

Regular Meeting
Tuesday, November 15, 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 - Resolution to Recognize National Native American Heritage Month
(Resolution 6607) *Vote- Public Comment Accepted*
3. 6:20 pm - Resolution to Recognize November 08-12, 2022 as National
School Psychology Week (Resolution 6606) *Vote- public comment accepted*
4. 6:25 pm - Consent Agenda: Resolutions 6608 through 6615 and 6619 *Vote- Public Comment Accepted*
 - 4.(a) Resolution 6608 - Adoption of the Index to the Minutes
 - 4.(b) Resolution 6609 - Expenditure Contracts
 - 4.(c) Resolution 6610 - Revenue Contracts
 - 4.(d) Resolution 6611 - Authorizing Off-campus Activities
 - 4.(e) Resolution 6612 - Approving Board Member Attendance as a Representative of
the Board
 - 4.(f) Resolution 6613 - Dismissal of a Contract Educator
 - 4.(g) Resolution 6614 - Jefferson High School Modernization Project: Exemption from
Competitive Bidding and Authorization for Use of a Construction Manager/ General
Contractor Alternative Contracting Method
 - 4.(h) Resolution 6615 - Appointing a Chair to the Climate Crisis Response Committee
(CCRC)
 - 4.(i) Resolution 6619 - Settlement Agreement
5. 6:30 pm - Student and Public Comment
 - Student Comment
 - Public Comment
 - Comment from Portland Association of Teachers (PAT)
 - Comment from the Portlaned Federation of School Professionals
(PFSP)
6. 6:55 pm - Student Representative's Report
7. 7:00 pm - Board Committee and Conference Reports
8. 7:10 pm - Resolution Approving the Racial Equity and Social Justice Community
Advisory Committee Charter Committee Members
(Resolution 6617) *Vote- Public Comment Accepted*
9. 7:25 pm - First Reading of Policy Rescissions
 - School Demonstrations 3.40.030-P
 - Solicitations - Community Campaigns 3.30.037-P
10. 7:30 pm - Resolution 6616 - Settlement Agreement
11. 7:40 pm - Resolution to Approve the Appointment of Metro Policy Advisory
Committee Member (Resolution 6618)

12. 7:45 pm - Student Investment Account (SIA) Annual Report to the Board and Update on the Strategic Plan and Year-Long Priorities
13. 8:05 pm - Other Business / Committee Referrals
14. 8:10 pm - Adjourn

RESOLUTION No. 6607

Resolution Proclaiming the Celebration of National Native American Indian Heritage Month in Portland Public Schools

RECITALS

- A. Native American Indians are descendants of the original, indigenous inhabitants of what is now the United States;
- B. The Portland Metro region rests on the traditional lands of the Bands of the Chinook, Multnomah, Clackamas, Tualatin, Molalla, Kalapuya, Wasco, Cowlitz and Kathlamet tribes. These tribes established their communities in a resource rich area where they traded and fished along the rivers and harvested those natural resources that fed and maintained their families. In the 1950's, under Federal Relocation Policy a large segment of the Native population in the US was forced to relocate to several major cities of which Portland was one. This has added to the diversity of tribal representation in the region; Portland boasts one of the largest, and most diverse urban Native American populations in the US;
- C. The history of Native American Indians; is rich with those who positively influence and enrich our nation, our society, our region, our state, and our schools through their entrepreneurship, commitment to community service, deep value of justice and liberty, and social and cultural life;
- D. On August 3, 1990, President of the United States George H. W. Bush declared the month of November as National American Indian Heritage Month, thereafter commonly referred to as Native American Heritage Month;
- E. Native American Indians have made profound contributions and continue to make advances in education, medicine, art, culture, and public service and been a consistent and vital influence in our nation's growth and prosperity;
- F. The Portland Metro's Native American Indian Community is diverse and growing with the population estimated to be nearly 70,000. As Portland is a relocation site, PPS students represent more than 150 tribal nations. As such, we are humbled by Native American Indian employees, families and community's contribution to the accomplishment of PPS's mission;
- G. Understanding Native American Indian history is an important part of celebrating Native American Heritage Month;
- H. The Oregon Indian Education Association introduced and Oregon Governor Brown signed into law Senate Bill 13, Tribal History/Shared History in the 2017 legislative session. This Bill called upon the Oregon Department of Education (ODE) to develop a statewide curriculum relating to the Native American experience in Oregon, including tribal history, tribal sovereignty, culture, treaty rights, government, socioeconomic experiences, and current events.

Tribal History/Shared History is one of 11 objectives identified in ODE's American Indian/Alaska Native State Plan, in which "Every school district in Oregon implements historically accurate, culturally embedded, place-based, contemporary, and developmentally-appropriate American Indian curriculum..." Oregon is one of several states adopting similar efforts to reaffirm the state's commitment in preserving tribal cultural integrity and the education of our citizens.

In May 2018, ODE facilitated coordination of the creation of Essential Understandings of Oregon's American Indians, which has been used to develop American Indian curriculum and assessment tools for 4th, 8th, and 10th grades aligning with state standards in the following content areas: English Language Arts, Science, Math, Social Science, and Physical Education/Health. Portland Public Schools Office of Indian Education, Office of Teaching and Learning and Office of Schools are engaged in this vital statewide work.

As of January 2020 the State of Oregon requires implementation of Tribal History/Shared History within all K-12 school districts throughout the state. The Office of Schools and Office of Teaching and Learning will work together to support the implementation of this curriculum K-12, as a

foundational and fundamental element of our culturally responsive teaching and learning for the students in Portland Public Schools.

- I. Portland Public Schools has a Racial Education Equity Policy that states our commitment to affirmatively overcome the educational barriers that have resulted in a persistent, unacceptable achievement gap for Black and Native students and to give each student the opportunity and support to meet his or her highest potential;
- J. Closing opportunity gaps while raising achievement for all students is the top priority of the Board of Education, the Superintendent and all district staff;
- K. The Portland Public Schools Board of Education believes each and every student is to be celebrated and appreciated for the distinct and vibrant contributions made by sharing cultures, language, ideas, beliefs and values within a school community. Tonight we are celebrating Native American students.

RESOLVED

- 1. The Portland Public Schools Board of Education hereby promotes November 1 through November 30th as Native American Indian Heritage Month and encourages staff, students, and community to observe, recognize, and celebrate the culture, heritage, and economic contributions of Native Americans to our Oregon and the United States through culturally relevant activity, and to learn from the past and understand the experiences that have shaped the United States.
- 2. The Superintendent or his designee shall work with all schools in the district to recognize Native American Indian Heritage Month through culturally relevant lessons and activities In November and throughout the school year.

RESOLUTION No. 6606

Resolution to Recognize November 8-12, 2022 as National School Psychology Week

RECITALS

- A. "School psychologists work to ensure the protection of the educational rights, opportunities, and well being of all children, especially those whose voices have been muted, identities obscured, or needs ignored," National Association of School Psychologists (NASP) Board of Directors, April 2017.
- B. School psychologists in Portland Public Schools are especially skilled in the provision of school-based mental and behavioral health, Multi-Tiered Systems of Support that meet the academic and social emotional needs of all students, and services for students with disabilities that ensure equitable educational access and are consistent with special education law.
- C. School districts and local educational agencies should continue to work with school psychologists to implement the National Association of School Psychologists' organizational principles that facilitate school psychologists' engagement in all tiers of Multi-Tiered Systems of Support in partnership with school teams, teachers, students, families, and community partners to ensure that student supports, programs, learning strategies and educational decisions prepare students to realize the Graduate Portrait and lead a more socially just world.

RESOLUTION

The Board of Education of Portland Public Schools extends greetings and best wishes to all observing November 8-12, 2022 as National School Psychology Week.

RESOLUTION No. 6608

The Following Index to the Minutes are offered for Adoption

- November 01, 2022 – Work Session with a consent agenda



Index to the Minutes

(Draft for Approval)

Work Session with Consent Agenda

November 01, 2022

This document is a record of the actions taken by the Board of Education at the Work Session with Consent Agenda held on November 01, 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=XsWo-1nYnL8&list=PL8CC942A46270A16E&index=5&t=1527s>

Board Member Attendance

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

Absent: None

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Actions Taken.....	02
Statements for the Record	NA

RESOLUTIONS

<u>No.</u>	<u>Resolution Title</u>	<u>Page</u>
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ACTIONS TAKEN

- **Consent Agenda – Resolutions 6601 through 6605**

Director Kohnstamm moved and Director Greene seconded the motion to approve the Consent Agenda, including Resolutions 6601 through 6605. The motion was put to a voice vote and passed (7 yes – 0 no).

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 McMahon: Yes (Unofficial)

RESOLUTION No. 6601

The Following Index to the Minutes are offered for Adoption

- October 11, 2022 – Regular Meeting
- October 25, 2022 – Regular Meeting

RESOLUTION No. 6602

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
Freedom Express LLC	11/2/22 through 10/31/25	Services S 92347	Provide transportation services to District students who are unable to be served by a school bus and as determined by their IEP. Approved Special Class Procurement – Secure and Specialized Transportation PPS-47-0288(19)	\$550,000	D. Jung Fund 101 Dept. 5560	No
3 Diamonds Construction	11/2/22 through 6/30/23	Construction C 92192	Construction of a storage enclosure at Wilcox. Invitation to Bid – Construction ITB 2022-032	\$194,090	D. Jung Fund 205 Dept. 5430 Grant G2070	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

No New Cooperatives

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Portland Public Schools	7/1/22 through 6/30/23	Intergovernmental Agreement IGA 92337	Columbia Regional Inclusive Services will provide regional services to eligible individuals with Autism Spectrum Disorder.	\$1,015,300	C. Proctor Fund 205 Dept. 5433 Grant G2070

AMENDMENTS TO EXISTING CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Amendment Amount, Contract Amount	Responsible Administrator, Funding Source
Multnomah Education Service District	7/1/22 through 6/30/23	Intergovernmental Agreement / Master Contract MSTR 90379	Year two of two-year master contract to cover all contracted services provided to District by MESD.	\$5,000,000 \$8,000,000	N. Delgadillo Funding Source varies

RESOLUTION No. 6603

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”)

Contractor	Contract Term	Contract Type	Description of Services	Contract Amount	Responsible Administrator, Funding Source
Reynolds School District	7/1/22 through 6/30/23	Intergovernmental Agreement / Revenue IGA/R 92351	Columbia Regional Inclusive Services will provide ASL interpreter services.	\$186,515	C. Proctor Fund 299 Dept. 5422 Grant S0031

No New Intergovernmental Agreements/Revenue Contracts

AMENDMENTS TO EXISTING REVENUE CONTRACTS

Contractor	Contract Term	Contract Type	Description of Services	Amendment Amount, Contract Amount	Responsible Administrator, Funding Source
State of Oregon	7/1/22 through 6/30/23	Intergovernmental Agreement / Revenue IGA/R 91413 Amendment 1	One year extension of grant funding for Long Term Care and Treatment educational programs.	\$4,710,034 \$9,937,942.30	C. Proctor Funding Source varies

RESOLUTION No. 6605

Resolution to Appoint a Member to the Community Budget Review Committee

RECITALS

- A. The mission of the Community Budget Review Committee (CBRC) is to review, evaluate, and make recommendations to the Board of Education (Board) regarding the Superintendent's Proposed Budget and other budgetary issues identified by the CBRC or the Board. The CBRC receives its charge from the Board.
- B. On November 5, 2019, the voters of the Portland Public School (PPS) District passed a renewal Local Option Levy, Measure 26-207, which became effective in 2020, which mandated independent community oversight to ensure tax dollars are used for purposes approved by local voters, and the CBRC serves that function for PPS.
- C. The CBRC is composed of eight to twelve volunteer members. The Board appoints members to three year terms with one or two student members appointed to a one-year term.
- D. The Board recognizes that District employees and community members bring specialized knowledge and expertise to the CBRC and budgetary review process. The Board instructs all CBRC members to employ discretion, avoid conflicts of interest or appearance of impropriety, and exercise care in performing their duties.
- E. Three members of the committee are in the last year of their three-year term; Lisa Selman, Renee Anderson and Elona Wilson were appointed two years ago to serve through June 30, 2023. One member is entering their second year; Roger Kirchner was appointed last year to serve through June 30, 2024. Seven members were appointed this year to serve a three year term through June 30, 2025; Dashielle Elliott, Grace Groom, Paul Freese, Mariah Dula, Sonya Harvey, Stephan Lindner and Tasha Ferguson. Two student representatives were appointed this year to serve a one year term ending June 30, 2023; Oscar Calvert and Max Niederman.
- F. New members were appointed by the board on October 25th, 2022 and one additional interview took place after new members were appointed. The candidate was initially chosen by the pre-selection panel, however, the interview could not be scheduled prior to the board deadline.
- G. All applications have now been reviewed, and selected applicants have been interviewed. After the interview phase a group of both pre-selection and interview panelists convened to discuss the final scores. They concluded their thoughts and made the decision to include an additional selection bringing the total number of selected applicants to ten. The CBRC Selection Committee recommends the Board appoint Karanja Crews.
- H. The CBRC pre-selection panel members were: Board Director Eilidh Lowery, CBRC member Lisa Selman, CBRC member Roger Kirchner and Community Engagement Specialist Maria Hernandez. The Interview panel members were: Board Director Eilidh Lowery, Board Vice-Chair Gary Hollands, CBRC member Elona Wilson, CBRC member Lisa Selman, CBRC member Roger Kirchner, two current PPS students, Community Engagement Specialist Maria Hernandez, and Confidential Executive Assistant Jordan Cooper.

RESOLUTION

Karanja Crews is hereby appointed as a member of the Community Budget Review Committee for a three-year term through June 30, 2025.

RESOLUTION No. 6609**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
CDR Labor Law LLC	11/16/22 through 6/30/24	Legal Services LS 92404	Provide legal services on an as-needed basis. Direct Negotiation – Legal Services PPS-46-0525(13)	\$300,000	L. Large Fund 101 Dept. 5430	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
Organization for Educational Technology & Curriculum (OETC)	11/16/22 through 6/30/25	OETC COA 92358	Fulfillment of hosted voice over internet protocol service and equipment.	\$5,000,000	D. Wolff Funding Source Varies	NA - Nonprofit
Organization for Educational Technology & Curriculum (OETC)	11/16/22 through 7/18/25	OETC COA 92394	Purchase of physical security products and services.	\$5,000,000	D. Wolff Funding Source Varies	NA - Nonprofit
PortionPac Chemical Corp.	11/17/22 through 7/31/23 Option to renew for up to four additional years through 7/31/27	Harris County Department of Education Choice Partners COA 92405	Purchase of food safety and sanitation systems, service plan, just-in-time delivery of detergents, dispensing equipment and educational accessories for District-wide use.	\$600,000	D. Jung Funding Source Varies	No

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No new IGAs

AMENDMENTS TO EXISTING CONTRACTS

Contractor	Amendment Term	Contract Type	Description of Services	Amendment Amount, Contract Amount	Responsible Administrator, Funding Source	Certified Business
Vocovision, dba Blazerworks	11/16/22 through 6/30/23	Personal Services PS 92040 Amendment 1	Contractor will continue to provide speech language pathologists to serve PPS students, increasing service an additional two days per week. Direct Negotiation – Unique Knowledge and/or Expertise PPS-46-0525(4)	\$35,840 \$185,280	C. Proctor Fund 101 Dept. 5414	No
Catalyst Pathways	11/16/22 through 6/30/23	Personal Services PS 90224 Amendment 2	Contractor will continue to provide tutoring services to students under Title I. Request for Proposals 2019-2698	\$75,000 \$200,000	C. Proctor Fund 205 Dept. 5407 Grant G2051	No

RESOLUTION No. 6609

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
CDR Labor Law LLC	11/16/22 through 6/30/24	Legal Services LS 92404	Provide legal services on an as-needed basis. Direct Negotiation – Legal Services PPS-46-0525(13)	\$300,000	L. Large Fund 101 Dept. 5430	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
Organization for Educational Technology & Curriculum (OETC)	11/16/22 through 6/30/25	OETC COA 92358	Fulfillment of hosted voice over internet protocol service and equipment.	\$5,000,000	D. Wolff Funding Source Varies	NA - Nonprofit
Organization for Educational Technology & Curriculum (OETC)	11/16/22 through 7/18/25	OETC COA 92394	Purchase of physical security products and services.	\$5,000,000	D. Wolff Funding Source Varies	NA - Nonprofit
PortionPac Chemical Corp.	11/17/22 through 7/31/23 Option to renew for up to four additional years through 7/31/27	Harris County Department of Education Choice Partners COA 92405	Purchase of food safety and sanitation systems, service plan, just-in-time delivery of detergents, dispensing equipment and educational accessories for District-wide use.	\$600,000	D. Jung Funding Source Varies	No

NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)

No new IGAs

AMENDMENTS TO EXISTING CONTRACTS

Contractor	Amendment Term	Contract Type	Description of Services	Amendment Amount, Contract Amount	Responsible Administrator, Funding Source	Certified Business
Vocovision, dba Blazerworks	11/16/22 through 6/30/23	Personal Services PS 92040 Amendment 1	Contractor will continue to provide speech language pathologists to serve PPS students, increasing service an additional two days per week. Direct Negotiation – Unique Knowledge and/or Expertise PPS-46-0525(4)	\$35,840 \$185,280	C. Proctor Fund 101 Dept. 5414	No

RESOLUTION No. 6610

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

Contractor	Amendment Term	Contract Type	Description of Services	Amendment Amount, Contract Amount	Responsible Administrator, Funding Source
Oregon Department of Education	7/1/22 through 6/30/23	Intergovernmental Agreement / Revenue IGA/R 91156 Amendment 1	This amendment adds funds and extends the end date for the Measure 98 High School Success grant.	\$12,744,282 \$24,383,338	C. Proctor Funding Source Varies
Oregon Department of Education	7/1/22 through 6/30/23	Intergovernmental Agreement / Revenue IGA/R 89920 Amendment 2	This amendment adds funds and extends the end date for the PPS Grow Your Own Teacher Pathway Partnership.	\$700,000 \$1,395,635	S. Reese Fund 205 Dept. 5449 Grant G2044

RESOLUTION No. 6612

Approving Board Member Conference Attendance as Representatives of the Board

RECITALS

Board Policy 1.40.070 requires Board approval for individual Board members to attend state or national meetings as representatives of the Board.

RESOLUTION

The Board affirms Directors Michelle DePass, and Herman Greene to attend the Council of Urban Board of Education Annual Conference in Miami, Florida from December 8, 2022 through December 10, 2022.

RESOLUTION No. 6613

Dismissal of a Contract Educator

RECITALS

- A. The Board has reviewed the evidence submitted along with the Superintendent's recommendation for dismissal. These documents are confidential and will be kept in the employee's personnel file.
- B. The Board met in Executive Session on November 1, 2022, prior to making a decision. The Board will notify the employee in writing of the outcome of the Board's decision.

RESOLUTION

The Board of Education affirms the Superintendent's recommendation to terminate the employee.

RESOLUTIONS No. 6614

Jefferson High School Modernization Project: Exemption from Competitive Bidding and Authorization for Use of a Construction Manager/ General Contractor Alternative Contracting Method

RECITALS

- A. The Board of Directors of Portland Public Schools ("District") is the Local Public Contract Review Board ("Board") pursuant to ORS 279A.060.
- B. ORS 279C.335(2) authorizes the Board to exempt certain public contracts or classes of contracts from the standard competitive bidding process otherwise required by the Public Contracting Code and Rules upon certain findings.
- C. In a duly and legally held election on November 3, 2020, general obligation bonds were approved by a majority of the qualified voters of Portland Public Schools voting at the election ("2020 Capital Improvement Bonds").
- D. The District intends to begin the Jefferson High School Modernization Public Improvement Project ("Jefferson Modernization Project") as part of the 2020 Capital Improvement Bond work.
- E. Staff has determined that use of the Construction Manager/ General Contractor ("CM/GC") alternative contracting method is the preferred method of delivery for the complex Jefferson Modernization Project. This determination is supported by draft Findings of Fact ("Draft Findings") presented to the Board pursuant to ORS 279C.335.
- F. These Draft Findings specify the cost savings and design, scheduling, operational, safety, and logistical advantages gained through use of the CM/GC contracting method.
- G. On October 18, 2022, the District issued a public notice in the Business Tribune announcing the District's intent to utilize the CM/GC alternative contracting method for the Jefferson Modernization Project. The notice was issued in compliance with ORS 279C.335 and the PPS Public Contracting Rules. The Draft Findings were made available for public review and comment on the date of publication.
- H. The District held a public hearing on the Draft Findings on November 2, 2022.
- I. The Superintendent recommends approval of the exemption from Competitive Bidding and approval of the CM/GC alternative contracting method for solicitation and completion of the Jefferson Modernization Project.

RESOLUTION

1. The Board hereby adopts the Draft Findings in support of use of the CM/GC alternative contracting method for the Jefferson Modernization Project ("Findings").
2. The Board hereby exempts the Jefferson Modernization Project from competitive bidding requirements as provided in ORS 279C.335 and PPS Public Contracting Rules -49-0600 through PPS-49-0690. The exemption is based upon the Findings pursuant to ORS 279C.335(2).
3. Pursuant to these Findings and decision, the Superintendent or his designee is hereby authorized to conduct a CM/GC alternative contracting process for the Jefferson Modernization Project.



PORTLAND PUBLIC SCHOOLS OFFICE OF SCHOOL MODERNIZATION

501 North Dixon Street / Portland, OR 97227
Telephone: (503) 916-2222/ Fax: (503) 916-3253
Mailing Address: P. O. Box 3107 / 97208-3107

Date: October 5, 2022

To: Board of Education

From: Marina Cresswell
Senior Director, Office of School Modernization

Subject: Draft Findings in Support of Alternative Contracting Method and Use of Construction Manager/General Contractor Method for Jefferson High School Modernization Project

REQUEST: Staff requests that the Board of Education (Board), acting as the Local Contract Review Authority for the Portland Public School District (District), grant an exemption from the traditional Design-Bid-Build low-bid procurement process and approve the use of an Alternative Contracting Method for the construction of Jefferson High School Modernization (the “Project”). Specifically, staff seeks to use a Construction Manager/General Contractor (“CM/GC”) to select the contractor (“Proposer”) for the Project.

PROJECT DESCRIPTION: The 2020 School Improvement Bond includes funding to renovate Jefferson High School to allow for full modernization of the facility. The buildings require major improvements and upgrades to optimize the school’s operational and learning environments. The Jefferson High School Modernization Project includes, but is not limited to, seismic retrofit, hazardous material abatement, mechanical/electrical/plumbing upgrades, structural reinforcing, onsite storm water management, building additions, and informational technology improvements, as well as new interior partitions, architectural finishes, and site/landscaping improvements. The total project budget is \$311M, from the 2020 voter approved bond funds. The cost of construction is estimated to be approximately \$220M of the overall budget. The Project schedule has targeted early 2024 as the approximate start date for Project-related construction.

The project will address many challenges and require careful planning and coordination during the design and construction phases to complete them effectively and efficiently. Detailed budget and schedule controls are essential to the project’s success. It will be important to utilize a construction firm with the following specific traits:

- Ability to provide a complete project within the District’s budget for the project – cost overruns take away funds from other, necessary bond-funded projects;
- An exemplary history of on-time delivery with an aggressive timeline – the facilities to be

developed by the project must be delivered in a timely manner due to program and enrollment needs;

- Company and staff skills and experience with projects of this size, scope and complexity – relevant project experience lowers the risk of cost and schedule overruns due to better understanding of project needs, availability of appropriate company resources for size and complexity;
- Ability and commitment to in-depth and innovative approaches in engaging the local subcontracting community in support of the District's Equity in Public Purchasing and Contracting programs;
- Utilization of staging and construction means and methods that are sensitive to the occupied school facility, site and surrounding residential neighborhood – construction work will be occurring around occupied facilities and tight urban constraints;
- Flexibility and creativity in addressing unique opportunities and unforeseen conditions – existing infrastructure often provides unexpected challenges with a short timeline for resolution; and
- An understanding of the importance of a collaborative and tightly integrated project team.

CM/GC ALTERNATIVE CONTRACTING METHOD: The conventional design-bid-build contracting methodology (DBB) that represents the basis of public improvement contracting in the State of Oregon would expose the District to a significant amount of risk based on the parameters of this project. DBB, which only considers the lowest priced bid that conforms to the bidding requirements, does not allow the District to consider any of the above qualities when selecting the most appropriate contractor. The CM/GC alternative contracting process is authorized for procurement of construction services under ORS 279C.337, provided that the Local Contract Review Board approves an exemption from competitive bidding. Under the CM/GC contracting method:

- The contractor is solicited early in the design phase pursuant to a competitive Request for Proposals (RFP) process wherein selection is based upon evaluation of factors relating to the experience, expertise, and project approach of the contractor rather than lowest bid.
- The contractor works with the owner and architect to develop the final design with the goals of improved constructability and value engineering, which results in fewer change orders and the ability to expedite the construction schedule. Under the standard design/bid/build (low bid) method, the design is completed before the project is bid and the contractor brought on board.
- During the design phase, the owner and contractor negotiate and agree on a guaranteed maximum price ("GMP") and the construction schedule for the construction phase of the project.
- Unlike traditional design-bid-build procurement, the CM/GC project delivery method allows for construction to begin before design is complete (via Early Work Amendments), reducing the overall project schedule.

CM/GC is the commonly used alternative contracting method by local governments for large, complex projects such as major modernizations involving existing buildings and sites like the Jefferson High

School Modernization Project.

FINDINGS: Following are the factors for consideration under ORS 279C.335 (2), in **bold**, followed by staff's findings.

“(a) The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts.”

The requested exemption will not encourage favoritism or substantially diminish competition. The District will utilize a competitive Request For Proposal (“RFP”) process. That procurement is formally advertised with public notice and disclosure of the planned Alternative Contracting Method. Full competition will be encouraged and this competitive process will include significant staff outreach to and solicitation of certified minority owned, women owned, service-disabled veteran owned, and emerging small business contractors (“Certified Businesses”) in accordance with the District’s values and policies. The general contracting market is familiar with the CM/GC process and accepts it as a standard, and often preferred, delivery method. The award will be based upon review and scoring of submitted proposals through identified selection criteria, by a diverse District review committee representing a broad range of experience and qualifications. Once selected, the CM/GC will select subcontractors via competitive process in accordance with Oregon Attorney General Model Rules and required by statute. The process will therefore provide for vigorous competition and provide opportunity for all interested large and small contractors to participate in bidding for the project.

“(b) Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the contracting agency or the state agency that seeks the exemption or, if the contract is for a public improvement described in ORS 279A.050 (3)(b), to the contracting agency or the public.”

Through the use of the CM/GC process to ensure successful Proposers are experienced with the scope, scale and unique qualities of the Project, the District limits its risk of changes to the final contract amount due to incomplete or inaccurate bid estimates.

“In approving a finding under this paragraph, the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:”

“(A) How many persons are available to bid;”

Based on previous District CM/GC procurements, it is reasonable to anticipate between three to five firms will propose on the Jefferson High School Modernization Project. The construction community has already expressed significant interest in the Project, and staff began performing outreach several months ago. The District has received three to four proposals on each of its

last three CM/GC procurements for high school modernizations.

"(B) The construction budget and the projected operating costs for the completed public improvements;"

The construction budget is set forth above in the project description. The projected operating costs are yet to be determined. The current construction market in Portland is extremely busy and has limited resources. Having a CM/GC under contract early is essential to mitigating escalation costs and workforce availability issues. The District has not conducted a detailed analysis of the operating costs, but expects that the improved design and particularly the energy efficiency improvements will reduce long-term operating cost. Having a contractor onboard during the design phases will help improve the design of the buildings including operating cost impacts such as energy efficiency.

"(C) Public benefits that may result from granting the exemption;"

A CM/GC RFP allows the District to review the resumes and references of the Proposer's project team, ensuring the selected Proposers have the necessary experience, expertise, and community-centric approach to address the Project's unique needs. In a traditional design-bid-build procurement, the District awards to the lowest responsible bidder regardless of the above factors. This process would increase risk for the Project, the District, and the community by potentially awarding the bid to a contractor who does not have the qualifications, knowledge or experience to successfully complete the Project.

Bringing the CM/GC on during the design phase promotes an early team partnering approach that leads to continuous cost and constructability review, and a better collaboration between design and construction, resulting in an improved final design. The District, Architect, and Contractor gain more knowledge and confidence in the final design as they move through design development and are able to more accurately price the final construction cost. This also reduces change orders and limits delays during the construction phases. This benefits the public through cost savings, provides more early cost certainty, and is more likely to result in timely delivery of the project.

Under a CM/GC process, the District can execute an Early Work agreement to allow construction work to proceed prior to design completion. This allows the District to utilize the CM/GC to fully investigate existing conditions prior to completion of design. In the traditional bidding process, these conditions would not be determined until the start of construction, which significantly lengthens the construction schedule if designs need to be modified to address unexpected conditions. Construction time savings translate to both schedule and cost savings for the Project.

The CM/GC RFP process also ensures award to Proposers with the financial strength to perform the project. The District is able to perform a more in-depth financial health review of all RFP Proposers. It is imperative that the CM/GC can financially withstand the obligations of expending over \$6-9 million worth of labor, materials, and equipment between each monthly

invoice payment. The CM/GC process encourages smaller contractors to partner with larger contractors to provide the smaller contractors with growth-enabling experience while still demonstrating financial stability as partnered Proposers.

"(D) Whether value engineering techniques may decrease the cost of the public improvement;"

Value engineering is a routine practice in public improvement projects regardless of procurement method. The CM/GC procurement process allows for the general contractor and subcontractors with specialized expertise and common project goals to participate in the value engineering process during the design phase, resulting in a more cost-effective and efficient process as compared to attempting to reduce cost by change order in construction. The inherent flexibility and openness of the CM/GC process allows the District to more effectively change the design and scope of work as necessary to meet the project budget before the final design is fixed, while ensuring that the CM/GC agrees with and supports the changes.

"(E) The cost and availability of specialized expertise that is necessary for the public improvement;"

The CM/GC RFP process allows for review of contractor expertise not afforded in traditional procurement. High school modernization projects are very complex and require a general contractor with specialized expertise due to the complexity of the construction types. While the final design is not yet known at this time, the Jefferson High School Modernization Project may include a mix of historic renovation, demolition and new construction, all in a tight construction schedule on an occupied site. Even all new construction will require a unique variety of specialized spaces and systems, such as theaters, kitchens, construction shops, dance floors, science classrooms, and complex mechanical, security and sound systems.

"(F) Any likely increases in public safety;"

The CM/GC process, by bringing the contractor on board during design, provides the CM/GC with clear, upfront knowledge of project constraints prior to construction, and an early opportunity to collaborate with the design team on the work sequencing, staging, and site access. This significantly improves public safety during demolition, hazardous material abatement, construction adjoining occupied areas, and routing of pedestrian, bicycle, and vehicle traffic during construction.

"(G) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;"

The CM/GC process will reduce risks to the District and the public through selection of a qualified and experienced contractor, inclusion of the contractor in the design phase, and the use of a negotiated GMP. It will reduce risks of: unforeseen conditions; permitting delays;

inappropriate material or system selections during design; lack of labor availability; material procurement delays; safety hazards in demolition, traffic management, and construction; schedule overruns; cost overruns; and poor construction quality.

"(H) Whether granting the exemption will affect the sources of funding for the public improvement;"

There will be no impact on the funding of the Project if the exemption is granted.

"(I) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;"

The current market conditions have shown a dramatic increase in material supply costs and availability, as well as a competitive contractor labor market. The exemption will allow the District to execute construction contracts early, at defined costs, to ensure Project prioritization in contractor labor scheduling and cost. Early execution of contracts will also allow for flexible modification of design elements to address market variabilities in product costs; better understanding of labor market conditions related to specific construction materials; and contractor ability to purchase long lead materials early to avoid potential schedule delays.

"(J) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;"

Granting the exemption will help deliver a successful Jefferson High School Modernization Project. One of the biggest advantages of the CM/GC process is the ability to coordinate work in areas of technical complexity prior to the start of construction. Such areas of technical complexity in the Project will include: historically and culturally significant buildings; active school use of the overall site; dense surrounding urban fabric; complex land use permitting requirements; challenging site footprint; community partnership and lease agreements; and District and community desire to maximize Certified Business participation. In the CM/GC process, the contractor's awareness of complex technical issues arising during the design phase facilitates advance problem-solving. Potential technical issues are addressed early in the process, resulting in improved mitigation of cost and schedule risks.

"(K) Whether the public improvements involve new construction or renovate or remodel an existing structure;"

The final design of the Jefferson High School Modernization Project is not known at this time but will likely involve a mix of renovation and new construction. Procuring a contractor with experience in both new construction and renovation is critical.

"(L) Whether the public improvements will be occupied or unoccupied during construction;"

The final design, and therefore potential occupancy, of the Jefferson High School Modernization Project is not known at this time but will likely involve a multi-year, phased approach to construction with occupancy of buildings in areas adjacent to where construction is occurring.

"(M) Whether the public improvements will require a single phase of construction work or multiple phases of construction work to address specific project conditions;"

The final design, and therefore specific phasing, of the Jefferson High School Modernization Project is not known at this time but it is anticipated to require a multi-year, phased approach to construction. The exemption will allow the district to evaluate the contractor's qualifications in successfully delivering multiple phased projects.

"(N) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract;"

The District's Office of School Modernization has department staff, as well as the design team consultants under contract, that have the necessary expertise with the CM/GC contracting method to develop and effectively utilize the CM/GC method for the Jefferson High School Modernization Project. The District's outside legal counsel, Miller Nash Graham & Dunn LLP, has extensive experience with both the CM/GC alternative contracting method and prior District CM/GC contracts.

CONCLUSION: For the reasons stated above, the draft findings support an exemption from competitive bidding under ORS 279C.335 to utilize the CM/GC alternative contracting method for the Jefferson High School Modernization Project.



Board of Education

Staff Report to the Board

Board Meeting Date: November 15, 2022

Executive Committee Lead:
Nolberto Delgadillo, Chief Financial Officer

Department: Finance

Staff Lead:
Emily Courtnage,
Director, Purchasing & Contracting

SUBJECT: Jefferson High School Modernization Project: Exemption from Competitive Bidding and Authorization for Use of Construction Manager/ General Contractor Alternative Contracting Method

BACKGROUND

ORS 279C.335(2) authorizes the Board to exempt certain public improvement contracts or classes of contracts from the traditional design/bid/build competitive bidding (i.e., low bid) procurement process. Staff requests that the Contract Review Board approve an exemption from low bid competitive bidding for the Jefferson High School Modernization Project (“Jefferson Modernization Project”) and authorize staff to utilize the Construction Manager/ General Contractor (“CM/GC”) alternative contracting method procured by a fully competitive Request for Proposals process. The CM/GC method was previously approved and utilized for the Franklin, Roosevelt, Grant, Madison, Lincoln, and Benson High School Modernization Projects.

Per Oregon law, an exemption request and approval to use an alternative contracting method must be supported by the following findings: (1) The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts, *and* (2) Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the contracting agency or the public. See ORS 279C.335(2).

A detailed description of the Jefferson Modernization Project and draft Findings of Fact (“Draft Findings”) supporting the exemption Resolution, as required by ORS 279C.335(2), are set forth in the attached Office of School Modernization staff memo.

RELATED POLICIES / BOARD GOALS AND PRIORITIES

District Policy 8.50.090-P designates the Board as the local government contract review board with authority to exempt certain public contracts or classes of contracts from the standard competitive bidding process otherwise required by the Public Contracting Rules, as per ORS 279C.335(2).

PROCESS / COMMUNITY ENGAGEMENT

Oregon law requires that the District conduct a public hearing, providing interested parties an opportunity to appear and present comment, prior to adoption of a Resolution exempting a public improvement project from competitive bidding. See ORS 279C.335(5). Notification of the public hearing must be published in a trade newspaper of general statewide circulation at least 14 days before the hearing. At the time of the Notice, copies of the Draft Findings must be made available to the public.

Purchasing & Contracting published a Notice of Public Hearing concerning the Jefferson Modernization Project exemption request on October 18, 2022 in the Business Tribune, the same Journal in which Purchasing & Contracting posts all required construction solicitation notices. Instructions for requesting copies of the Draft Findings were included in the Notice of Public Hearing.

A public hearing was held via teleconference on November 2, 2022. At that meeting, no attendees presented questions or comments.

ALIGNMENT WITH EQUITY POLICY IMPLEMENTATION PLAN

The CM/GC alternative contracting method is in alignment with the District's Equity in Public Purchasing & Contracting Policy and implementation plan. A benefit of the CM/GC method, as opposed to the standard design/bid/build low-bid contracting method, is the District's ability to include evaluation criteria in the RFP to help ensure selection of a prime contractor with strong commitment to use and demonstrated success in using Certified minority owned, women owned, service-disabled veteran owned, and emerging small businesses ("Certified businesses") subcontractors or partners. The District will award points for demonstration of a history of Certified business utilization and a substantive plan of outreach to, partnership with, and/or inclusion of Certified subcontractors.

The Request for Proposals will be open and publicly advertised. Purchasing & Contracting and Office of School Modernization will notify minority contracting communities about the solicitation and encourage Certified business participation. The selected contractor will be required to comply with the District's Workforce Equity and Career Learning requirements, as well as report on Certified business subcontractor utilization, during the course of the contract.

BUDGET / RESOURCE IMPLICATIONS

Careful coordination and scheduling will be essential to minimize disruptions to surrounding public areas and neighborhoods during construction. The CM/GC method allows the District to carefully screen firms to assure that the contractor chosen to work on the project has the necessary experience and qualifications to successfully work in such site conditions. Further, the CM/GC process results in reduced risks and potential cost savings by engaging the CM/GC early in the design process and incorporating the CM/GC's construction knowledge and experience in the design as it progresses, thus limiting design conflicts and construction challenges.

NEXT STEPS / TIMELINE / COMMUNICATION PLAN

If this Resolution is adopted, staff in Purchasing & Contracting and the Office of School Modernization will prepare solicitation documents and issue a Request for Proposal for a Construction Manager/General Contractor for the Jefferson Modernization Project.

ATTACHMENTS

- A. Resolution to Authorize Alternative Contracting Method**
- B. Office of School Modernization Staff Memo with Draft Findings**

RESOLUTION No. 6615

Resolution to Appoint the Chair of the Climate Crisis Response Committee

RECITALS

- A. On March 1, 2022, the Portland Public Schools Board of Education adopted the Climate Crisis Response, Climate Justice and Sustainable Practices Policy–3.30.080-P .
- B. The Climate Crisis Response, Climate Justice and Sustainable Practices Policy requires the establishment of a committee to monitor effective implementation, transparency, and tracking of progress.
- C. On August 9, 2022 the Board of Education approved nine committee members for one year and two year terms.
- D. The Climate Crisis Response Committee Charter requires that a Committee chairperson be appointed annually by the Board and will not hold that position for more than three years.
- E. Committee members were asked to indicate their interest or willingness to serve as Chair, and based on an indication of interest, Jane Comeault is recommended to serve as the Chair of the Committee for a one year term.
- F. The Chair will work with the appointed district staff and Committee members to create the Committee's agendas, facilitate the meetings, and serve as the point of contact between the Committee and District staff between meetings.
- G. The Climate Crisis Response Committee will also establish work groups for specific projects during the year and members will also have the opportunity to lead or serve on the work groups.

RESOLUTION

The Board of Education appoints Jane Comeault as the Chair of the Climate Crisis Response Committee for a one year term.

RESOLUTION No. 6619

Settlement Agreement

The authority to pay \$399,999.00 is granted to the Superintendent to enter into an agreement to resolve claims brought on behalf of a student in a form approved by the General Counsel's Office.



PORTLAND PUBLIC SCHOOLS
OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE

501 North Dixon Street / Portland, OR 97227
Mailing Address: P. O. Box 3107 / 97208-3107

Memo

TO: Superintendent Guadalupe Guerrero

FROM: Dani Ledezma, Senior Advisor for Racial Equity and Social Justice

CC: Rosanne Powell, Senior Board Manager, Julia Brim-Edwards and Michelle DePass, Directors, PPS School Board

DATE: *November 7, 2022*

SUBJECT: Staff Recommendations for RESJ CAC Membership

This memo will provide the staff recommendation for the PPS RESJ Community Advisory Committee membership. After a robust outreach and selection process 12 members were selected from over 50 applications. Below is a summary of the recommended members along with the three already appointed members.

Using a scoring rubric and an approach to balance representation, the proposed recommendation includes the following representation:

- 100% of the committee identifies as a person of color with 47% identifying as Black/African American, 27% Latino/a/X, 20% Asian including Native American and Pacific Islander representation.
- Proposed membership consisting of students, staff and partners represents all parts of the school district from early learning, elementary, middle and high schools including multiple pathways, geographic representation from N, NE, SE, SW sites including the central office.

Recommended Members

Name	Roles	Race/Ethnic Representation
Rudy Duncan	Student 6th Grade Kellogg MS	Bi-Racial - Black/Latine
Malcolm Ewing	Student 12th Franklin HS	Asian
June Healy	Student, 11th Cleveland HS	Asian
Izla Cahill	Student, 7th Metropolitan Learning Center (MLC)	Black/African American

Jessica Montas -Mendoza	Staff (Reconnection Services), former Student	Dominican-American
Jamartae (Martae) Brown	Staff - Restorative Justice Coordinator, Beaumont MS	Bi-Racial - Black/White
Destiny Spruill	Chief Clerk, Early Childhood Evaluation	Black
Chrysanthius Lathan	Staff - Principal Sabin ES	Black/African American
Nohea'ililani Waiwai'ole	Staff - Student Success Coordinator Marysville ES	Native American
Pramila Kumar	Senior GL Accountant	South Asian -
Tanya Burkhard	Parent - Kairos	Black/Immigrant
Anna Marquez	Parent, Ockley Green	Latina - Mexican American
Kolini Futsua	RESJ Partner, IRCO	Pacific Islander - Tongan
Adriel Person	RESJ Partner, POIC, parent, former PPS Student	Black/African American
Ernie Guerrero	RESJ Partner, Open School Step Up	Latine

A cross functional team from RESJ, the Board Office and School Board members including the Student member, reviewed all of the applications using the RESJ CAC Application Rubric and met to create a recommendation for Superintendent approval and submission to the board.

Application Process - Round Two

Timeline

- 2nd Round Membership Application Outreach - August - October 2022
- 2nd Round Membership Application Due (Students, Parents, Staff) October 20, 2022
- Superintendent Recommendation to School Board: Week of November 6, 2022
- School Board Meeting and 2nd Round Approval: November 15, 2022

PPS Staff and the Superintendent will make recommendations to the school board for final member approval. In order to ensure a fully collaborative process between the board and staff, staff will invite interested board members to participate in the application and recommendation process.

PPS RESJ CAC Charter

Committee

PPS is seeking 15 Total Members with the following specific representation:

- Up to 5 Current PPS Students (e.g. middle and/or high school students)
- Up to 5 Family and Community Representatives (e.g parent, RESJ partner)
- Up to 5 PPS Staff (e.g. classified employee, educator, school principal)

Students will be asked to serve 1 year terms and adults will be asked to serve 2 year terms with the option to renew for additional terms.

Representation

In alignment with SB 732 and PPS' vision and Strategic Plan, the composition of the PPS RESJ Community Advisory Committee's membership shall be focused on ensuring that it is primarily representative of underserved student groups and may not exclude members based on immigration status. Therefore PPS will solicit members from the community that are reflective of our communities of color, and represent the diversity and intersectionality of identities throughout our community.

Student centered

Membership will be student centered and members are interested in Racial Equity and Social Justice work, personal and professional growth, and integrating these interests to fulfill PPS mission. Members are good communicators and have the ability to influence and lead. Strong community connection, accountability to community.

Role for accountability and mutual responsibility

- Provide space and time to support student voice and leadership in discussions and forums around Racial Equity and Social Justice in education.
- Monitor progress of the PPS RESJ Plan and Framework
- Develop into a community of critical friends who provide support and feedback to PPS leadership, staff and community.
- Provide opportunities for meaningful feedback and suggestions from all departments and school sites at PPS.
- Collaborate with district staff

Senate Bill 732 Background

In 2021, the Oregon Legislature passed SB 732.

- SB 732 requires each school district to convene an educational equity advisory committee, and specifies certain committee responsibilities, membership selection requirements, and an optional annual report that committees are allowed to produce.
- The bill allows the State Board of Education to adopt rules in a number of places.

The bill stipulates that the committee will:

- (a) Advise the school district board about the educational equity impacts of policy decisions
- (b) Advise the school district superintendent about the educational equity impacts of policy decisions
- (c) Inform the school district board and school district superintendent when a situation arises in a school of the district that negatively impacts underrepresented students and advising the board and superintendent on how best to handle that situation.

The school district superintendent is responsible for coordinating the member nomination process and proposing approved finalists to the school district board.

The school district board is responsible for appointing members proposed by the superintendent, and ensuring that membership is primarily representative of underserved student groups.

The Educational Equity Advisory Committee is not a Board committee. It was specifically established by the Oregon legislature and school districts are mandated to have such a committee. No board member may serve on the committee.

PPS Board Committees are governed by Policy 1.20.014P.

https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/4814/1.20.014_P.pdf. Many of the PPS policy dictates are in contrast to SB 732 requirements. For example, in 1.20.014P, the Board chair shall be ex-officio members of any Board committee. Proposed ODE rules exclude board members and the superintendent from serving on the Educational Equity Advisory Committee. PPS Board committees are to advise the Board and serve in an advisory role to the Board.

The Educational Equity Advisory Committee duties are to advise the school board and the superintendent. The EEAC includes action by and reporting to both the board and the superintendent.

RESOLUTION No. 6617

Resolution Approving the Racial Equity and Social Justice Community Advisory Committee Charter Committee Members

RECITALS

- A. In 2021, the Oregon Legislature passed SB 732 which requires each school district to convene an educational equity advisory committee, and specifies certain committee responsibilities, membership selection requirements, and an optional annual report that committees are allowed to produce.
- B. This committee's duties are to advise the school board and the superintendent and to inform the board and the superintendent. The committee includes action by and reporting to both the board and the superintendent.
- C. On August 9, 2022, the Board of Education approved the Racial Equity and Social Justice Community Advisory Committee Charter. The charter specifies that the committee will have up to 15 Total Members with the following specific representation:
 - Up to 5 Current PPS Students (e.g. middle and/or high school students)
 - Up to 5 Family and Community Representatives (e.g parent, RESJ partner)
 - Up to 5 PPS Staff (e.g. classified employee, educator, school principal)
- D. Following approval of the Racial Equity and Social Justice Community Advisory Committee Charter, membership application outreach to Community Representatives , as the first round of applicants, in order to have the first members in place by September 15, 2022.
- E. On September 6, 2022, the Portland Public Schools Board of Education appointed Adriel Person, Ernie Guerrero, and Kolini Fusitua to the Racial Equity and Social Justice Community Advisory Committee through August 31, 2024.
- F. A second round of outreach to students, parents, and staff began in August to recruit additional Community Advisory Committee members.

RESOLUTION

The Portland Public Schools Board of Education appoints Jessica Montas-Mendoza, Jamartae (Martae) Brown, Destiny Spruill, Chrysanthius Lathan, Nohea'ililani Waiwai'ole, Pramila Kumar, Tanya Burkhard, and Anna Marquezto to the Racial Equity and Social Justice Community Advisory Committee through August 31, 2024, and Rudy Duncan, Malcolm Ewing, June Healy, and Izla Cahill to the Racial Equity and Social Justice Community Advisory Committee through August 31, 2023.

1.20.014-P Board Committees

- (1) Special Board committees may be appointed by the Board for specific purposes to serve until their assignment is completed. A limited number of standing committees may be established. The entire Board may meet as a committee-of-the-whole.
- (2) The function of special Board committees will be to consider actions or issues in detail that would otherwise monopolize the Board agenda and provide policy advice for the Board's action or consideration, as appropriate. Board committees serve in a fact-finding, deliberative and advisory role rather than as a legislative or administrative body. The superintendent or designee will assist in the development of reports and related recommendations as necessary. The committee will make recommendations directly to the Board as a whole, which alone may take action. Committee meetings may be called by the Board chair, the committee chair or any committee member.
- (3) The Board chair shall be ex-officio members of any Board committee. The Superintendent may be appointed by the Board chair as an ex-officio member of any Board committee. Individual Board members may not be excluded from committee meetings.
- (4) All meetings of special Board committees and of committees-of-the-whole will be publicly announced and the public will be permitted to attend. However, the Board and its committees may sit in executive sessions to discuss matters when such sessions are required or permitted by law.
- (5) Proceedings of Board committees will be informal to assure a full exchange of ideas.
- (6) A committee will not have the power to act for the Board except as the Board has specifically authorized, but will make recommendations to the Board. Committee recommendations and reports will become an official part of Board minutes.
- (7) A Board committee may appoint, subject to Board approval, advisory members from the student body or community to further obtain internal and external stakeholder input. At the time of appointment, the Board will determine the length of term or sunset point of the committee, additional membership qualifications or makeup and meeting schedule. Advisory members will be instructed in the committee's roles, functions and reporting relationship and communication with the Board, administration and staff. These members may not be included in considering whether a quorum of the committee is present, nor may they vote on recommendations to be made to the Board. However, either an advisory member or an ex-officio member may present a written minority report to

1.20.014-P Board Committees

the Board. A Board committee may request that the superintendent appoint staff to participate as nonvoting committee members.

- (8) Committee findings and recommendations will be reported to the full Board in a regular or special meeting of the Board. Committee findings shall at all times include the superintendent's recommendations, as well as reflect the opinions of all the committee members in the event the findings are less than unanimous. The Board chair will ensure such findings, recommendations and any subsequent Board actions, are communicated to district stakeholders as appropriate.

Legal References: ORS 192.610 to 192.690; ORS 332.057; ORS 332.107; Attorney General's Public Records and Meetings Manual, pp. 80-82 (1997)

History: Adpt 6/71; Amd 9/9/02; BA 2417





**Office of the General Counsel
PORTLAND PUBLIC SCHOOLS**

501 N. Dixon, Portland, OR 97227
(503) 916-3570 • Fax: (503) 916-2724

Date: November 4, 2022
To: School Board
From: Mary Kane, Senior Legal Counsel
cc: Guadalupe Guerrero, Superintendent
Liz Large, Contracted General Counsel
Subject: Recommended policy rescissions

The Board Policy Committee met on October 26, 2022, and discussed continuing to review policies to determine which needed updates and which should be rescinded. Two policies were put forward by staff with recommendations that they be rescinded. After discussion, the Policy Committee recommended that the following policies, copies attached, be forwarded to the full Board with a recommendation for First Reading en route to rescission:

a. **3.40.030-P School Demonstrations**

This policy was adopted in 1971 and amended in 2002. The material does not constitute a policy and does not reflect the District's values or practice. A comprehensive guide ["Civic Engagement and Unrest- A Toolkit for Resilience and Empowerment"](#) is currently used in regular District practice.

b. **3.30.037-P Solicitations Community Campaigns**

This policy was adopted in 1971 and last amended in 2002. The material does not constitute a policy and is not current District practice.

3.30.037-P Solicitations – Community Campaigns

Campaigns among students and/or employees by community organizations for the purpose of raising funds may be conducted only upon authorization of the Board. Fund-raising campaigns shall be authorized only when sponsored by organizations, which contribute significantly to social service, conservation or cultural aspects of community life. Fund-raising campaigns selected shall have objectives, which are primarily educational and shall be designed to help students understand the role and importance of voluntary social service and cultural agencies in community life. Such campaigns shall stress, as well, the importance of voluntary contributions to humanitarian services and cultural resources. The district will permit three sanctioned fund drives each year, as follows:

- (1) **Fall** Combined Fund Drive.
 - (a) Participation. Schools and departments shall participate annually in the combined campaigns, which shall be coordinated by the Office of Public Information and Communication.
 - (b) Standards of Eligibility. An organization eligible for participation in the Portland School district combined community drive must be an organization which is either: (1) a joint fund-raising organization which is a federation of five or more constituent organizations providing or supporting health, education, conservation or human welfare services predominantly in Oregon and with significant services in Multnomah County; or (2) a fund-raising organization which is disbursing/granting funds to five or more constituent organizations providing or supporting health, education, conservation or human welfare services predominantly in Oregon and with significant services in Multnomah County; or (3) an organization providing health, education, conservation or human welfare services predominantly in Oregon with significant services in Multnomah County which is not receiving funds as a member of a joint fund-raising organization nor is a disbursee/grantee of a fund-raising organization; or (4) the Portland School District Foundation. The organization shall also in its own name regularly seek and receive significant support through a system of public requests. Not more than nine organizations meeting these criteria and which are selected by a committee chaired by the district's General Counsel shall be placed on the list of those organizations certified by the superintendent as being eligible to receive contributions from district employees via payroll deduction, provided the requirements set forth below have been satisfied. The selection committee shall consist of five persons and shall annually review proposals and select those organizations, which in its judgment will provide students the best

3.30.037-P Solicitations – Community Campaigns

examples to further the educational objectives stated in the first paragraph of this policy. Federations meeting the educational objectives shall be given priority consideration. Concerns regarding the selection may be addressed to the superintendent within 30 days of the selection committee decision. Each federation or united fund, hereafter referred to as "Charitable Organization," is responsible for ensuring that all of its member organizations meet the established criteria prior to filing for permission to participate in the combined campaign drive.

- (A) Federal Exemption. Each Charitable Organization must be exempt from tax under Section 501 (c)(3) of the Internal Revenue Code. Contributions to such Charitable Organization and each of the respective members and/or grantees of that Charitable Organization shall be deductible for federal income tax purposes under Section 170 of the Internal Revenue Code of 1954. An advance ruling on its exempt status shall meet this requirement.
- (B) Registration and Reporting. Each Charitable Organization must be in compliance with Oregon state laws governing nonprofit organizations and assure the district that each organization represented by it is also in compliance with the laws. Therefore, each Charitable Organization must be registered as a Charitable Organization with the Secretary of State and with the Attorney General as may be required, unless specifically exempt from registration by state law.
- (C) Nondiscrimination. Each Charitable Organization must have a policy and procedure of nondiscrimination in regard to age, color, creed, disability, marital status, national origin, race, religion, sex and sexual orientation applicable to the policies and actions of the constituents of the Charitable Organization and its members and/or grantees.
- (D) Organization Structure. Each Charitable Organization in the combined fund drive and each of its respective members/grantees shall be governed by a Board of Directors, which serves without compensation. Each Charitable Organization participating in the combined fund drive shall assure the district that it has the express permission of the Board of Directors of each member/grantee represented by the Charitable Organization for the use of its name and participation in the fund drive.

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- (E) Annual Report/Financial Statements. Each Charitable Organization and each of its respective members/grantees shall make available to the general public on request copies of its annual report including its most recent financial statement. Each Charitable Organization and each of its respective members/grantees shall make available to the general public upon request a report describing the program expenses and fund-raising expenses for its organization. By July 1 each year, each Charitable Organization must certify to the superintendent that its ratio of collection and administration costs when compared to the dollars distributed to its grantees is no greater than 20 to 80. The certification shall be accompanied by the most recent report it filed with the Oregon Attorney General.
- (F) Single Campaign. No Charitable Organization shall, in any calendar year, conduct more than one fund drive through the district payroll deduction system.
- (G) Integrity of Operations. Each Charitable Organization must have at least one-year history of service.
- (H) Definition. Each Charitable Organization must:
- (i) Be an incorporated institution;
 - (ii) Be organized as a nonprofit corporation;
 - (iii) Separately account for funds and donations committed to charitable use;
 - (iv) Not operate for the profit or private advantage of the organization's founders and officials;
 - (v) Have charity or community service as its primary, if not sole, object and must be performing in a manner that furthers that object;
 - (vi) Conduct its activity for the direct good or benefit of the public or community at large. Public benefits must be a primary purpose rather than a by-product;
 - (vii) Not be established primarily for the benefit of its members;
 - (viii) Have a strong element of gift and giving present in the organization's activities relating to those it serves. The element of gift and giving should be something of value to a recipient with no expectation of compensation or remuneration. Forgiveness of uncollectible accounts does not by itself constitute a gift of giving.

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- (c) If the activity of the institution relieves a government burden, it is an indicator that the institution may be charitable or providing a community service.
- (2) **Winter**. One community organization will be designated annually by the Board for the annual winter charitable campaign. Each year, the Board shall examine the requests of social service and cultural organizations to solicit funds in the schools. One organization meeting the criteria of significance in one of those areas may be authorized to conduct a fund-raising campaign in the schools, according to the rules below. It is the intent of the Board that an organization meeting these criteria will be eligible for selection in successive years so designated will be selected in subsequent years absent other campaign proposals with comparable educational or community impact.
- (3) **Spring — Young Audiences**. Schools shall participate annually in the campaign for funds by Young Audiences.
- (4) **Procedures for Fund Raising**.
- (a) **All Drives (fall, winter, spring)**.
- (A) Membership or other participation in activities either of individuals or classrooms shall not be limited to those contributing to fund raising.
- (B) Arrangements for and the method for collection of funds shall be developed in accordance with the nature of the fund drive in consultation with the office of the superintendent. Awards and/or recognition shall be based on participation and/or effort and not on monetary factors. Such temporary record keeping as required by the nature of the fund drive shall be permitted, but publication of comparative data is not permitted.
- (C) No definite amount shall be apportioned to be raised.
- (D) No contest shall be proposed which has for its object the comparison of amounts raised in the various schools, nor shall any incentive be used to encourage large donations.
- (E) The campaigns shall be under the supervision of the office of the superintendent. Each September, the superintendent shall assign a staff member a liaison to the Board in organizing, selecting and conducting the annual fund drives. The staff person designated shall select a liaison team to assist in the campaigns.

3.30.037-P Solicitations – Community Campaigns

- (F) Assigned staff and Board liaison members and organization liaison teams shall serve as a facilitating committee for the fund drives.
 - (G) Once an organization is selected and a fund drive authorized, it becomes an officially sanctioned effort of the district, and the cooperation and participation of all schools is requisite unless the liaison committee formally excuses a school.
- (b) Fall - Combined Fund Drive.
- (A) Portland School District Combined Fund Drive Committee shall be established to assist in the coordination of a single, annual, combined fund drive each fall during the month of October. The committee shall be composed of not more than 10 employees appointed by the superintendent for a term of two years. Terms shall be staggered.
 - (B) All costs such as printing of brochures, preparation of slide presentations and other promotional costs shall be the responsibility of those organizations designated to participate in the combined fund drive. In circumstances where costs cannot be associated with a particular Charitable Organization, the costs shall be shared in a percentage relating to the total funds distributed.
 - (C) Role of the Committee.
 - (i) The committee shall be a coordinating committee, which shall review and monitor the activities of the participating Charitable Organizations and report to the superintendent.
 - (ii) The committee shall annually print and distribute an application form, which Charitable Organizations must use to apply for participation in the fund drive.
 - (iii) The committee shall evaluate each application based on its criteria and determine which Charitable Organizations shall participate in the one, annual combined fund drive to secure funds from employees through payroll deduction or other payment method.
 - (iv) The committee shall establish implementation guidelines for combined fund drive
 - (v) Activities within the various schools and departments in the district.

3.30.037-P Solicitations – Community Campaigns

(c) Winter Drive.

- (A) Each September, the Board chair shall designate one Board member to represent the Board and to work with the assigned staff member to determine if the incumbent campaign should continue as the Board's choice.
- (B) The organization to conduct the community fund drive will be notified not later than November 1 each year and the schools are to be notified of the campaign dates no later than the end of November each year.
- (C) Individual schools may additionally establish a winter campaign for the school. This campaign shall stress the educational objectives set out in this Board policy and be particularly relevant to the school's neighborhood and the student/parent community.

Legal References: ORS 332.107; ORS 332.505; ORS 339.880; OAR 137-025-0020 et seq.; OAR 581-022-1660 (2)

History: Adpt 6/71; Amd 10/27/75; Amd 10/26/81; Amd 1/27/83; Amd 9/26/85; Amd 7/14/88; Amd 12/10/92; Amd 2/25/93; Amd 8/31/95; Amd 9/9/02; BA 2419



3.40.030-P School Demonstrations

- (1) The Board of school district No. 1 recognizes the district's has as a paramount concern the safety and well being of the students, staff and other personnel in the schools. The Board further has responsibility for maintaining uninterrupted educational programs for all of its students. Students have a right to an education and the Board intends to protect that right in the event of a demonstration or other disorder disruptive to the school environment. The Board also is concerned for the protection of school property and facilities in such an event. Therefore, the Board of Education of school district No. 1 will take all lawful and the legal steps necessary to achieve these ends through the emergency procedures developed by the superintendent and implemented by building principals to assure that schools will respond effectively to all contingencies and that the preparedness of staff to cope with such disruptions and coordination of plans, as appropriate, with civil authorities will be prepared to cope with all emergencies of a disruptive nature that occur. Further, the Board asks that each student, each teacher, each administrator, and each parent assume personal responsibility to encourage the kind of sober civil relationships that are essential to an orderly society and an educational environment conducive to learning.
- (2) Operating Principles for Controlling School Disturbances Demonstrations.
 - (a) Accountability. Disorder and disruption of the school process for any reason will not be tolerated, and persons attempting such actions shall be held accountable.
 - (b) Law Enforcement. In order to ensure safe and orderly school operations, the district fully intends to enforce all laws and to seek prosecution of those who violate them. Students involved in school disruptions, vandalism, violence or other illegal acts will be subject to suspension or expulsion from Portland schools.
 - (c) Personnel Responsibility. In both preventing and resolving student unrest and demonstrations, all district personnel must plan important and responsible roles.
 - (A) Teamwork is essential at all levels in handling student disorders. Only through teamwork on the part of the school building employees, central administrators, and the Board can disruptive actions be counteracted and the rights of all protected.
 - (B) Any school employee who promotes violation of Board policy, regulation, or school rule, or who promotes student unrest or disruptive behavior will be regarded as insubordinate, as

3.40.030-P School Demonstrations

having violated basic professional obligations, and will be subject to suspension from and/or termination of employment.

Legal References: ORS 332.072; ORS 332.107

History: Adpt 6/71; Amd 9/83; Amd 9/9/02; BA 2419



Civic Engagement and Unrest

A Tool Kit for Resilience
and Empowerment★



PORTLAND
PUBLIC
SCHOOLS

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Message from the Superintendent ★

American democracy offers a myriad of ways to participate and engage. We are in a time of increasing social division, young people demanding a racial reckoning, a global pandemic, an economic crisis, and the threat of continued violent riots. The 2020 presidential election and aftermath are further testing our community and country. They challenge us to ask ourselves: *Who are we, and what do we want for our future?*

As educators, we have an opportunity and obligation to support our students (most of whom are not yet of voting age) by helping them understand how our democracy works and ensuring they have the objective knowledge of current issues to put in context the outcomes of an election. We have a responsibility to make sure our students understand that civic participation is necessary for our democracy to thrive. The more our students know about our systems of government, the more prepared they will be to engage in critical civic discourse and participate in the betterment of our community. Additionally, our values of racial equity and social justice require us to provide culturally responsive curriculum and instruction. We must assist students to develop critical consciousness and sociopolitical awareness to challenge injustice and disrupt inequities and oppression of any group of people. Public education can be a powerful antidote for the lack of civility we often see in political discourse today. We have the skill and practice to support students as they develop their own critical thinking and empowerment skills.

Now more than ever, we need the next generation of leaders to demonstrate the characteristics outlined in our vision, [PPS reImagined](#). The heart of our vision is the Graduate Portrait. It is our promise to our students and families. At this moment, our students are called upon to navigate and adapt to complex challenges, and three elements of the graduate portrait are especially applicable:



- **Resilient and Adaptable Learners** where students can embrace discomfort and navigate persistently through failure to success by adapting themselves to the environment or changing it. They make use of community and cultural assets to develop networks of allies to help them persevere through challenges and embrace continuous learning for professional growth and personal fulfillment.
- **Reflective, Empathetic, and Empowering Graduates** where students demonstrate empathy, curiosity, respect, and interest in other points of view. They seek to empower others and are accepting, appreciative, compassionate, and kind toward others.
- **Transformative Racial Equity Leaders** where students understand how our communities have been impacted by racial injustice, and they can recognize and interrupt the conditions that enable it. They can deconstruct the dominant narrative and change it to a more balanced and inclusive one. As racial equity-driven problem solvers, they engage in community conversations about social justice issues and help develop and implement solutions that respect and include the perspectives of other cultures.

I want to encourage all of the adults in our PPS community to draw upon our reserves of resilience to support our students' learning and the contextualization of this time in our democracy. I believe as strongly as ever in the power of democracy and our role as educators to support it. If we want to champion positive transformative change, we have to fight misinformation with education and support the principles of a just democracy. I want to continue to stress the importance of everyone in our PPS community coming together to support one another. By recognizing our mutual interdependence, we can continue to strengthen our school system so that our students are empowered and prepared for all the challenges before us.

We updated and adapted our 2020 Election Tool Kit into our **Civic Engagement and Unrest: A Tool Kit for Resilience and Empowerment**. It contains information, guidance, and resources to assist staff preparation for the inauguration and beyond. This tool kit includes an outline of staff expectations, access to lesson plans that align with our graduate portrait, election and civics content, professional development tools for educators, a directory of internal and external supports for students, our Guidelines for Political Speech and PPS Hate Speech Protocols, and a list of additional supports for staff. This tool kit can also be found on the PPS Site Admin Portal and will continue to be updated over time.

Guadalupe Guerrero

Superintendent



Talking Points for Senior Leaders★

As leaders and educators, we are uniquely situated and directly responsible for supporting our students' learning and contextualization of civil unrest and compounding crises. As we have become all too familiar with in the past year, such events often create conditions that threaten the well-being and the safety of students and staff.

Delivering on our responsibilities to students and addressing safety require all of the staff of PPS to engage in thoughtful and adaptive *preparation*, *mutual support*, and a collective *focus* on modeling and teaching the characteristics we espouse in our Graduate Portrait.

In the Educator Essentials attributes from the [PPS Vision](#), PPS staff are called upon to be:

- **Adaptive & Resilient** with a commitment to “developing the skills and persistence to shift the system and structures around them when necessary and build their own resilience through self-care, and collaboration with students, educators, and others.”
- **Consistent & Reliable** with “consistently high expectations and levels of preparedness so they can best respond to the needs of the students in front of them.”
- **RESJ Centered** with a commitment to be “courageous change agents who actively promote and ensure racial equity and social justice. They understand that the perceived reality, based on the dominant culture, has often excluded the perspectives of people of color. They understand that they can replace the narrative with a more inclusive and objective multi-cultural approach that contributes to the positive identity development of adults and students of color. They ensure equitable access to learning for every student, and their diverse learning styles, through clearly defined racial equity and social justice-based practices, and culturally and linguistically responsive teaching and curricula and materials. They create safe learning communities that value diversity in their departments, schools, and classrooms.”



What is expected of me?

We can expect further civil unrest on Inauguration Day in particular, as well as the days leading up to the inauguration and possibly beyond. As a leader, it is your responsibility to prepare, in advance, you and your team for events that we can reasonably anticipate will have distressing repercussions for our student and staff, including the January 20 Inauguration Day. Preparations should include addressing potential impact in advance, including:

- Schedule a team meeting.
- At the meeting, review the Superintendent’s message and the PPS Civic Engagement and Unrest Toolkit.
- Reinforce the themes of resiliency and empowerment. Discuss how those themes apply to the events of January 6 and Inauguration Day and beyond for your team.
- Make a plan for Inauguration Day, the day after, and beyond. Get specific:
 - Your direct reports who are team leaders should plan their team meetings and individual check-ins with their direct reports in advance of Inauguration.
 - Review the internal and external supports and resources available to our students, staff, and communities, identified in the PPS Civic Engagement and Unrest Toolkit.
 - Anticipate what may occur leading up to and after the inauguration. Engage your team in walking through different scenarios, and the expectations of one another, how each person will handle those scenarios. Identify any supports needed.
 - While we want to prepare for unrest, Inauguration Day is traditionally a time for celebration of the peaceful transition of power fundamental to American democracy. You may want to consider a joyful recognition of Inauguration Day as part of your planning, demonstrating one of our Core Values, Joyful Learning & Leadership.

Joyful Learning & Leadership: We believe in learning and leading in ways that foster human connection, deep appreciation for each other, satisfaction in our work, and appreciation of the learning process.

- Set aside times you and your team will be available for one another.
- Remind staff of the guidelines regarding [political speech](#) by public employees.
- Practice optimistic closure. The PPS Vision and Graduate Portrait paint a compelling vision.

From the Superintendent’s message: “Public education can be a powerful antidote for the lack of civility we often see demonstrated in political discourse today. We have the skill and practice to support students as they develop their own critical thinking and empowerment skills.”

- Check in with your direct reports regarding their readiness and ability to follow through on your and the district’s expectations.
- Reach out with questions and for support.



Staff Expectations

While the result of the election has consequences for our staff members on a personal level, we also have an obligation as public school employees to present an objective, non-biased view of the election. To that end, we have the following expectations of staff members leading up to and following the determination of the election results:

Do:

- Share factual information about the electoral process with students.
- Acknowledge the context of what is happening in the community, state, and in this case, the U.S. capitol. Ignoring or minimizing what may be causing significant anxiety is another form of trauma.
- Support students through [culturally responsive practices and strategies](#). Be prepared with an activity that allows them to give voice to what they are experiencing. You know your students and classroom. This is about creating community and acknowledging that every individual has a right to feel whatever it is they are feeling. Their reality and feelings are not up for debate. Set classroom expectations for the activity you choose.
- Make space for students to share their feelings in a productive manner. Using sentence prompts such as "I feel..." Be prepared to move students to a virtual breakout room if hateful or discriminatory comments are made.
- Only share factual information with students. To answer questions, say, "That's a really good question and I don't know the answer, but we can try to find out together."
- Encourage students to find support among friends and loved ones and encourage students to seek support when they need it. Help students identify who their support network is and suggest adults such as counselors and social workers if they need it.
- Promote empathy with your students. Empathy is not only good for those around you, but it can also promote good health, lower stress, and prevent burn-out while connecting you to other people in deep and meaningful ways.
- Continue to practice routines to provide a sense of normalcy for students.
- Encourage students to practice some basic emotional and self regulating skills which may include: taking breaks when they need them, getting outside if possible, avoiding social media, eating healthy foods, getting enough sleep, and giving themselves grace and acceptance for what they feel.



Don't:

- Share personal feelings about the winner/loser of the election.
- Make assumptions that families and students share your personal views of President-Elect Biden and President Trump.
- Make inflammatory comments about any of the parties, politicians, or their policies.
- Ignore discriminatory behavior or words. Address them in the moment and refer to [district resources](#) on responding to hate, bias, or discriminatory speech.

Support for Students and Families

Like all of us, students and families are experiencing uncertainty, stress and anxiety related to the November election and its fallout, the pandemic and economic fallout, the racial uprising, and climate change. We know our students who are Black, indigenous and people of color, and their families, experience this trauma differently and more intensely.

To offer support, we've gathered internal and external supports, listed by school, in the PPS [PPS Menu of Student and Family Supports](#). This catalog shows what we are currently offering and establishes new ways that our PPS students and families can access supports during this season of comprehensive distance learning.

Additional Resources

Serving Immigrant Families:

PPS remains committed to creating safe and inclusive learning environments for all of our students regardless of race, gender, gender identity, religion, ethnicity or immigration status. The link below provides a full list of resources for immigrant families.

<https://www.pps.net/domain/4352>

RESJ Partnerships:

PPS continues to partner with culturally specific organizations to help serve and support our students. The link below highlights our partner organizations here to support students.

<https://www.pps.net/Page/15401>

ACLU - Know your Rights

Everyone has basic rights under the U.S. Constitution and civil rights laws. Learn more here about what your rights are, how to exercise them, and what to do when your rights are violated.

<https://www.aclu.org/know-your-rights/>



Expectations for Day Of and Beyond ★

PPS is preparing for several potential scenarios that may occur as a result of civil unrest this year. Below is detailed information PPS Leadership will utilize for decision making during inauguration week.

Criteria for suspending in-person- transition to CDL for MS/HS and other in-person school based activities/work

Student & Employee Safety

- Civil disturbance active protesting on campus
- Civil Disturbance near campus prevents students and staff from safely going to and from campuses

Extensive Building Damage

- Broken windows
- Extensive hate speech
- Fire damage
- Utility outages

Student Attendance During Protests

- PPS is not sponsoring any student-led protest, but we do recognize students' constitutional right to freedom of expression.
- Staff who learn of organized student walkouts/protests should communicate with Elisa Schorr, Area Senior Director of High Schools (ewinger@pps.net), and Molly Emmons, Director of Security (memmons@pps.net).
- Student led-walkouts/protest, if students in MS/HS grades choose to leave campus during in-person(hybrid instruction) to participate in a walkout/protest will not be monitored by district staff once they have left PPS property. PPS staff (teachers, support staff, administrators) will remain on campus and continue to attend to students who remain in the classroom. PPS staff to the best of their ability will identify students who have left campus to engage in the walkout/protest and will attempt to notify parents/guardians in a timely manner. PPS cannot ensure student safety once students have left a PPS campus.
- During Hybrid and/or Comprehensive Distance Learning, student-led protests on school grounds do not interrupt class instruction. PPS staff (teachers, support staff) will continue with scheduled work, whether virtual or elsewhere, attending to those students who remain in distance learning instruction, unless directed otherwise by a school administrator.



Student Attendance During Protests (continued)

- During CDL, attendance can occur through attending a virtual class meeting, students submitting work, or students communicating with the teacher. These methods allow flexibility for students who need to log in and access material at a different time on any school day. Because of that flexibility, physical attendance tracking during previous protests is not possible during CDL. Student participation should not result in an absence if they adhere to logging in within the 24 hour window of the class day and completing the work.

Timing of Decisions

- EOC Team will convene regularly to monitor the situation.
- EOC will assess current situations and make closure recommendations to the Superintendent

Campuses at Higher Risk for Protests by location and/or school name/mascot (no known threat at this time)

- Lincoln
- Jefferson
- Cleveland
- MLC
- Chapman
- Grant
- Scott
- Sabin
- Vernon
- James John
- Kenton
- Woodlawn
- Lent

Mitigation Efforts to Protect Higher Risk Campuses

- Cover windows where statues are visible
- Dedicated security patrols
- Intrusion alarms single trip

Response & Recovery-Clean Up Strategies for Building Damage

- Increase number of on-call maintenance
- Emergency contract for clean-up/repair

School Based - Limited In Person Activities

- Operations
 - Maintenance
 - Custodial
 - Security
 - Nutrition Services
 - Meal distribution: Monday - Friday. 3:30 - 4:30
 - Construction
 - IT distribution
- Instruction
 - Transportation
 - Hybrid & CDL support (administration and educator)
 - Athletics
- 3rd Party / Other
 - Childcare
 - SUN



Lesson Plans★

The Office of Teaching and Learning's Humanities Department has curated lessons plans and resources to help educators engage with students throughout the school year and align to our vision, PPS reimagined: *A graduate of Portland Public Schools will be a compassionate critical thinker, able to collaborate and solve problems, and be prepared to lead a more socially just world.*

Lessons will align with the following attributes of the Graduate Portrait:

Resilient and Adaptable Learners: Students are prepared to navigate, adapt to and meet life's complex challenges. They can embrace discomfort and navigate persistently through failure to success by adapting themselves to the environment or changing it. They have a growth mindset, knowing that new knowledge and skills are always possible, and they see mistakes and failures as learning opportunities. As informed and resourceful self-directed lifelong learners, they advocate with pride for their rights and for themselves. They make use of community and cultural assets to develop networks of allies to help them persevere through challenges and embrace continuous learning for professional growth and personal fulfillment.

Reflective, Empathetic, and Empowering Graduates: Students are self-aware, reflective, and able to recognize personal bias toward people, cultures, and situations. They operate from a strengths based perspective and demonstrate empathy, curiosity, respect, and interest in other points of view. They seek to empower others and are accepting, appreciative, compassionate, and kind toward others.

Transformative Racial Equity Leaders: As racial equity leaders, students take part in making our society more just and equitable for people of color. They understand how our communities have been impacted by racial injustice, and they can recognize and interrupt the conditions that enable it. They develop agency and advocacy skills to challenge injustice and change oppressive systems in their communities. They understand that the dominant historical narrative can minimize the perspectives of people of color and contribute to institutional racism. They can deconstruct the dominant narrative and change it to a more balanced and inclusive one. Students respect the perspectives of all cultures. As racial equity-driven problem solvers, they engage in community conversations about social justice issues and help develop and implement solutions that respect and include the perspectives of other cultures.



Elementary Resources and/or Lesson Plans

[Kindergarten - 5th Grade 2020 US Presidential Election Lessons for LA / SS \(ELA Courses on Atlas\)](#)

[Reflecting on Events of January 6th](#) (3rd-5th): PPS 4th grade educator, [Jai Blair](#) of Woodlawn Elementary School assembled this slide show to help students understand and process the recent events on Capitol Hill. (Includes all partner languages)

Time for Kids Chaos at the Capitol (2nd-5th): [Google Slides](#) or [PDF](#) (Includes all partner languages)

PBS- [Classroom resource: Three ways to teach the insurrection at the U.S. Capitol](#)

Common Sense Media: [Talking to Kids About the Violence at the U.S. Capitol / Cómo hablar con los niños sobre la violencia en el Capitolio de los Estados Unidos](#)

Common Sense Media: [Explaining the news to our kids / Cómo hablar con tus hijos sobre las noticias](#)

[Seven Lessons from Mister Rogers](#): The host of Mister Rogers' Neighborhood taught kids critical emotional and social skills that are still relevant to children and adults today.

Teaching about the Capital Coup Attempt: [A presentation to guide classroom discussions](#): a collection of resources compiled by Aubrey Pagenstacher, librarian at Ainsworth

Middle School Resources and/or Lesson Plans

PBS Classroom resource: [Three ways to teach the insurrection at the U.S. Capitol](#)

Common Sense Media: [Talking to Kids About the Violence at the U.S. Capitol / Cómo hablar con los niños sobre la violencia en el Capitolio de los Estados Unidos](#)

Common Sense Media- [Explaining the news to our kids / Cómo hablar con tus hijos sobre las noticias](#)

[Ida B. Wells Education Project](#): 5 Tips for Teaching in Time of "Civil Unrest"

[Beyond the Spotlight](#): Resources for teachers on the days after the attack on the U.S. Capitol.

[PBS-Structured Academic Controversy](#): A highly structured, small group discussion that is designed to help students achieve three goals: 1) to gain a deeper understanding of an issue, 2) to find common ground, and 3) to make a decision based on evidence and logic.

[American Federation of Teachers](#): THIS MOMENT IN TIME: NAVIGATING UNPRECEDENTED HISTORICAL EVENTS.



[American Federation of Teachers Foundations of Democracy and Government:](#)

Wondering what makes a democracy tick? Share My Lesson's Foundations of Democracy collection provides access to lesson plans, resources and professional development for educators to help students understand what democracy is and why it is so important.

[iCivics: Peaceful Transfer of Power:](#) For over two centuries, American political offices have peacefully transferred power after every election. Use this infographic to show students how precedent, tradition, and legitimacy have helped create this democratic norm. Consider the importance of a peaceful transfer of power and why it is important to a democratic form of government.

[Facing History and Ourselves:](#) Fostering Civil Discourse: A Guide for Classroom Conversations.

Oregon Jewish History Museum and Center for Holocaust Education: [Curiosity and Questions: Navigating Critical Conversations](#)

[iCivics Election 2020:](#) Provides students with election-focused civics games and lesson plans that include simulations, vocabulary development, graphic organizers, and active participation opportunities.

[Digital Civics Toolkit:](#) Offers a collection of resources for educators to support youth to explore, recognize and take seriously the civic potentials of digital life.

[Library of Congress:](#) Teach students the Electoral College through Math and U.S. History Lenses

[Next Up:](#) Leadership development and civic opportunity for young adults with local Oregon organization

[OPB-PBS: The Election Collection:](#) Middle and high school educators across the U.S. are empowering students to share their take on issues that matter to them. Learn how your students can create and publish audio or video commentaries for a national audience.

[KQED's Youth Media Challenge: Let's Talk About Election 2020:](#) Students have a lot to say to the president-elect. Students care deeply about the issues that will impact their lives - both leading up to the election and through the inauguration. Get inspired by their powerful commentaries, covering everything from the COVID-19 pandemic to climate change and immigration.

[Teaching about the Capital Coup Attempt: A presentation to guide classroom discussions:](#) a collection of resources compiled by Aubrey Pagenstacher, librarian at Ainsworth

Civic Engagement and Advocacy: [Teaching Tolerance Election 2020](#)

Critical Thinking - News sources: [Teaching Tolerance Digital Literacy](#)



High School Resources and/or Lesson Plans

C-SPAN [Lesson Plan: Learning from Previous Presidential Transitions](#)

C-SPAN [Lesson Plan: The History of Contested Presidential Elections](#)

PBS- [Classroom resource: Three ways to teach the insurrection at the U.S. Capitol](#)

[CNN10](#): News for young adults explained in 10 minutes.

Common Sense Media- [Explaining the news to our kids](#)

[Ida B. Wells Education Project](#)

Article- [Tomorrow is Not Simply Another Day at School](#)

[Mikva Challenge - Attack on Capitol](#) - Lesson ideas

[Civic Disobedience](#) - Learning Plan from Teaching Tolerance

[PBS-Structured Academic Controversy](#) (strategy & notetaker)

[Fostering Civil Discourse](#): A Guide for Classroom Conversations

[American Federation of Teachers](#): This moment in time: Navigating unprecedented historical events

[ELA GVC 9-12 Civic Engagement Connections](#): See this quick overview to see where civic engagement topics are embedded in the high school English GVC units and lessons.

Oregon Jewish History Museum and Center for Holocaust Education: [Curiosity and Questions: Navigating Critical Conversations](#)

PPT (Robert May in Maryland) [Making Sense of January 6, 2021: A failed attempt to upend American democracy](#)

[Oregon Historical Society 9th-12th Curriculum](#): In this curriculum, students will learn about the rights and responsibilities of U.S. citizens as well as the steps they can take to actively participate in civic life. Educators can use the curriculum with or without a museum visit.

[Next Up](#): Leadership development and civic opportunity for young adults with local Oregon organization

[Digital Civics Tool Kit](#): Offers a collection of resources for educators to support youth to explore, recognize and take seriously the civic potentials of digital life.

[Library of Congress](#): Teach students the Electoral College through Math and U.S. History Lenses



High School Resources and/or Lesson Plans continued...

[The New York Times](#): Writing Prompts, Challenges, Lesson Plans and Other Resources for Teachers and Students.

[OPB-PBS: The Election Collection](#): Middle and high school educators across the U.S. are empowering students to share their take on issues that matter to them. Learn how your students can create and publish audio or video commentaries for a national audience.

[KQED's Youth Media Challenge: Let's Talk About Election 2020](#): Students have a lot to say to the president-elect. Students care deeply about the issues that will impact their lives - both leading up to the election and through the inauguration. Get inspired by their powerful commentaries, covering everything from the COVID-19 pandemic to climate change and immigration.

Civic Engagement and Advocacy: [Teaching Tolerance Election 2020](#)

Critical Thinking - News sources: [Teaching Tolerance Digital Literacy](#)



Professional Development ★

Recent events in our city, state and in the nation have called for our educators and leaders to support our students by facilitating meaningful and engaging conversations. We want to ensure that all educators are prepared to facilitate meaningful and engaging conversations with students on a range of topics associated with our current circumstances.

The following may help lead to constructive, thoughtful conversations:

Talk about issues and not personalities – This is from the lens that many people in our community supported both candidates, and we don't want to increase the divide by focusing on the people. What are the issues that people feel are important to express? What does this say about the divide in America?

Identify concerns – Let people talk about what they are sitting with. What are the things we need to be aware of and talking about

Process emotions – This is the most challenging part because people will be emotionally charged and we want to give people the opportunity to express their emotions.

Process next steps – How do we come together to combat the divisive nature of our country and communities? What do we need to do to support each other with conversations, gatherings and events designed to invite diverse groups to work together?

Let's Talk is a guide from Teaching Tolerance to help educators facilitate critical conversations with students:

[Teaching Tolerance: Lets Talk! Facilitating Critical Conversations with Students](#)

Facing History and Ourselves: Fostering Civil Discourse

https://www.facinghistory.org/sites/default/files/publications/Fostering_Civil_Discourse.pdf

The Teaching Channel: Teaching Respectful Talk

<https://learn.teachingchannel.com/video/speaking-respectfully-nea>



Resilience Building Approach

Students, families and staff are facing incredible stress. We know our BIPOC students and families experience this trauma differently and more intensely. And we know how important building resilience is as we talk about the election and potential consequences. Consider the following:

1. Talk with your students about how to identify and adopt self care practices.
2. Encourage students not to lean into despair. As much as possible, try to redirect to asset based and positive outlooks during discussions. Try to motivate students to reflect on opportunities for growth, learning and optimism.
3. Encourage students to stay Informed and get information from trusted news sources, but be sure to take breaks from the screen and the news.
4. Encourage students to find support among friends and loved ones and encourage students to seek support when they need it. Help students identify who their support network is and suggest adults such as counselors and social workers if they need it.
5. Promote empathy with your students. Empathy is not only good for those around you, but it can also promote good health, lower stress and prevent burn-out while connecting you to other people in deep and meaningful ways.

[Brene Brown: The Power of Empathy](#)

Social Emotional Learning

PPS Office of MTSS created the following presentation to help build and deepen your classroom community: [Community Meeting Slides](#)

Casel created the following presentation to help promote equity and healing: [CASEL - Reunite, Renew, and Thrive: Social and Emotional Learning \(SEL\) Roadmap for Reopening School](#)

American School Counselor Association:

<https://www.schoolcounselor.org/school-counselors/professional-development/learn-more/helping-students-troubling-times>

Guiding Principles to a Trauma-Informed Approach (Visual)

https://www.cdc.gov/cpr/infographics/00_docs/TRAINING_EMERGENCY_RESPONDERS_FINAL.pdf

Conversations About Race

Edutopia created this culturally responsive piece to support talking about race in the early elementary classroom: [Edutopia: How to start talking about race in the early elementary classroom](#)

Teaching Tolerance curated lessons to support learning about Race and Racism:

[Teaching Tolerance: Teaching About Race, Racism and Police Violence](#)



Directory of Internal/External Supports for Students★

PPS provides resources and support for students and families throughout the year. If the civic unrest proves stressful for students, below are several internal and external resources and services to support our students.

Existing Menu of Student and Family Supports

This summer, Portland Public Schools educators, central office leaders, public health professionals and community leaders, came together to build a comprehensive plan to ensure that in this time of distance learning, our PPS students and families have the resources and supports they need. This guide provides a full list of resources by school.

[PPS Menu of Student and Family Supports](#)

The Office of Student Support Services fosters empowered living for every student, family, and staff member by collaborating with them to provide student-centered responsive services and programs. These systems of support will enhance academic and social-emotional learning while also being inclusive of all abilities and cultures. School based counselors and social workers are integral to student success during this time.

Counselors - School counselors focus on helping students address their academic, personal/social, and career development goals and needs by designing, implementing, and evaluating a comprehensive school counseling program that promotes and enhances student success. School counselors work to promote safe learning environments for all members of the school community and regularly monitor and respond to behavior issues that impact school climate, such as bullying, student interpersonal struggles, and student-teacher conflicts. Effective school counseling programs are a collaborative effort between the school counselor, teachers, families, and other educators to create an environment promoting student achievement, active engagement, equitable access to educational opportunities, and a rigorous curriculum for all students.



- [Framework for PPS School Counselors](#)
- **Crisis Response Group for Black/African American Students:** Here is the [flyer](#) and FAQ's, [link to register](#), [video](#).
- **Middle School Native Student Meeting:** Jeanette Scantling, Counselor at Metropolitan Learning Center, is hosting a weekly Middle School Native Student Meeting starting Mondays, October 19th at 12:15-1:00 p.m. Please let your native students know and share [the flyer](#).

Social Workers - Social workers work to decrease barriers to learning created as a result of systemic racism, poverty, inadequate health care, and neighborhood violence. School social workers often focus on providing supports to historically underserved populations of students that have a high risk for truancy and dropping out of school, such as youth who are homeless or in foster care, students who identify as immigrants or refugees, students transitioning between school and treatment programs or the juvenile justice system, or students experiencing domestic violence. Social workers work closely with teachers, administrators, other educators, parents, and caregivers to provide coordinated interventions and consultation designed to keep students in school and build upon family and student strengths to access the culturally responsive supports needed to promote student success.

Serving Immigrant Families:

PPS remains committed to creating safe and inclusive learning environments for all of our students regardless of race, gender, gender identity, religion, ethnicity or immigration status. The link below provides a full list of resources for immigrant families. <https://www.pps.net/domain/4352>

RESJ Partnerships:

PPS continues to partner with culturally specific organizations to help serve and support our students. The link below highlights our partner organizations here to support students. <https://www.pps.net/Page/15401>

Additional Resources to help student process the election

[Helping Students Process the 2020 Election](#)

ACLU - Know your Rights :

Everyone has basic rights under the U.S. Constitution and civil rights laws. Learn more here about what your rights are, how to exercise them, and what to do when your rights are violated. <https://www.aclu.org/know-your-rights/>



Guidelines for Political Speech★

Our role as educators and public employees is clearly defined when it comes to political speech. Oregon law strictly limits political activities that public employees may engage in during work hours. Under Oregon's "Solicitation of Public Employees" law, ORS 260.432, public employees may not, during work hours, promote or oppose election petitions, candidates, political committees or ballot measures.

To provide additional clarification, our PPS legal department outlined specific activities and examples applicable to this law. This guidance can be found here:

[Campaign Guidelines for Public Employees](#)

It is also important to distinguish between speech that affirms our values and vision from political speech. In particular, language that supports our values of racial equity and social justice is not political speech. We also understand that **Black Lives Matter (BLM)** may be controversial for some members of the community, and PPS encourages thoughtful debate of this and other contemporary issues.

Back Lives Matter is a statement of social justice aligned with our commitment to authentically affirm the identities of students, families and staff.

Support of BLM is not a political statement, nor is it associated with a specific candidate or political campaign. It is **not a violation** of our policy for staff or students to have BLM-branded items, such as clothing, email signatures, etc.



PPS Hate Speech Protocols★

PPS does not tolerate hate speech nor acts of discrimination. In 1997, PPS adopted the Non-Discrimination/Anti-Harassment Policy which has been amended throughout the years to respond to emerging situations. The intent of the policy is to provide a culture of safety for students, families and employees by outlining protected classes, providing mechanisms for complaints and reporting to ensure the safety and well-being of all. The district's protected classes include: age, national origin, disability, economic status, race, religion, gender, sexual orientation, and gender expression or identity. The policy also provides consequences for those who engage in discriminatory practices, dismissal of staff and trespass of parents and volunteers.

In response to the increasing number of hate speech incidents, a cross functional team worked to develop a consistent set of actions to respond to these incidents. These are outlined in [PPS Hate Speech Protocols](#). These protocols include guidelines for notification, reporting and communications support. If there is a hate speech incident, all staff are encouraged to access these protocols and follow them. It's also important to consistently 1) denounce the act; 2) reaffirm PPS values of racial equity and social justice; and 3) support targeted students.

In addition to following our protocols, we are also asking everyone to be vigilant about recognizing hate symbols in your virtual and physical environments that impact students. The Antidefamation League collates a [hate symbol database](#) that we asked operations staff to be aware of and to report any use of these symbols on school properties.

This fall, the State Board of Education adopted the The [All Students Belong](#) rule which prohibits hate symbols, specifically three of the most recognizable symbols of hate in the U.S.—the swastika (outside of a religious context), the Confederate flag, and the noose. The temporary rule took effect on September 18, 2020. It requires districts to adopt and implement policies and procedures that prohibit the use or display of the noose, swastika, or confederate flag in any program or school-sponsored activity except where used in teaching curricula that are aligned with the Oregon State Standards by January 1, 2021. The PPS Board of Education will begin considering policy updates in mid November in order to adopt and implement updated policies by the established deadline.

Additional resources can be found at [PPS.net/ResponsetoHateSpeech](https://pps.net/ResponsetoHateSpeech)



Hate speech versus political speech

It is also important to distinguish between hate speech and political speech. Hate speech is not protected by “free speech” and both PPS and state policies prohibit the use of hate speech. Below are five common defenses of hate speech and practical suggestions to redirect adapted from Western State Center’s *Confronting White Nationalism in Schools Tool Kit*:

Common Defense of Hate Speech

Practical Suggestions to Redirect

PPS Vision - Graduate Portrait

“It’s about pride, not prejudice”

Racial groups or historically marginalized groups gather and assert pride as a way to protest historic and current discrimination and cultural racism.

White pride cannot be equated with Pride month in support of LGBTQ communities, Native Pride, Latinx pride or Black Excellence.

Positive, Confident, Connected Sense of Self: Students have positive feelings about their personal and cultural identities and a healthy sense of confidence and self-worth. They are connected to networks of allies who serve as role models and advocates, strengthening their self esteem by nurturing their personal and cultural assets and strengths.

Pride and confidence in one’s culture does not involve speech that denigrates or promotes violence towards others.

“This is a free speech issue”

A range of legally upheld policies support the rights of schools to prohibit hate speech. We are responsible for cultivating a culture of safety for every student. Speech that threatens the safety of any students, particularly those who belong in protected classes is not tolerated at PPS. The State Board of Education also prohibits hate symbols, specifically three of the most recognizable symbols of hate in the U.S.–the swastika (outside of a religious context), the Confederate flag, and the noose.

Hate speech is not protected speech.

A range of legally upheld

Powerful and Effective Communicators: Students communicate effectively by organizing, writing, speaking, and presenting clear, logical, persuasive, compelling content. They understand the importance of culture, time, place, and context in developing appropriate methods of communication and can adapt the ways they communicate to various situations.

Effective communication has the power to unite us across differences.

“This is all just political correctness by social justice warriors”

Working to cultivate safe and positive school climates is in alignment with our values and vision. Here are two terms that have been co-opted and redirected in their intentions. Challenge those who mock them in defense of bigotry to replace the first with “basic respect for others” and the second with “people who are against racism.”

Prohibitions of hate speech are not efforts to be politically correct nor an attempt to limit discourse and debate.

Transformative Racial Equity Leaders: As racial equity leaders, students take part in making our society more just and equitable for people of color. They understand how our communities have been impacted by racial injustice, and they can recognize and interrupt the conditions that enable it. They develop agency and advocacy skills to challenge injustice and change oppressive systems in their communities.

We believe in the fundamental right to human dignity and that generating an equitable world requires an educational system that intentionally disrupts—and builds leaders to disrupt—systems of oppression.



Hate speech versus political speech continued

Common Defense of Hate Speech

Practical Suggestions to Redirect

PPS Vision - Graduate Portrait

“What about reverse racism?”

Data demonstrates systemic advantages for white people in all facets of life in the US. While members of any group may commit acts of bias against any other, these acts do not add up to the institutional and cultural racism that disproportionately produces negative outcomes for people of color.

Reflective, Empathetic, and Empowering Graduates: Students are self-aware, reflective, and able to recognize personal bias toward people, cultures, and situations. They operate from a strengths based perspective and demonstrate empathy, curiosity, respect, and interest in other points of view. They seek to empower others and are accepting, appreciative, compassionate, and kind toward others.

We believe in the fundamental right to human dignity and that generating an equitable world requires an educational system that intentionally disrupts—and builds leaders to disrupt—systems of oppression.

“We are post-racial, racism is over”

Since the horrible and violent events this summer, our community and country recognize the pernicious history of institutional and cultural racism present in our systems. We know that racially motivated hate speech incidents have increased over the past four years. We have work to do together, and we need to listen to understand and believe one another's experiences.

Inquisitive Critical Thinkers with Deep Core Knowledge: Students can read and analyze information, ask relevant questions, and develop compelling arguments based on facts and evidence. They can investigate history from multiple perspectives and understand how, traditionally, historical stories have been shaped by dominant cultures, and how these narratives have shaped current events

We know that to undo centuries of injustice and to rebuild a more racially just and equitable district, we must continue to remain steadfast in our commitment to racial equity and social justice.



Support for Staff★

Employee Assistance Program

The [Employee Assistance Program](#) offers 24 hour crisis support, confidential counseling to any member of your household, legal services, and wellness programs.

For a complete list of services or to access services online go to www.MyRBH.com - access code: OEGB, Company ID for the Wellness Works Portal 10607.

You can also access services by calling 866-750-1327.

Be sure to reach out to your supervisor, if you have questions or need support.



RESOLUTION No. 6616

Settlement Agreement

The Board of Education grants authority to pay \$750,000 in a settlement agreement to resolve a disputed claim. The agreement will be specified in a form approved by the General Counsel's Office.



Date: November 10, 2022

To: PPS Board of Education

From: Marina Cresswell, Senior Director, Office of School Modernization

Subject: PPS/Fortis Settlement - Corporate Activity Tax (CAT)

Introduction and Timeline

Portland Public Schools has undertaken a significant school modernization program with generous support from property taxpayers and takes its responsibility to maximize and safeguard taxpayer funds very seriously. As part of the 2017 bond program, PPS modernized Leodis V. McDaniel High School in partnership with its general contractor, Fortis Construction, Inc., (the "Project"). The Project was successfully completed on time and under budget.

April 19, 2018: PPS and Fortis entered into a contract for Fortis to construct the Project.

May 16, 2019: About a year later, Governor Kate Brown signed House Bill 3427 into law.

The legislation does the following:

- Establishes a "Fund for Student Success" that is separate and distinct from the state's general fund; and
- Imposes a new Corporate Activity Tax (CAT) on all types of business entities for the privilege of doing business in Oregon.

This new CAT applied to Fortis's total commercial activity in Oregon beginning January 1, 2020. Fortis seeks from PPS approximately \$1.3 million for reimbursement for estimated CAT amounts Fortis alleges that it and its subcontractors have incurred as a result of their work (commercial activity) on the Project.

Because the CAT was signed into law about a year after PPS and Fortis entered into contract, the contract did not mention the CAT.

July - August 2019: Six months before the CAT was to go into effect, PPS and Fortis negotiated a planned amendment to the contract setting the maximum price of the Project. This was after Fortis had already started preconstruction work on the project.

During the amendment negotiations, Fortis presented a draft that included an amount to account for Fortis's estimated CAT liability that Fortis believed was related to the Project. PPS asked Fortis to remove the CAT from the proposed amendment because PPS needed time to analyze how and whether it would apply to the Project. The CAT was discussed during the amendment negotiations and removed during negotiations. The contract amendment indicated that the CAT issue would be resolved by October 15, 2019.



Fortis alleges that a PPS employee (who had only authority to approve expenditures under \$10,000), told Fortis that PPS would add the CAT to the price paid to Fortis by a “change order” after the amendment was executed. On that basis, Fortis alleges that it relied on the PPS employee’s representation in signing the amendment that did not include the CAT and proceeding with the Project. PPS disagrees that relying on these alleged statements was reasonable.

The parties did not resolve the CAT issue by October 15, 2019.

July 14, 2020: PPS denied Fortis’s request for additional compensation based on the conclusion that the CAT did not qualify as a reimbursable cost of the work under the language of the Contract. Fortis submitted a claim on July 20, 2020.

April 2021: PPS and Fortis attempted to mediate the dispute but did not reach a resolution.

After the April 2021 mediation, PPS filed an action, seeking a declaration from the court that the CAT is not a reimbursable cost of the work under the PPS-Fortis contract. Fortis responded by filing eight counterclaims against PPS: (1) breach of contract; (2) breach of the duty of good faith and fair dealing; (3) promissory estoppel / equitable estoppel; (4) reformation; (5) unjust enrichment; (6) quantum meruit; (7) implied in fact contract; and (8) fraud.

October 31, 2022: Following a second mediation, PPS and Fortis agreed to resolve the pending litigation between them related to the CAT dispute for \$750,000 in exchange for a release and dismissal of the lawsuit, subject to PPS Board approval.

Settlement

Both parties deny liability for the claims alleged against them, but each party faces the inevitable reality that taking a construction case to trial involves significant risk, expense and time.

PPS recognizes that the CAT is a new tax and that there was considerable uncertainty about how it applied to the Project under the language of the parties’ contract. PPS also recognizes that there was significant turnover in the Office of School Modernization during the summer of 2019, when the parties were negotiating the price amendments to the contract.

As a result, we:

1. Increased regular staff training on approval of contract changes;
2. Added regular PPS management representation at construction project team meetings; and
3. Increased approval requirements in the project management software used by PPS and its contractors.

RESOLUTION No. 6618

Resolution to Approve the Appointment of Metro Policy Advisory Committee Member

RECITALS

- A. The Metro Policy Advisory Committee (MPAC) advises the Metro Council on a range of topics, including regional transportation and land use planning, management of the urban growth boundary (UGB), and other planning matters of regional concern. MPAC's membership consists of 30 voting and non-voting members, including representation by cities, counties, school districts, special districts, and the public.
- B. The school district member position on MPAC's governing bodies was held by Mark Watson of the Hillsboro School District Board of Education. According to the committee bylaws, the member position representing school districts is to be appointed jointly by the governing bodies of the school districts represented, which include Portland Public Schools.
- C. There was a nomination period for the position, and Susan Greenberg was nominated by the Beaverton School District Board of Directors to serve on the committee. Mark Watson was nominated by Hillsboro School District to serve as an alternate member on the committee.
- D. The Metro Council Office requires represented school boards to vote on the nominees.

RESOLVED

The Portland Public Schools Board of Education approves the nominations of Susan Greenberg to serve on the Metro Policy Advisory Committee (MPAC) and Mark Watson to serve as the alternate on the Metro Policy Advisory Committee (MPAC) representing school boards in the region.



PORTLAND PUBLIC SCHOOLS

501 North Dixon Street / Portland, OR 97227
Telephone: (503) 916-3741

Date: November 9, 2022
To: Board of Education
From: Rosanne Powell, Senior Board Manager
Subject: Nominations to the the Metro Policy Advisory Committee (MPAC)

The Metro Policy Advisory Committee (MPAC), established by the Metro Charter in 1992, advises the Metro Council on a range of topics. These topics include: regional transportation planning; management of the urban growth boundary (UGB); protection of lands for natural resources, future urban or other uses; and other growth management and land use planning matters required by state law or determined by the Council to be of regional concern. Since all of these issues may be of concern to schools, school districts are represented by a voting position on MPAC.

MPAC membership consists of 27 voting and non-voting members including representation by cities, counties, school districts, special districts and the public.

According to the committee bylaws, the member and alternate positions representing school districts are to be appointed jointly by the governing bodies of the school districts represented, which include Portland Public Schools. The member and alternate from the school boards in the Metro Region will be appointed jointly by the governing bodies of the school districts represented, and must be from different districts. The member and alternate will serve until either he or she leaves office or is replaced by an appointment by the governing bodies of those school districts represented. The member and alternate may be reappointed. In the event that the member's position is vacated, the alternate will automatically become the member and serve until the governing bodies of those school districts represented have appointed or reappointed representatives

School Boards were asked to submit nominations for the member and alternate position earlier this summer. Beaverton School District nominated Susan Greenberg for the member position, and Hillsboro School District nominated Mark Watson for the alternate position.

The Board Office will notify Metro once the Portland Public Schools Board approves the nominations.



FORWARD
TOGETHER

Towards Educational Equity

Aligning Investments Towards Racial Equity, Inclusion, and Excellence

Student Investment Account Year 2 Annual Report

November 15, 2022

Objectives for Tonight

- Provide annual report on how the Student Investment Account (SIA) dollars were invested at PPS during the last school year, as required by the State of Oregon
- Reorient community to how we are organizing, prioritizing and aligning our investments to our strategic plan
- Introduce our PPS strategic plan public dashboard



Our Journey Towards Racial Equity, Inclusion and Excellence



Destination



Roadmap



Compass

Portland Public Schools reimagined
Preparing Our Students to Lead Change
and Improve the World



Forward Together
2021-2025 Strategic Plan for
Racial Equity, Inclusion, and Excellence

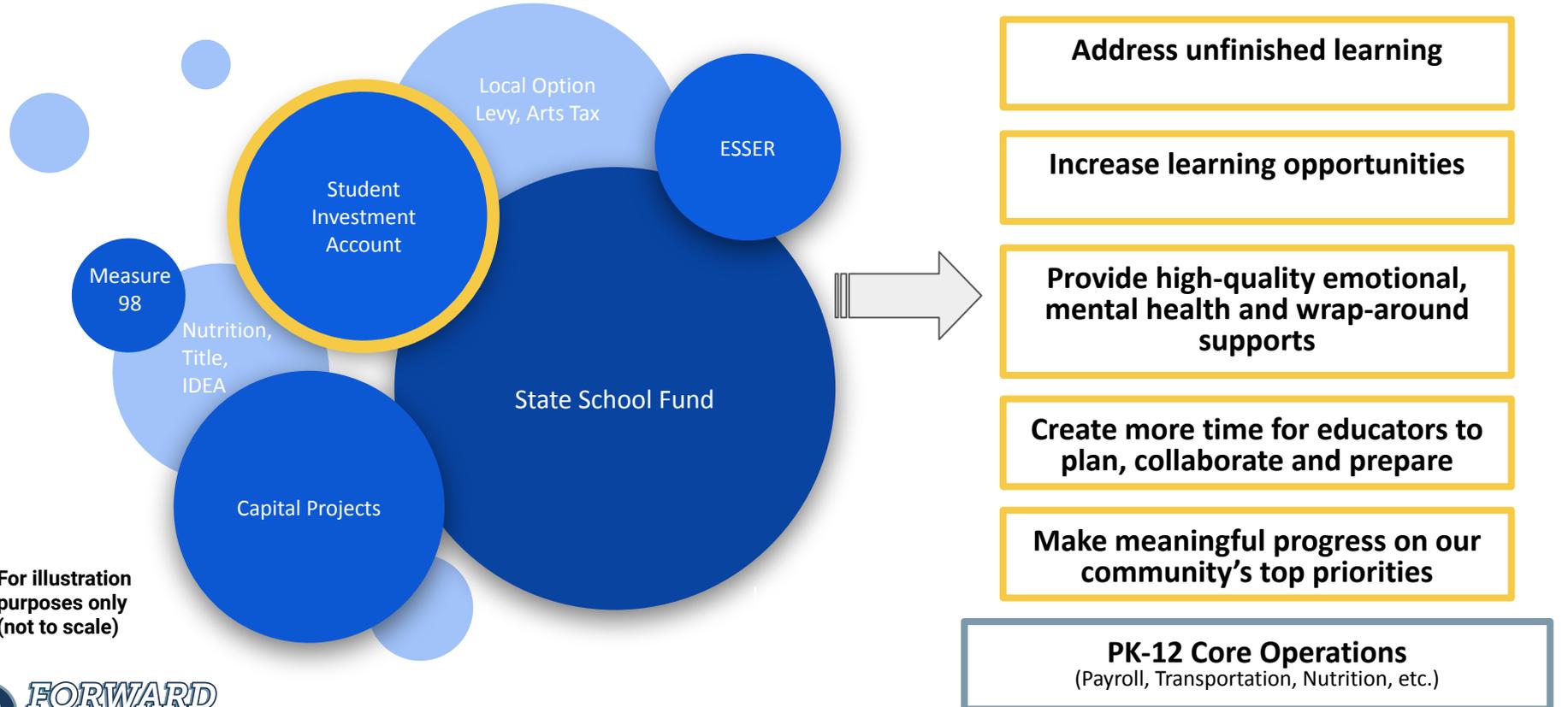


Eliminate Opportunity Gaps



Student Academic Achievement Goals

Aligning Investments Towards Racial Equity, Inclusion, and Excellence



For illustration purposes only (not to scale)

Strategic Investments

Address unfinished learning

- High School Credit Recovery and Supports
- Learning Specialist in CSI/TSI/Title I Schools

Increase learning opportunities

- Classroom Size
- 7th Period Day in Middle Schools
- Expansion of visual and performing arts programming
- Middle School Redesign and Supports
- Career Learning - Alternative Schools
- Enhanced Supports for Special Education Families

Make meaningful progress on our community's top priorities

- \$2.8m to support community-based and charter schools

Provide high-quality emotional, mental health, and wraparound supports

- Additional counselors, social workers and other mental/health staff
- Family, student and community supports
- Increased partnerships with mental health providers and experts
- Partnerships with culturally specific community organizations

Create more time for professional educators to plan, collaborate and prepare

- Professional development for educators to support rollout of our math and language arts curriculum adoptions

Highlights & Challenges

Highlights

- Funds over 200 full time in-school staff, including instructional coaches, classroom educators, school counselors, and mental health professionals
- Racial Equity and Social Justice (RESJ) partners provided more than 65,000 hours of service to serve more than 4,500 students of color

Challenges

- Global COVID-19 pandemic increased need to support our student's academic and social-emotional needs. Reallocated resources to respond to immediate needs (e.g., deployment of staff to address substitute shortage)
- ODE's delay in detailing two-year grant agreements for community based organizations and charter funding and plans

Establishing a Focus

Multi-Year Roadmap
22 Strategic Outcomes and 63 Goals

Current Focus
9 Strategic Outcomes

2022-23
5 Leadership Team Priorities



- Strategic Alignment
- High Quality Teaching and Learning
- Black Student Excellence
- Inspiring Learning Spaces
- Support for Team PPS

Superintendent's Leadership Team

2022-23 Priorities

Strategic Alignment

Align dollars, time, and effort to significantly improve organizational efficacy and culture to serve and support our schools, students, families, and educators to thrive and achieve excellence.

High-Quality Teaching and Learning

Strengthen our collective knowledge, skills, and dispositions, so that in every classroom, we can foster a joyful, inclusive, high-quality teaching and learning experience that sets high expectations for every student every day.

Black Student Excellence

Centering the experiences of Black students, families, and staff, create a vision for Black Student Excellence, one where vibrant learning environments exist, opportunity gaps are narrowed, and the educational experience is enriched for every Black student in PPS schools, especially in the Albina-neighborhood.

Inspiring Learning Spaces

Continue to modernize and improve our learning environments, so that they are conducive to learning, safe and healthy, and technology-enabled; we want our classrooms and schools to be actively shifting practices and design to align with the district's ambitious climate crisis response policy.

Support for Team PPS

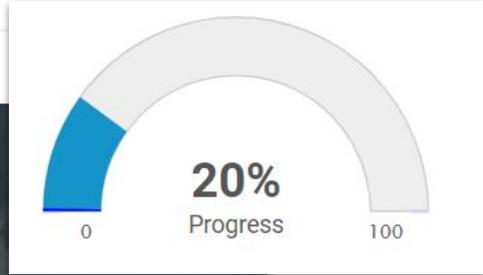
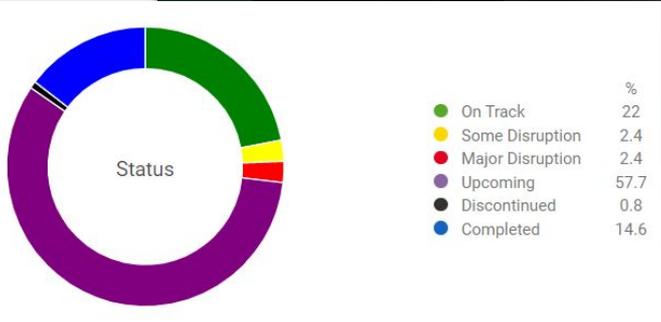
Create and insist on a culture that is always in service of children and models for them an unyielding dedication to racial equity and social justice, care, and trust; Provide the educators who support our students the resources and tools they need to effectively serve our students.

Sharing Progress

performance.envisio.com/dashboard/forwardtogether

The dashboard features a navigation bar with the PPS logo and menu items: "Racial Equity and Social Justice", "Inclusive and Differentiated Learning for Every Child", "Professional Excellence and Support", and "Embracing Change". The main content area has a background image of people's hands stacked together, with the text "Forward Together" and "2021-2025 Strategic Plan for Racial Equity, Inclusion, and Excellence". A progress gauge on the right shows 20% completion. A donut chart on the left shows the status distribution of various goals.

Status	%
On Track	22
Some Disruption	2.4
Major Disruption	2.4
Upcoming	57.7
Discontinued	0.8
Completed	14.6



Appendix

Annual Report Resources

Student Investment Account Year 2 (2021-2022) Annual Report

SIA Annual Report Journal

SIA Annual Report Template 

Portland Public Schools
2021-22 Student Investment Account Annual Report

This Student Investment Account Annual Report Questions template aims to help districts organize narrative responses to questions prior to submitting their Annual Report via SmartTrack. Final draft responses to these questions will be copied into the ODE reporting dashboard.

1. What changes in behavior, actions, policies or practices have you observed related to SIA implementation during the 2021-22 school year? How do you see these changes contributing to the goals and outcomes in your SIA plan? (500 words or less)

As outlined in the Student Investment Account (SIA) year two quarterly reports, PPS began to see some progress in key areas of SIA-funded activities in support of our outcomes; however, that progress was significantly hindered by pandemic-related stress and churn in the system. PPS saw some of the staffing challenges begin to abate at the end of the year with an overall decrease in the number of COVID cases.

Notably, SIA funded almost 200 FTE with most of those investments in site based instructional coaches, teachers, coaches, and mental health professionals. SIA funds were also used to contract with and invest in community based education services, charter schools, student and community engagement, Racial Equity and Social Justice (RESJ) partnerships, mental health, substance abuse services, and professional learning. These investments directly offset challenges and helped PPS respond to immediate student, family, and staff needs these past two years.

The SIA-supported staff, frameworks, resources, and RESJ partnerships have provided critical resources, knowledge, and wrap-around services to adapt and respond to the complex and rapidly evolving conditions while making longer-term incremental progress towards our outcomes. PPS launched and began implementing frameworks and other district-wide systems of support, such as the PPS Instructional Framework, Multi-Tiered Systems of Support (MTSS), the school counseling core curriculum, and the RESJ Partnership Strategy. These helped create more coherence and focus in professional learning, partnerships, targeted student supports, and other services.

2. What barriers or challenges to SIA implementation have you experienced that are helpful for your community and/or state leaders to be aware of? What adjustments, if any, did you make to your SIA plan as a result of these challenges? (500 words or less)

PPS remains extremely appreciative of the SIA funds and recognizes the incredible investment Oregonians are making in education through the Student Success Act.

The district submitted the first SIA plan in March 2020, which was immediately followed by a series of unprecedented and compounding challenges for implementation. These challenges have been documented in multiple reports, including the quarterly and annual SIA reports. The SIA funds helped to respond to and offset many hurdles, while making modest incremental progress.

Adjustments to the plan mostly focused on how resources were utilized and deployed to respond to immediate challenges with fewer adjustments made to reallocate funding to other activities.

Charter School Report Journals

The Emerson School			
SIA Year 2 (2021-2022) Quarterly Report			
ODE required that charter progress be included in the PPS district annual report journal. There was not a separate annual or quarter 4 journal requirement for charters.			
Progress Journal Questions	First Quarter	Second Quarter	Third Quarter
What has been the impact of the implementation of the activities in your SIA plan so far on the behavior, actions, policies, or practices in your school community? Reflect on the Progress Markers as you develop your response.	There has been a visible impact on the school community. The work of the Instructional Coach has been to refocus our SEL program, allowing for care and connection, growth in classroom communities, and students as well as staff are highly engaged and positive. Reaffirming common language in the SEL program has already created a difference in our community.	During this quarter, we have been able to particularly focus on unstructured social time, like recess, and establishing routines and guidance for students and helping them navigate these times and build social skills.	The impact of overall support through the additional FTE has allowed teachers to have planning time in addition to lunch/break time to refresh each day, for the first time.
What evidence can you point to that supports the impact you have described occurring?	Students' ability to quickly collaborate and engage with each other in our project based program is due to the focus on SEL program in the opening weeks of school. Anecdotally, teachers have reported that this year is when they have felt most supported and engaged in the work they are doing.	We have seen an increase in students' ability to resolve conflict and engage in independent problem solving. This results in less staff intervention required, as well as students gaining agency in their own social emotional management. These skills transfer back into the classroom and strengthen the classroom communities. We don't feel like we are in crisis management mode at all.	Teachers have increased lunch/break time from 30 min to 45 min per day due to this additional FTE.
Share any stories or anecdotes about who is contributing to your SIA activities and how they are making significant contributions.	Everyone has contributed to our activities, specifically the Instructional Coach. Students, staff, and families are all engaged and contributing to our SIA activities.	Everyone has contributed to our activities, specifically the Instructional Coach. Students, staff, and families are all engaged and contributing to our SIA activities.	Because of the addition Instructional Support/SEL Coach FTE provided w/SIA funds, our Instructional Support teacher is able to create individual SEL Plans for students who need additional support navigating the re-entry to in-person learning. This has proved to be a much larger job than originally expected, and this additional support has been invaluable.
What lessons, constructive or critical, have you learned throughout the last period of SIA implementation?	Hiring during a pandemic is difficult. Hiring for the position of an Instructional Coach with a specialized pedagogy at a charter school, is particularly difficult. We feel fortunate to have found the candidate we found.	While the role of Instructional Coach was created to meet the moment of returning to in-person learning after remote learning, the position is now a necessary and valuable one within The Emerson School. We see value in maintaining the position beyond the immediate needs of this year.	We are learning that having this additional FTE may not be enough in the long term to meet the needs of our students and teachers moving forward.

Year 2 Investments by Theme



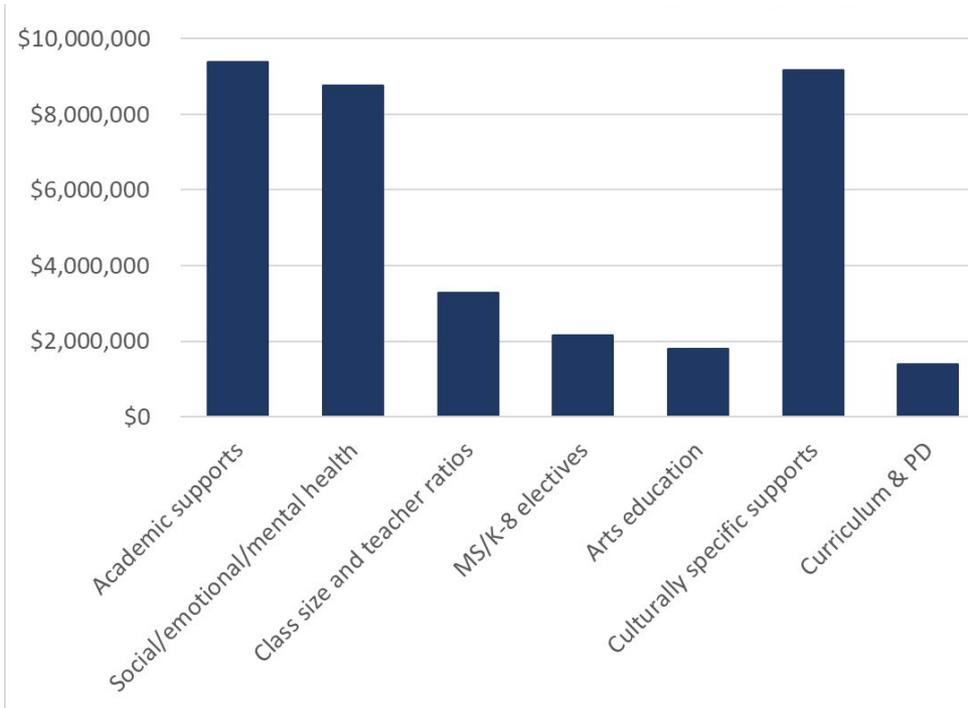
SIA funds restored to \$36.5m in Year 2 after being cut to \$12.4m in Year 1

Invested in two major themes:

- Racial Equity and Social Justice
- Inclusive and Differentiated Learning

\$2.8m of Inclusive & Differentiated Learning supported earmarked to CBO and charter schools

Year 2 Investments by Category



About 75% of funds invested in:

- Academic supports
- Social, emotional, and mental health
- Culturally specific supports

The remaining funds were invested in the other 4 categories.