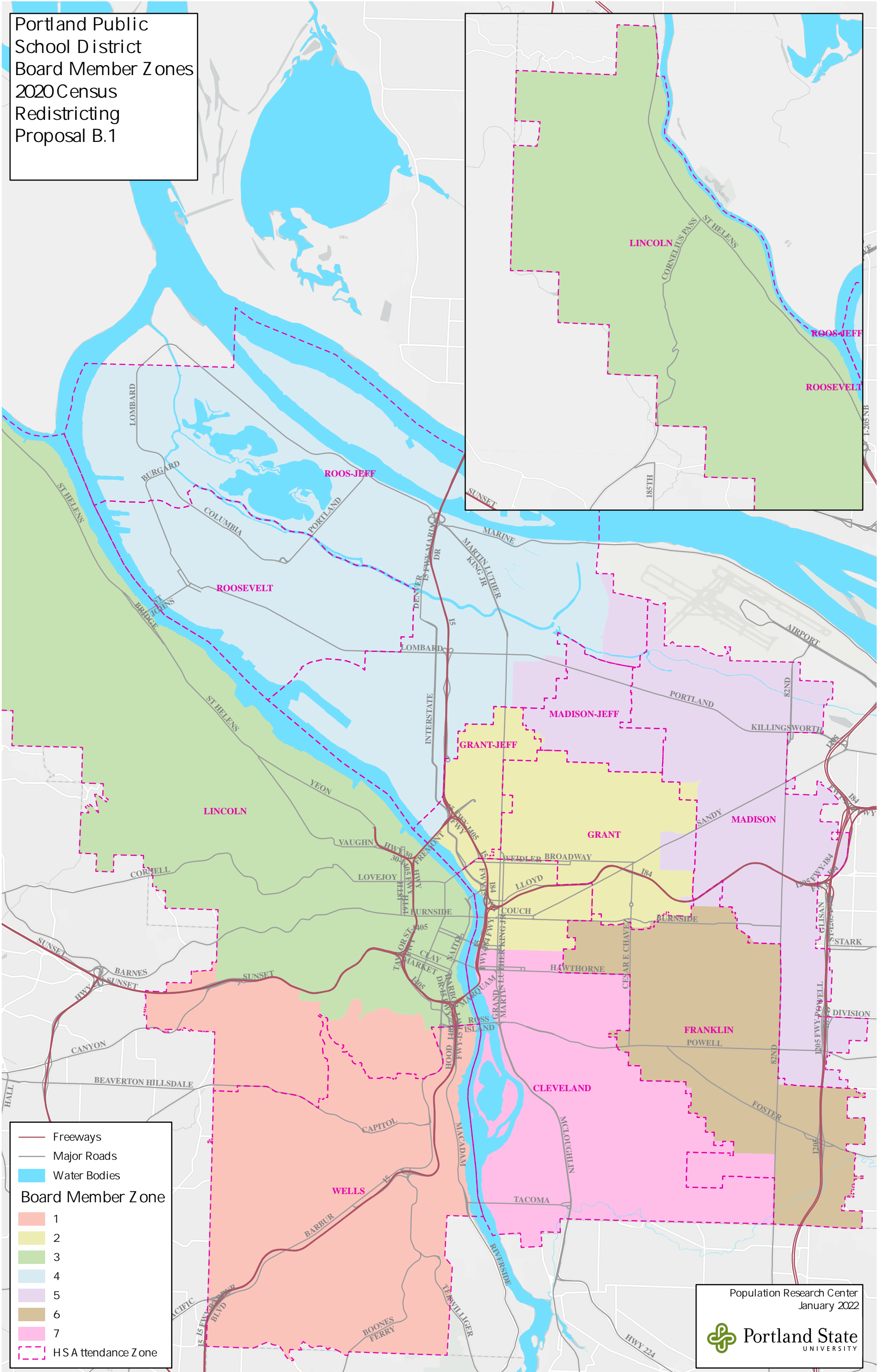




**Portland Public School District**  
 Board Member Zones  
 Baseline and 2020 Census  
 Proposal (Option B.1)

- PPS Zones (Baseline)
- Board Member Zone**
- 1
- 2
- 3
- 4
- 5
- 6
- 7

Portland Public School District  
 Board Member Zones  
 2020 Census  
 Redistricting  
 Proposal B.1



- Freeways
- Major Roads
- Water Bodies

**Board Member Zone**

- 1
- 2
- 3
- 4
- 5
- 6
- 7

HSA Attendance Zone

**Baseline**

	D1	D2	D3	D4	D5	D6	D7	Total
TOTAL Population	75,048	79,330	79,540	72,145	70,934	71,346	71,624	519,967
Non-Hispanic, by race:								
White	58,295	56,596	57,356	44,825	50,907	48,637	48,353	364,969
Black	1,752	5,455	2,395	6,545	3,916	2,728	2,135	24,926
American Indian/Alaska Native (AIAN)	495	447	520	511	376	380	425	3,154
Asian	3,635	3,185	6,622	2,941	3,253	7,170	6,919	33,725
Native Hawaiian or Pacific Islander (NHPI)	183	185	155	672	153	316	342	2,006
Other	513	584	583	462	425	533	422	3,522
Two or more races	5,288	5,839	5,524	5,494	4,863	5,128	5,285	37,421
Hispanic:								
(Any race)	4,887	7,039	6,385	10,695	7,041	6,454	7,743	50,244

**Plan 01 Version 01 "Minimal"**

	D1	D2	D3	D4	D5	D6	D7	Total
TOTAL Population	73,994	74,373	74,142	74,460	74,303	74,631	74,064	519,967
Non-Hispanic, by race:								
White	57,219	52,568	53,045	45,189	54,075	52,488	50,385	364,969
Black	1,767	5,492	2,324	7,165	3,603	2,500	2,075	24,926
American Indian/Alaska Native (AIAN)	476	433	512	565	404	334	430	3,154
Asian	3,693	3,001	6,387	2,951	3,906	6,573	7,214	33,725
Native Hawaiian or Pacific Islander (NHPI)	182	198	151	695	166	246	368	2,006
Other	490	537	560	492	446	553	444	3,522
Two or more races	5,327	5,474	5,081	5,599	5,189	5,441	5,310	37,421
Hispanic:								
(Any race)	4,840	6,670	6,082	11,804	6,514	6,496	7,838	50,244

**Plan 02 Version 01 "Realigned"**

	D1	D2	D3	D4	D5	D6	D7	Total
TOTAL Population	74,061	74,466	74,075	74,012	74,513	74,266	74,574	519,967
Non-Hispanic, by race:								
White	57,330	54,108	52,934	46,634	46,581	51,477	55,905	364,969
Black	1,760	4,936	2,331	6,104	6,236	2,141	1,418	24,926
American Indian/Alaska Native (AIAN)	473	380	515	535	504	432	315	3,154
Asian	3,692	2,955	6,388	3,040	6,421	6,545	4,684	33,725
Native Hawaiian or Pacific Islander (NHPI)	178	155	155	675	369	306	168	2,006
Other	493	481	557	504	468	540	479	3,522
Two or more races	5,281	5,517	5,127	5,589	5,171	5,226	5,510	37,421
Hispanic:								
(Any race)	4,854	5,934	6,068	10,931	8,763	7,599	6,095	50,244

2020 Census Population Enumeration by PPS Board Member Zone:

**Baseline**

Zone	Board Member	Total Population	Deviation from Proportional:	
1	Scott	75,048	793	1.1%
2	DePass	79,330	5,075	6.8%
3	Kohnstamm	79,540	5,285	7.1%
4	Greene	72,145	-2,110	-2.8%
5	Hollands	70,752	-3,503	-4.7%
6	Brim-Edwards	71,346	-2,909	-3.9%
7	Lowery	71,624	-2,631	-3.5%
Total district population:		519,785		
Target size (proportional):		74,255		

**Plan 01 Version 01 "Minimal"**

Zone	Board Member	Total Population	Deviation from Proportional:	
1	Scott	73,994	-261	-0.4%
2	DePass	74,373	118	0.2%
3	Kohnstamm	74,142	-113	-0.2%
4	Greene	74,460	205	0.3%
5	Hollands	74,303	48	0.1%
6	Brim-Edwards	74,631	376	0.5%
7	Lowery	74,064	-191	-0.3%
Total district population:		519,967		
Target size (proportional):		74,281		

**Plan 02 Version 01 "Realigned"**

Zone	Board Member	Total Population	Deviation from Proportional:	
1	Scott	74,061	-194	-0.3%
2	DePass	74,466	211	0.3%
3	Kohnstamm	74,075	-180	-0.2%
4	Greene	74,012	-243	-0.3%
5	Hollands	74,513	258	0.3%
6	Brim-Edwards	74,266	11	0.0%
7	Lowery	74,574	319	0.4%
Total district population:		519,967		
Target size (proportional):		74,281		

## **RESOLUTION No. 6451**

### Resolution to Adopt Revised Non-Discrimination / Anti-Harassment Policy 1.80.020-P

#### **RECITALS**

- A. On January 21, 2022, the Board Policy Committee reviewed and considered the proposed revisions of the Non-Discrimination / Anti-Harassment Policy 1.80.020-P.
- B. On January 25, 2022, the Board presented the first reading of the revised Non-Discrimination/ Anti-Harassment Policy.
- C. Pursuant to District policy, the public comment was open for at least 21 days. Public comment was received during the comment period.
- D. On February 16, 2022 the Board Policy Committee reviewed and considered the public comment.

#### **RESOLUTION**

The Board hereby adopts the revised Non-Discrimination/Anti-Harassment Policy 1.80.020-P and instructs the Superintendent to amend any relevant administrative directives to conform to this adopted policy.



## PORTLAND PUBLIC SCHOOLS

### OFFICE OF General Counsel

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3274

**Date:** February 14, 2022

**To:** School Board

**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel

**Subject:** Staff Analysis Report to the Board

**Policy # and Name:** 1.80.020-P Non-Discrimination/Anti-Harassment Policy

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### **I. BACKGROUND**

In its last session, the legislature joined other states in passing the Crown Act, which prohibits discrimination based on race-based hairstyles. The law expands the protection against discrimination in the workplace and in schools to include “physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type, and protective hairstyles.” The law was signed into effect in June 2021.

### **II. RELATED POLICIES/BEST PRACTICES**

It is best practice to review policies regularly to determine whether they reflect current laws and practices.

### **III. ANALYSIS OF SITUATION**

Incorporating this specific language into the current Policy will protect students and employees from discriminatory practices related to hair and create a more tolerant school environment, as well as bringing the policy into compliance with state law.

### **IV. FISCAL IMPACT**

These changes are not expected to have a material financial impact.

**V. COMMUNITY ENGAGEMENT**

Because the substantive changes made to the policies were driven by legal compliance, no community engagement beyond the public meetings and public comment period was undertaken.

**VI. TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

After passage of the updated Policy, staff will send out a District-wide communication as well as to our union partners.

**VII. STAFF RECOMMENDATION**

Staff recommends that the Board accept the revision recommendations put forward in this report and as approved by the Policy Committee.

**I. I have reviewed this staff report and concur with the recommendation to the Board.**

Approved by Superintendent Direct Report	
Signature	Date

**ATTACHMENTS**

Redline and clean copies of the following documents:

1.80.020-P Non-Discrimination/Anti-Harassment Policy



## **BOARD POLICY**

**1.80.020-P**

### **Non-Discrimination / Anti-Harassment Policy**

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. Race includes physical characteristics that are historically associated with race, including, but not limited to, natural hair, hair texture, hair type and protective hairstyles (a hairstyle, hair color or manner of wearing hair that includes, but is not limited to, braids, regardless of whether the braids are created with extensions or styled with adornments, locs and twists).

The District prohibits discrimination and harassment in all of its programs and operations, including 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 Human Resources (complaint line: 503-916-2990 or [hrlegal@pps.net](mailto:hrlegal@pps.net)), PPS's Title IX Office ([Titleix@pps.net](mailto:Titleix@pps.net)), and the Superintendent. In addition, complaints regarding discrimination may be filed with the United States or Oregon Departments of Education Office for Civil Rights. All complaints regarding sexual harassment and sexual violence shall also be forwarded to the Title IX Office. Complaints may be made anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.

Specific information on where to file a complaint can be found here: [hyperlink landing page]

Retaliation, intimidation, harassment, or threats against any person who in good faith reports, is thought to have reported, or otherwise participates in an investigation of

discrimination or harassment is strictly prohibited, regardless of whether a complaint is substantiated. The good-faith initiation of any complaint of discrimination or harassment by a student will not adversely affect a student's school placement or educational learning environment. The good-faith initiation of any complaint of discrimination or harassment by an employee shall not adversely affect any terms or conditions of employment or work environment of the staff complainant. False reports found to be made in bad-faith shall be regarded as a serious offense and may result in disciplinary action or other appropriate sanctions.

The District shall investigate all complaints of discrimination, harassment, and retaliation.

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 4/10/18; Amd 6/2021; Amd 2/2022

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

**DATE OF FIRST READING: January 25, 2022**

**PUBLIC COMMENT FOR**  
**Policy 1.80.020-P:**  
**Non-Discrimination / Anti-Harassment Policy**

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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.

**Last Date for Comment: February 15, 2022**

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**Summary:**                    **Non-Discrimination / Anti-Harassment Policy 1.80.020-P**

**1<sup>st</sup> Reading by:**        **Director Julia Brim-Edwards**  
Portland Public School Board

**Recommended for a 1st Reading by:**  
Portland Public Schools Board of Education  
Policy Committee

**Draft Policy Web Site:** <https://www.pps.net/Page/11911>

**Contact:**        **Rosanne Powell, Senior Board Manager**  
**Address:**        P.O. Box 3107, Portland, OR 97208-3107  
**Telephone:**    503-916-3741  
**E-mail:**            [schoolboard@pps.net](mailto:schoolboard@pps.net)

<b>Included in Packet</b>	<b>Page</b>
Clean Draft	03
Redlined Policy with Proposed Changes	05
Original Policy	07



## BOARD POLICY

1.80.020-P

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	<p>BOARD POLICY</p> <p><b>Non-Discrimination/ Anti-Harassment Policy</b></p>	<p><b>1.80.020-P</b></p>
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