



Corvallis
SCHOOL DISTRICT

NOTICE

NOTICE IS HEREBY GIVEN of a meeting of the Corvallis School District Board of Directors.

Date & Time	Meeting Type	Location	Agenda
Monday, April 11, 2016 6:30 PM	Regular	District Office Board Room, 1555 SW 35th Street, Corvallis, OR 97333	See attached.

Accessibility: *To request accommodations for board meetings, please contact Kim Nelson at 541-757-5841 or kim.nelson@corvallis.k12.or.us at least 48 hours before the meeting.*

If you would like to watch live-streaming of the School Board meeting, please navigate to the District's YouTube channel: <https://www.youtube.com/channel/UC9Jtpte5dmilZl9kySBJbVQ?>
A recording of the meeting will also be posted to that channel.

POSTED: Corvallis School District Administration Building
Hans Boyle, Education Editor, Gazette Times (Via Email)

For more information, please contact Kim Nelson at 541-757-5841 or at kimberly.nelson@corvallis.k12.or.us



Corvallis

SCHOOL DISTRICT

Monday, April 11, 2016
6:30 PM

AGENDA
Regular Meeting of the
BOARD OF DIRECTORS
Corvallis School District 509J

Meeting Details: Monday, April 11, 2016, 6:30 PM in the District Office Board Room,
1555 SW 35th Street, Corvallis, OR 97333.

If you would like to watch live-streaming of the School Board meeting, please navigate to the District's YouTube channel: <https://www.youtube.com/channel/UC9Jtpte5dmilZI9kySBJbVQ?> A recording of the meeting will also be posted to that channel.

- I. CALL TO ORDER AND ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. COMMITTEE/BOARD MEMBER ITEMS
- IV. STUDENT REPRESENTATIVE REPORTS
- V. RECOGNIZE GOLDEN APPLE AWARD RECIPIENTS
- VI. SUPERINTENDENT'S REPORT
- VII. SECONDARY MATH AND LANGUAGE ARTS CURRICULUM



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board

Prepared by: Rynda Gregory, Teaching and Learning Coordinator, Secondary Schools

Date: April 6, 2016

Secondary Curriculum Adoption Update

This is an information only update on the Secondary Curriculum adoption process outlined for the board in December. Curriculum encompasses a wide variety of potential educational and instructional practices. When the term is used in our district, we are referencing the materials used to deliver the standards for a given grade level or course.

Process

All relevant teaching staff and administrators were invited to participate in this review. Math teams from middle and high school levels have a majority of teachers involved, with one administrator present. English Language Arts (ELA) teams from both levels identified representatives to attend meetings, with one administrator present.

The process is guided by Rynda Gregory and teacher leaders. Teaching staff and administrators identified the curriculum review and final decision making process. The overarching priorities for all teams are:

- Best practices based on research.
- Embedded and quality digital component.
- High quality materials for math providing quality, inquiry based practice, common academic vocabulary, and embedded differentiation.
- High quality materials for ELA quality literature, embedded perseverance for reading practice, quality writing instruction, and embedded strategies and differentiation for all students.
- Embedded and quality professional development.

Professional Development Plan

This will be decided once a program is chosen. Educators will be provided at least one day for introduction to new materials and in-depth training in late summer or early fall. On-going support will be offered throughout year. We will place an emphasis on instructional practices, to avoid the traditional practice of "materials only" focus.

Community Input

Recommended materials will be on display at the district administration building for constituents to be able to look at the curricular materials and to provide feedback.



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Middle School Create Priorities based on best practice. Review State approved materials, professional recommendation. Narrow to 4 programs.		High School Create Priorities based on best practice. Review State approved materials, professional recommendation.	
ELA Publisher visits Narrow to 2 programs.	Math Pilot 4 programs. Publisher visits. Narrowed to 2 programs. Vote for final recommendation.	ELA Narrowed to 2 options: -Keep current text – with updates for text in 9 th grade, and novels in all courses. Focus on high quality writing instruction program. -Review one program with embedded high quality writing instruction throughout. Requested sample materials for writing instruction.	Math Narrow to 4 programs. Requested sample materials be sent to each site for teacher review.
Next steps for each area/level			
Visit with other Oregon districts using the programs. Sample materials delivered to each MS for continued review. Public viewing – 2 weeks Meet once more for final discussion and vote for recommendation.	Voting on final recommendation. Using a weighted vote process – based on number of math classes taught. Majority vote of 65/35 to pass.	Meeting April 22 to meet with publisher of full ELA program, and review writing materials. Decide on process for final recommendation.	Meeting April 22 to discuss programs, and final process for recommendation.
Programs			
McGraw Hill Springboard	Core Focus CPM	Springboard – Full ELA program Jane Schaffer - Writing	Chosen by course.

Secondary Curriculum

BOARD UPDATE

APRIL 2016



Common Vocabulary

Standards - The **Standards** are statements of what students are expected to learn. Standards are the *ends*.

Curriculum/Materials - The term **Curriculum** refers to the program used to help students meet the standards, including instructional materials, activities, tasks, units, lessons and assessments. The curriculum is the *means*.

NCTM, 2014 Principles to Actions, *Ensuring Mathematical Success for All*; p. 70

Secondary
Courses
vs
Elementary Self
Contained

Courses offered based on

- Standards
- Graduation Requirement
- Student need/want
- No one publisher addresses all the courses offered in a content area **OR** the variety of needs of our students

Criteria for both LA and Math content areas MS and HS

- ❑ Standards based
- ❑ **Engagement strategies embedded into instruction**
- ❑ Multiple Assessment tools – for a variety of uses
- ❑ Differentiated materials - below benchmark, ELL, enrichment
- ❑ **Digital component for teacher and students**
- ❑ **High quality** Dual Language materials, rather than materials that have simply been translated
- ❑ **Follow-up professional development after initial training**

Timeline Adoption

Winter 2015-16

- Committee convenes to identify pilot materials (Language Arts)
- Committee reconvenes to review Priority standards, vet scoring rubric (Language Arts)
- January Public Viewing (Language Arts and Math)
- Committee meetings to vet priority standards
- Score piloted materials

Spring 2016

- Recommendation for Adoption presented to the School Board (April)
- Order materials, process and distribute (April – May)
- Begin Professional Development in June – continue in fall 2016

Fall 2016

- Curriculum in use in classrooms

As of April 1, 2016

- Middle School
 - Math – *Core Focus*, and *CPM*
 - ELA – *McGraw Hill*, and *Springboard*
- High School
 - Meeting April 22 for publisher presentations
 - ELA - *Springboard*, and *Jane Schaffer Writing*
 - Math – *Glencoe*, and *Prentice Hall*

Questions



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VIII. PUBLIC/STAFF COMMENT - (20 minutes)

NOTE: To indicate your desire to comment, please complete a request card at the meeting and turn it in to the Board Secretary before the meeting begins. See attached guidelines for providing input to the School Board.

Corvallis School District 509J

How to Provide Input to the School Board

As of 03-02-16

The Corvallis School Board values the opinions and input of community patrons. As such, the purpose of this document is to provide general guidelines about how to make the most of your time when communicating with the School Board. The public may offer comments during certain School Board meetings or correspond in writing via email or U.S. mail, as outlined below.

I. Public Comment

Members of the public have the opportunity to share their ideas and opinions with the Board during the agenda item labeled *Public Comment*. These opportunities are offered only at certain School Board meetings.

To request the opportunity to offer public comment

- A. Complete a *Request to Address the Board* card, which can be found on a table at or outside the entrance of the meeting room.
- B. Complete all requested information. The Board Secretary will notify you if any information has been omitted or is unclear.
- C. Be specific regarding the topic about which you wish to speak. The Board Secretary will contact you if the topic is unclear or too general.
- D. Give the completed Request to Address the Board card to the Board Secretary at the head table **before** the meeting begins.
- E. Failing to fully and clearly complete the card and/or to submit it to the Board Secretary before the meeting begins may affect your opportunity to testify at the meeting.

Rules for Providing Public Comment

1. If you're called to testify:
 - Proceed to the podium in front of the Board.
 - Only one person at a time will be allowed at the podium, with exceptions at the board chair's discretion.
 - State your name and the topic you will address before you begin.
 - This is a matter of public record and will not count against your time.
2. Direct your comments to the Board. The Board Chair will refer any questions or requests for action to the proper person for a response at a later date.
3. Keep your comments to the specified time allotted.
 - You will be signaled when you have 30 seconds remaining.
 - You will be signaled when your time is up.
4. If others have testified before you about the same issue, please state that fact and either decline to testify or limit your comments to points not already stated.

Corvallis School District

How to Provide Input to the School Board

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5. If a group wishes to speak:
 - Please designate one spokesperson for the group; that person will stand at the podium.
 - In order to maintain the meeting schedule, repetitious comments will not be permitted.
6. Speakers may offer objective criticism of district operations and programs but the Board will not hear complaints concerning individual district personnel.
 - Any such complaints must be handled following the steps outlined in policy KL and administrative regulation KL-AR, copies of which are available during meetings at which public comment is accepted, or online at <http://policy.osba.org/corvall/KL/index.asp>.
 - Complaints regarding budget, programs, or other district issues also should be handled by first following the steps outlined in policy KL.
7. Undue interruption or other interference with the orderly conduct of Board business cannot be allowed.
 - Defamatory or abusive remarks are always out of order.
 - The board chair may terminate the speaker's privilege of address if, after being called to order, the speaker persists in improper conduct or remarks.

Important information

- A. The board secretary will sort the *Request to Address the Board* cards, which are complete and were received before the meeting begins, into sets by topic, then will shuffle each set and place them face down at her place.
- B. When it is time for public comment, the board secretary will draw one card from each set, in turn, and announce the name of the person who will be called up to testify.
- C. If you are called upon to testify, you will be allowed only a small amount of time to do so; usually three minutes are granted, but it could be less at the discretion of the board chair.
- D. If more comment requests are submitted than can be accommodated during the allotted time on the board's agenda, you might not be called upon to provide your comments. In that case, please refer to section II – Written Correspondence, should you wish to provide your comments in written form.
- E. When you testify, your name, address and comments are matters of public record, except for student addresses.
- F. Although it is not required, you may wish to prepare a written outline for your comments or to write them out in their entirety.

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How to Provide Input to the School Board

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- G. Although providing a written copy of your comments is not required, should you wish to provide it:
- Please include your name, address and telephone number on the document.
 - You may either provide the board secretary with one copy of your written comments to distribute at a later date, or you may bring 13 copies to the meeting for the board secretary to distribute to those at the head table.
 - One copy will be filed as part of the official board record.
 - The same holds true for any handouts you wish the board to receive.
- H. If you wish to submit a letter or any form of written comments:
- Copies will be provided to all board members and key staff members.
 - The document will be kept in the district office as part of the official board record.
 - Letters, emails and other written materials are considered public record.

II. Written Correspondence

Letters, emails and other written materials submitted to the Board are considered public record. In lieu of public comment, you may send a letter via U.S. mail to: Corvallis School Board, Attn: Julie Catala, P.O. Box 3509J, Corvallis, OR 97339. Also, you may send an email to: schoolboard@corvallis.k12.or.us. This will send your e-mail to all board members at one time. Others who will receive emails sent to this address: superintendent, assistant superintendent, student services director, human resources director, finance and operations director, and executive assistant to the superintendent and board of directors.

III. Telephone Communication

Citizens also may contact board members by telephone:

Vincent Adams	541-738-4324 or 541-240-4055
Judy Ball	541-758-1671 or 240-997-1222
Bill Kemper	541-754-0943 or 541-740-0728
Alexis McQuillan	541-230-1342
Scott Newsham	703-855-1637
Chris Rochester	541-224-1880
Tom Sauret	541-758-2244



Corvallis

SCHOOL DISTRICT

IX. SPECIAL REPORTS

IX.A. Anticipated Repairs, Maintenance and Capital Improvement Projects

FOR INFORMATION

BOARD MEETING DATE: April 11, 2016

SUBJECT: Anticipated Repairs, Maintenance and Capital Improvement Projects

Later this year the District will begin the development of a new comprehensive Educational Facilities Master Plan that will include assessing the need for facility improvements and capital investments including repairs, modernization, replacements, upgrades and new construction. The plan will be designed to ensure that future decisions are based upon educational needs, community input, and consensus. We expect the plan to be completed and adopted by the Board by June 30, 2017.

As a result, planning for anticipated repairs, maintenance and capital improvement projects to be completed in the upcoming year will require strategic prioritization as we focus on **protecting** the investment in our existing facilities without funding projects that may be affected by the long range facility planning process. For example, we do not want invest a significant amount of resources to replace the roof on a building that may be identified for replacement or renovation in the completed Educational Facilities Master Plan.

At the meeting we will review major projects identified for the 16/17 school year and gather feedback from the board regarding prioritization strategies.

Presenters:

Olivia Meyers Buch, Director of Finance and Operations
Kim Patten, Facilities and Transportation Manager

FACILITIES PROJECTS

2016/17

Safety Related Projects

- Concrete soffit removal at Corvallis High School AT North & South Buildings (structural)
- Replace doors on the north and west sides of CVHS C/D/E buildings (security)
- Redesign traffic flow in CHS student parking lot (traffic flow)
- Intercoms - Garfield, Mt. View, and Wilson (communications)
 - ▣ Systems are well pass their life expectancy and are not functioning properly to meet the school's needs
 - ▣ Basic intercom upgrade – maintain communications throughout each building

Roof Prioritization

Identified Needs	Recommended Plan
Cheldelin Middle School	➤ Completion of Last Year's Construction Contract
Franklin School	➤ Deferred
Harding Center	➤ Only the Essentials
Hoover Elementary School	➤ Deferred
Linus Pauling North Building	➤ Restoral
Corvallis High School	➤ Restoral on H Building / Repairs on Main Building
District Office	➤ Maintenance

Mechanical Systems

- Replace two Digital Control Panels for HVAC System at CHS
- Re-gasket CVHS boiler in gymnasium
- Re-pipe portions of hot water systems at Hoover and Garfield
- Replace exhaust fans in three restrooms at Cheldelin

Educational Needs



- Hoover: Relocate computer lab to library to free an additional classroom.
- Jefferson: Build a wall to divide the library space to create an additional classroom space.

ADA Improvements



- ADA Door Controllers Installed
 - CHS Gym Door Near Elevator
 - LPMS Commons to Lobby

Outdoor Projects



- Track maintenance at CVHS
- Adams playground resurfacing
- Asphalt repairs district-wide

Reactive Maintenance



- ❑ Flooring replacements
- ❑ Exterior Paint – LPMS
- ❑ Replace wooden ramps at Hoover modulars with aluminum ramps
- ❑ Modular door replacements
- ❑ Integrated Pest Management Projects (modular skirting)

1:World Wireless Infrastructure



- Adams, Jefferson, and Hoover during summer 2016.
- This will complete our wireless infrastructure at all district buildings.

Preventive Maintenance

- Elevators
- Generators
- Exit lighting maintenance
- Ballast maintenance
- Outside lighting inspection & maintenance
- Fire Systems (monitoring, extinguishers, sprinklers)
- Hood cleaning & suppression
- Gym floor refinishing
- Bleacher Inspections
- Basketball hoop inspections
- Vehicle maintenance
- Roof inspections
- Door hardware inspections & maintenance
- Access control system maintenance
- Playground Inspections
- Asphalt inspections
- Track inspections
- Turf Inspection
- Clean grease traps district-wide
- Acid neutralization pit at CHS
- Backflow testing
- Well Systems
 - Water testing
 - Cleaning
 - Filters
 - Chemical treatment
 - Record keeping
- Heating , Ventilation and Air Conditioning
 - Filter Replacements
 - Unit Maintenance
 - Boiler Inspection & Maintenance
 - Boiler water treatment
 - Chiller Inspection & Maintenance
 - Compressor Inspection & maintenance
 - Controls maintenance
 - Pump & water heater inspection & maintenance

Budget & Prioritization

- Pending budget approval & final bid results
- Avoid significant investments in buildings that may be impacted by a construction bond in the near future



Corvallis

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IX.B. 2016-17 School Calendar

BOARD MEETING DATE: April 11, 2016

FOR INFORMATION

SUBJECT: 2016-17 School Calendar

Information:

The Board approved key dates for the 2016-17 school year on April 13, 2015. Since there was a change in the spring conference model for 2015-16 school year, the Board wanted to hear feedback about it before approving the full 2016-17 calendar. District staff gathered feedback from administrators and teachers about the best time for spring conferences and there were mixed results. Staff at the elementary level prefer to have spring conferences in April whereas staff at the middle school level are working on a recommendation for an earlier conference timeframe.

Contractual obligations and required instructional time must be taken into account when determining dates for conferences, staff development and professional learning community (PLC) time. Following the April 11, 2016 Board meeting, staff will be sent a survey with the specific 2016-17 school calendar to review, and will be given specific options on which to vote, such as the combination of dates for conferences. This information will be used to propose a final calendar for the Board to adopt at its April 25, 2016 meeting.

Calendar highlights:

- Fall conferences are at the end of October.
- January 2, 2017 needs to be observed as the New Year holiday.
- Spring conferences for elementary schools, and possibly for middle schools, will be in April.
- Four Fridays have a 2-hour early release for staff development for elementary and middle schools.
- President's Day is non-contract for staff and could possibly be used as a make-up day for weather closure.
- The last day of school is June 16, 2017.

Involvement:

Assistant Superintendent Kevin Bogatin and Human Resources Director Jennifer Duvall have gathered feedback from principals and teachers. A survey with the draft calendar will be sent out to staff for additional feedback following the Board's review on April 11, 2016.

CONTACT PERSON: Jennifer Duvall



	Mon	Tue	Wed	Thu	Fri
Aug 2016	29	30	PD	PD	P
Sep 2016	H	P	7*	8	9
	12	13	14	15	16
	19	20	21	22	23
	26	27	28	29	30
Oct 2016	3	4	5	6	7/ER
	10	11	12	13	NC
	17	18	19	20	21
	24	25	26	G	C
	C	1	2	3	4
Nov 2016	7	8	9	10	H
	14	15	16	17	18
	21	22	NC	H	NC
	28	29	30	1	2
Dec 2016	5	6	7	8	9/ER
	12	13	14	15	16
	19	20	21	22	23
	26	27	28	29	30
Jan 2017	PD	3	4	5	6
	9	10	11	12	13
	NC	17	18	19	20
	23	24	25	26	27
	30	31	1	2	G
Feb 2017	6	7	8	9	10
	13	14	15	16	17
	NC	21	22	23	24
	27	28	1	2	3/ER
Mar 2017	6	7	8	9	10
	13	14	15	16	17
	20	21	22	23	24
	27	28	29	30	31
Apr 2017	3	4	5	6	G*
	10	11	12	C*	C
	17	18	19	20	21
	24	25	26	27	28
May 2017	1	2	3	4	5/ER
	8	9	10	11	12
	15	16	17	18	19
	22	23	24	25	26
	H	30	31	1	2
Jun 2017	5	6	7	8	9
	12	13	14	15	16*
	19*	20	21	22	23

Notes

Gray boxes indicate no school

- *Sept. 7 - First day of School
- *Oct 7 – 2 hour early release for PD
- *Oct. 14 – statewide inservice day
- *Oct. 27 – Grading
- *Oct. 28, 31 – Conferences (will ask teachers for input on combination of days for grading/conferences)
- *Nov. 11 – Veteran’s Day
- *Nov. 23-25 – Thanksgiving break
- *Dec. 9 - 2 hour early release for PD
- *Dec. 19-Jan. 2 – Winter break
- *Jan. 16 – Martin Luther King Jr. Day
- *Feb. 3 – Grading
- *Feb. 20 – Non-contract (possible make-up?)
- *March 3 - 2 hour early release for PD
- *March 27-31 – Spring break
- *April 7 – Grading (elem only, MS in school)
- *April 13-14 – Conferences (13th half day grading for MS/half day conferences)
-(will ask teachers for input on combination of days for grading/conferences)
- *May 5 - 2 hour early release for PD
- *May 29 – Memorial Day
- *June 16 – Last day of school (half day)
- *June 19 – teacher’s last day

Key:

PD = Professional Development
P = Teacher Preparation
H = Holiday
NC = Teacher Non-contract
G = Grading
C = Conference



2016-2017 School Calendar – High School

	Mon	Tue	Wed	Thu	Fri
Aug 2016	29	30	PD	PD	P
Sep 2016	H	P	7*	8	9
	12	13	14	15	16
	19	20	21	22	23
	26	27	28	29	30
Oct 2016	3	4	5	6	7
	10	11	12	13	NC
	17	18	19	20	21
	24	25	26	G	C
	31	1	2	3	4
Nov 2016	7	8	9	10	H
	14	15	16	17	18
	21	22	NC	H	NC
	28	29	30	1	2
Dec 2016	5	6	7	8	9
	12	13	14	15	16
	19	20	21	22	23
	26	27	28	29	30
Jan 2017	PD	3	4	5	6
	9	10	11	12	13
	NC	17	18	19	20
	23	24	25	26	27
	30	31	1	2	G
Feb 2017	PD/G	2S	8	9	10
	13	14	15	16	17
	NC	21	22	23	24
	27	28	1	2	3
Mar 2017	6	7	8	9	10
	13	14	15	16	17
	20	21	22	23	24
	27	28	29	30	31
Apr 2017	3	4	5	6	7
	10	11	12	13	PD/G
	17	18	19	20	21
	24	25	26	27	28
May 2017	1	2	3	4	5
	8	9	10	11	12
	15	16	17	18	19
	22	23	24	25	26
	H	30	31	1	2
Jun 2017	5	6	7	8	9
	12	13	14	15	16*
	19*	20	21	22	23

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- *Oct. 14 – statewide inservice day
- *Oct. 27 – Grading
- *Oct. 28 – Conferences (will ask teachers for input on combination of days for grading/conferences)
- *Nov. 11 – Veteran’s Day
- *Nov. 23-25 – Thanksgiving break
- *Dec. 19-Jan. 2 – Winter break
- *Jan. 16 – Martin Luther King Jr. Day
- *Feb. 3 – Grading (end of 1st semester)
- *Feb. 6 – Professional Development/Grading
- *Feb. 20 – Non-contract (possible make-up?)
- *March 27-31 – Spring break
- *April 14 – Professional Development/Grading
- *May 29 – Memorial Day
- *June 16 – Last day of school (half day)
- *June 19 – teacher’s last day

Key:

- PD = Professional Development
- P = Teacher Preparation
- H = Holiday
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Made with WinCalendar:

[School Calendars](#), [Excel School Calendar](#)



Corvallis

SCHOOL DISTRICT

X. CONSOLIDATED ACTION

X.A. Minutes

X.A.1. February 8, 2016

MINUTES
Regular Meeting of the
BOARD OF DIRECTORS
Corvallis School District 509J

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:41 p.m. in the Board Room of the Central Administration Building, 1555 SW 35th Street, Corvallis, OR 97333. The secretary recorded those present as listed below.

<u>BOARD MEMBERS PRESENT</u> Vincent Adams Judy Ball Bill Kemper Alexis McQuillan Chris Rochester, Chair Tom Sauret, Vice Chair <u>BOARD MEMBERS EXCUSED</u> Scott Newsham	<u>EXECUTIVE STAFF PRESENT</u> Dr. Erin Prince, Superintendent Kevin Bogatin, Assistant Superintendent Jennifer Duvall, Human Resources Director Ryan Noss, Student Services Director <u>STUDENT REPRESENTATIVES PRESENT</u> Avery Allen, CHS Nessa Meade, CVHS
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A quorum was present and due notice had been published.

II. PLEDGE OF ALLEGIANCE

Chair Rochester led the Pledge of Allegiance.

III. COMMITTEE/BOARD MEMBER ITEMS

Board members provided brief updates regarding the District work groups to which they are liaisons and the activities they attended throughout the District.

IV. STUDENT REPRESENTATIVE REPORTS

Student representatives provided highlights about the events and activities involving their schools.

V. SUPERINTENDENT'S REPORT

Dr. Prince offered highlights from the past month and provided information regarding current and future initiatives.

VI. PUBLIC/STAFF COMMENT

Ryan Kanter, science teacher at CVHS, spoke in opposition to the 2016-17 high school schedule, which eliminates the Friday “all” days. He shared information about how he structures his general chemistry teaching Mondays through Thursdays, and how he uses the 45 minute periods on Fridays for student small group work and presentations, quizzes, and reviewing homework. He said he likes the 45 minute periods because they’re not too big and not too small and are something students can own. He said he has never been able to make such a good use of a section of the week as he does on “all” days, and he is really going to miss the 45 minute periods.

Vice Chair Sauret asked Mr. Kanter if any students from CHS come to CVHS to take his classes. Mr. Kanter said that over the years he has had students from CHS take his classes, and it’s been nice to have a place for them to go. He added that he has been pretty flexible around when students arrive from CHS; it’s never been a tremendous problem for him.

Denise Cardinali, 6017 SW Grand Oaks, Corvallis, read from a prepared statement, which will be filed with the minutes of this meeting. She urged the District to really look at how they support students in special education as the District moves forward with 1:1 technology implementation. She noted that at last month’s special education advisory committee meeting, a common theme emerged: there are no apps specific to helping address disabilities, and parents were much of the driving force behind any technology that was used. Ms. Cardinali also urged the District to consider the need for capital investment in equipment that is key to career and technical education programs. She shared examples of machines and tools that are very old, saying that teachers spend considerable time repairing them instead of working with students. She opined that a covered carport would be valuable for the CHS auto program, so that students wouldn’t need to work in the rain.

Katie Myers, who teaches French at CHS in the mornings and at CVHS in the afternoons, said that the way the implementation of the new high school schedule was communicated was disrespectful to teachers; the District didn’t want any feedback on how the change affects teaching practices. She said teachers would have felt they were being treated as professionals if the communication had been handled differently. She said that she heard it was one small group of parents that were being accommodated by the new schedule.

Chair Rochester said the schedule change was not done to accommodate a group of parents; it was done always with the goal of improving academic outcomes; it resulted from consultation with administrators and teachers, and included a lot of thought and consideration.

Superintendent Prince said the process to change the schedule was started well over a year ago and involved a survey of teachers. She said she can understand how the wording of the message regarding the new schedule could cause bad feelings.

Chair Rochester asked the student representatives for their comments about the Friday “all” schedule. CHS Student Representative Avery Allen said that students talk about it a lot because everyone has pretty varied opinions; every teacher uses the time differently. Ms. Allen said that it’s a relief for her to have shorter classes on Fridays, and noted that maybe that relief means they aren’t doing enough in class on those days. Ms. Meade said that it’s been beneficial to have that Friday schedule because students learn content Mondays through Thursdays and take tests on Fridays.

VII. SPECIAL REPORTS

A. World Language Update

High school teachers Dana Loso, Amanda Filloy Sharp, Katie Myers, and Trudy Caster presented. They provided a slide presentation, a hard copy of which will be filed with the minutes of this meeting along with a one-page update provided to the Board under separate cover. They teachers presented information about the benefits students gain as a result of studying a world language such as increased attention span, better SAT scores, better standardized test scores, increased dense gray matter, increased earning capacity, and acquisition of soft skills like “employability.” They shared what the needs were for each language at each school, including textbook adoption, updated supplemental materials, and maintenance and rehabilitation of language labs. They requested that funds for textbook adoptions for German, French and Spanish be added to next year’s budget.

Some of the presenters’ comments and responses to Board member questions included:

- We’d like additional FTE to maintain German, French and Spanish in the District.
- German, French and Spanish are important world languages for the business community and also good gateway languages for our students. Also, students can identify with one of these three languages.
- We can’t provide language instruction to all the students who want it because there’s just not enough room in the limited number of classes.
- We want to maintain the integrity of three languages across the District.
- It’s not really equitable when kids are taking a class at another school; they can’t access the teacher because s/he is in a different building or they can’t miss the bus back to their school.
- Approximately 20 kids arrive late to German and French at both schools due to having to shuttle between schools; that’s half the kids in the classes.
- In order for a world language course to be sustainable, there needs to be a big enough pool of students the first year to feed into a smaller pool the second year and an even smaller pool the year after that. If there aren’t two or three large first year courses, there won’t be enough students to sustain a program over time.

- AP tests require pretty good technology; CVHS' lab has always had hiccups and we always have to file an irregularity report.
- The cost for digital curriculum is the same as that for a six year textbook subscription but the ancillary materials don't come with the digital curriculum.
- Many families don't have reliable internet service or enough computers and/or printers at home that would allow them to access digital content.
- When a digital subscription ends, the content simply isn't accessible anymore.
- The District had difficulty finding another French teacher and that's why the current teacher's time is split between the two high schools.

CVHS Student Representative Nessa Meade said that most kids will take a foreign language in high school if they want to go on to college because it's a requirement at most colleges.

Director Ball noted that of all the languages that are spoken by our students District-wide, the ones at the top of the list, besides Spanish, aren't represented in tonight's report.

Superintendent Prince commented that she can't help thinking about what language instruction could look like with 21st century technology, where the labs are at kids' fingertips.

Chair Rochester asked Superintendent Prince to provide recommendations to the Board about possibilities for enhanced support for current language instruction, and proposals for instruction in additional languages. Dr. Prince noted that she would involve teachers in that conversation.

B. Career and Technical Education Update

CHS Assistant Principal Paul Navarra, CVHS Assistant Principal Aaron McKee, and Student Services Coordinator Rynda Gregory provided a slide presentation, a hard copy of which will be filed with the minutes of this meeting along with a one-page update provided to the Board under separate cover. The high school administrators talked about the career and technical education (CTE) classes offered at their schools. Ms. Gregory committed to getting a complete list to the board.

Some of the presenters' comments included:

- Not all classes are offered every year and not all classes are required by the Oregon Department of Education.
- We will be diving in deeper about the discrepancies between each school.
- There are a number of students traveling back and forth between schools.
- The state of Oregon is trying to improve CTE.
- If students take even one CTE class it equates to a 20% increase in graduation rate.
- Most of the equipment is pre-WWII; we have an instructor that's using the same metal lathe that his mom worked on during WWII.
- Teachers will tell you that they spend more time on maintenance of the machines than they do teaching.
- The machines are up to safety code and all students must pass a safety test.

Chair Rochester asked for data for as many CTE courses as possible regarding the participation of economically disadvantaged and minority students.

C. Instructional Technology Recommendations

Assistant Superintendent Kevin Bogatin, Technology Services Manager Rob Singleton, and Technology TOSA (Teacher on Special Assignment) Britten Clark-Huyck provided a slide presentation, a hard copy of which will be filed with the minutes of this meeting. Topics of the presentation included technology-ready classrooms, K-8 device recommendation, K-12 software recommendation, K-12 staff support recommendation, K-12 professional development recommendation, and high school recommendation.

Superintendent Prince asked Board members to let her know whether staff is on the right track with these recommendations and whether they should roll this proposal into the budget. She asked them to specifically state which recommendations they want staff to implement.

Some Board member comments included:

- This has to be self-financing; I don't want to take on debt for this.
- I'm very comfortable with the K-8 recommendations and feel we can move forward.
- I'm concerned about getting the right device for high school and the variability of the ad hoc needs.
- I want to make sure that when we put devices in place they're going to be used completely.
- Whatever we do, we need to make sure that we're ready.
- I'm definitely ready to do K-8.
- High school is my biggest concern; do we have the devices that we know will be good and will work?
- I don't want to implement devices at the high school until I know that staff is ready; I want to see the plan laid out.
- I need a little more time to completely think about high school implementation and whether we could make the cost sustainable over the long term.
- I think we're just not there with the high school proposal yet.
- When I look at the reminder of K-8, the number that jumps off the page at me is something just south of \$2 million and it's a 24% increase in a fiscal year. A lot of those costs are in FTE and I'm very concerned about that.
- I'm absolutely on board with getting technology-ready classrooms because we've seen that there's an equity issue that really needs to get taken care of.
- I fully support the technology-ready classrooms.
- I feel comfortable with the K-8 deployment.
- The increase in FTE is a little disturbing, especially considering the intersection with the PERS increase.
- All of us seem to be in favor of technology-ready classrooms, and I'm on board as well.
- I have some mixed feelings about K-8 but I can get on board.

- I like the idea of carts so at least we'd be able to do equity "in school."
- I feel that additional professional development is a necessary initial investment to make this work.
- I'm worried that we haven't seen enough results to let us know that this has been worthwhile.
- I'm willing to take the next step to go to the K-8 program but we need to start seeing something that shows it's effective.
- We need to watch the equity between schools that are using a lot of technology and those that aren't.
- I recommend more knowledge about what we're getting into before we make a decision.
- One of the main lessons we've learned is that we had to slow down; our ambition got way ahead of our ability to implement.
- I'm in favor of implementing in grades 3-8. If I were to pull out one thing, it would be K-2.
- There's an opportunity cost to all of this; if we do one thing, it means we're not going to do other things.
- Once we add staff positions, it's very difficult for those to go away; so, we have to think very carefully about the addition of staff.

Ms. Gregory clarified that no positions are being added; an hour is being added to each existing staff member's time. She clarified that total classified staff support would increase from 7.69 FTE to 9.54 FTE and total certified staff support would increase from 1.17 FTE to 2 FTE.

Dr. Prince pointed out that classified support staff handle all technology issues in the buildings, not just devices.

Ms. Clark-Huyck offered her thoughts in response to Board members' comments, including:

- A plan is very much needed for how to provide support for our staff and our students.
- I have created a plan and I really believe in it from doing two years of pilots and taking instructional technology coaching classes.
- The plan is very strategic and provides teachers the support they need to understand how to run a classroom with 1:1.
- These teacher leaders would be in communication with the certified FTE support staff, and would go back to their departments and report monthly about the successes and struggles they've been having.
- There would be certain teachers who would present to all staff and even present to the Board about successes and struggles.
- I've been using a device in my classrooms for two years that has worked well for my students and me. It is easy to deploy, works 98% of the time, can be taken home by students to work offline, is not as expensive as other devices, and is robust.

Mr. Bogatin offered some comments, including:

- We need to build confidence with our teachers and administrators that the equipment in the schools works.

- We need to be able to tell teachers when this technology is coming so that they can get excited about it; we keep kicking the can down the road and teachers aren't excited anymore.
- If I could put Ms. Clark-Huyck in front of more teachers, she would be able to get them to that excitement.

Some of the responses from Board members included:

- It's about opportunity costs.
- If there were other things in the budget that could be traded off for this, it would be a different story but what we're talking about here is simply layering on, adding more.
- I would challenge you to find something that this could replace.
- What this comes back to is structural evidence of effectiveness to justify expenditures of scale.
- We're quite a bit in the dark here and the buck stops with us.
- We need to have an answer to the community's question of what we are getting for our investment.

Ms. Clark-Huyck offered some thoughts including:

- There are teachers who contact me weekly asking for help assisting students they have in their classes.
- We have the opportunity to raise the floor now.
- Many of the students coming from middle school to high school are special education students and English language learners who had devices; however, now that they're in high school, devices are not written into their IEPs.
- We have a lot of 1:1 students in our high schools that need support; our teachers need support in using their assistive technology.

Some of the comments from Board members included:

- These are very large expenditures and the stories are anecdotal.
- You're talking about a couple of million dollars and interest rates that won't stay at this historic low; costs just keep going up and up and up.
- I don't want to lose kids from the middle school to the high school; I'm very concerned about that.
- I'm excited about the possibilities and vision for these students.
- I don't want to quash this.
- Ms. Clark-Huyck's comments about special education teachers coming to her is what I'm wanting.
- I'd like to see a deployment plan; what devices will be used, how they're going to be used, and how they're going to meet the requirements set forth by the Technology Advisory Committee (TAC). Can we get those so we can actually make a decision?
- I'm in sticker shock right now.
- Professional development is critical to giving this a chance to work.
- I'm a little less concerned about having some people help teachers to learn this; maybe those positions drop off after some point when teachers are more comfortable with this.

- It's really important and helpful to hear from Ms. Clark-Huyck because she's in classrooms.
- I'm very concerned about the progress made by subgroups; I'm thinking a lot about what investments we need to make.

Mr. Singleton noted that what's happening at the high schools is not a chaotic situation; there are pilots underway with three different devices/platforms and we're waiting to see how they work. He added that we need to expect some uncertainty at this point because we haven't gotten all of the data back, yet he feels we're at a position of strength right now and he's excited about where we are.

Dr. Prince pointed out that this really is a proposal for K-8; however, staff wanted to give the Board a peek into the future for high school. She added that staff are not saying that we're ready to implement high school in the fall; the K-8 implementation is what will be in the proposed budget for next year.

Chair Rochester summarized the areas where the Board had reached consensus:

- Move ahead with the K-8 proposal and the increased staffing.
- Keep working to figure out the high school part of this plan.
- We support technology-ready classrooms.

VIII. CONSOLIDATED ACTION

Director Ball said that she looked for quantifiable metrics for the performance goals in the LBL ESD 2015-17 Local Service Plan and was disappointed that there really were so few.

LBL ESD Superintendent Mary McKay was in the audience and responded that her staff are working toward improving those. She added that comparing last year with this year, one can see more quantifiable outcomes. She said she would like to meet with Director Ball to hear her suggestions.

Chair Rochester said the performance goals strike him as aspirational vs. data driven.

MOTION:

It was moved by Director Adams and seconded by Director Kemper to approve the Consolidated Action items. The motion was voted on and unanimously approved.

The following items were approved:

- Minutes** – January 19, 2016
- Board Policy DJFA—Credit Cards—New—Second Reading** (Will be filed with the minutes of this meeting.)

- C. **Board Policy EBCB—Emergency Drills—Revised—Second Reading** (Will be filed with the minutes of this meeting.)
- D. **Board Policy JHHA—Safety and Emergency Response—Revised—Second Reading** (Will be filed with the minutes of this meeting.)
- E. **Board Policy GBCBA—Alcohol/Controlled Substance Use—Revised—Second Reading** (Will be filed with the minutes of this meeting.)
- F. **Board Policy GBEC—Drug-Free Workplace—Revised—Second Reading** (Will be filed with the minutes of this meeting.)
- G. **Board Policy EFA—Local Wellness/Nutrition Program—Revised—2nd Reading** (Will be filed with the minutes of this meeting.)
- H. **Resolution No. 16-0201 Authorizing Issuance of Individual Procurement Cards** (Will be filed with the minutes of this meeting.)
- I. **Resolution No. 16-0202 Reaffirming the Second Year of the LBL ESD 2015-17 Local Service Plan** (Will be filed with the minutes of this meeting.)

IX. CONSOLIDATED INFORMATION

The Board received the following information:

A. Non-Licensed Personnel Information

Recommendation to Hire

- Sandra Fernandez: Educational Assistant 2/ELL, 3.45 hrs, Garfield Elementary School, effective January 14, 2015 (Probationary)
- Nancy Shaffer: Career Center Specialist, 8 hrs, Corvallis High School, effective February 1, 2016 (Limited Term)
- Jacob Williams: Educational Assistant 2/LRC, 4 hrs, Crescent Valley High School, effective January 13, 2015 (Probationary)

Termination/Resignation/Layoff/Retirement

- Nancy Shaffer: Career Center Specialist, 8 hrs, Corvallis High School, effective January 31, 2016 (Retirement)
- Laurie Shrock: Kitchen Manager, 7 hrs, Corvallis High School, effective February 26, 2016 (Retirement)
- Cherita Wilson: Food Service Assistant, 2 hrs, Cheldelin Middle School, effective January 30, 2016 (Resignation)

B. **Administrative Regulation—EFA-AR—Local Wellness/Nutrition Program—Revised—For Information**

- X. EXECUTIVE SESSION** – The Board met in Executive Session at 5:45 p.m. under ORS 192.660(2)(i) - Superintendent's mid-year evaluation/check-in on goals.

XI. ADJOURNMENT

There being no further business before the Board, Chair Rochester adjourned the meeting at 9:38 p.m.

Chris Rochester, Board Chair

Dr. Erin Prince, Superintendent

Prepared By: Julie Catala

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Corvallis

SCHOOL DISTRICT

X.A.2. February 22, 2016

MINUTES
Special Meeting of the
BOARD OF DIRECTORS
Corvallis School District 509J

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:31 p.m. in the Board Room of the Central Administration Building, 1555 SW 35th Street, Corvallis, OR 97333. The secretary recorded those present as listed below.

<u>BOARD MEMBERS PRESENT</u>	<u>EXECUTIVE STAFF PRESENT</u>
Vincent Adams Judy Ball Bill Kemper Alexis McQuillan Scott Newsham Chris Rochester, Chair Tom Sauret, Vice Chair	Dr. Erin Prince, Superintendent Kevin Bogatin, Assistant Superintendent Olivia Meyers Buch, Finance and Operations Director Ryan Noss, Student Services Director

A quorum was present and due notice had been published.

II. DEMOGRAPHIC STUDY

David Kaitz of Davis Demographics & Planning, Inc. led review of his report entitled “5-Year Student Population Projections by Residence; Fall 2016-2020” which had been provided to the Board under separate cover. A hard copy of the report and Mr. Kaitz’s accompanying slide presentation will be filed with the minutes of this meeting. Mr. Kaitz responded to questions from Board members.

After discussion was concluded, Chair Rochester noted that the study was commissioned in order to garner information for future decision-making.

Mr. Kaitz stressed that the data needs to be continually updated over the next few years to see how the trends change.

III. OPEN ENROLLMENT AND TRANSFERS

A. Administrative Regulation JC-AR—School Boundary Areas—Revised— For Information

Assistant Superintendent Kevin Bogatin explained that the change in this administrative regulation is to provide District administration the flexibility to allow transfers as they deem necessary over or under the 7% spread in enrollment recommendation.

Vice Chair Sauret asked that the Board be informed before staff make any major decisions regarding transfers.

B. Designate the Number of Nonresident Students to Accept under HB 3681 (Open Enrollment) [ORS 339.133(5)(b)] and under HB 2747 [ORS 339.133(5)(a)] for the 2016-17 school year.

The information sheet that was provided to the Board prior to the meeting will be filed with the minutes of this meeting.

MOTION:

It was moved by Vice Chair Sauret and seconded by Director Adams that zero nonresident students shall receive consent for admission for the 2016-17 school year through the HB 3681 open enrollment process [ORS 339.133(5)(b)]. The motion was voted on and unanimously approved.

MOTION:

It was moved by Vice Chair Sauret and seconded by Director Adams to accept all nonresident students who apply to the school district during the March 1-31, 2016 online interdistrict transfer process under HB 4007 [ORS 339.133(5)(a)]; and that the district shall permit all students through a mutual agreement between districts to leave the district. The motion was voted on and unanimously approved.

IV. PERS UPDATE

Finance and Operations Director Olivia Meyers Buch provided a handout, which will be filed with the minutes of this meeting. She led review of the handout and responded to questions from Board members.

Some of Ms. Meyers Buch's comments included:

- We have enough money set aside to cover half of the PERS increase in each of two years.

- Overall we can absorb the increase using some of our excess reserves and general fund increases.
- It will probably be October or November 2016 until we know what our 2017-19 rate will be.
- I factored in a 2% cost of living adjustment for all employee groups every year.
- I factored in steps and insurance for all employee groups every year.
- In all the forecasts, I'm assuming that the personnel ratio never gets above 83%.

Chair Rochester noted that the Board did not intend for our rainy day or contingency fund to be tapped for PERS.

V. EQUITY TRANSFORMATION PLAN

Superintendent Prince, Equity Coordinator Marcianne Koetje and Student Services Director Ryan Noss gave a slide presentation, a hard copy of which will be filed with the minutes of this meeting. The presenters led review of the actions slated under each of four "pillars" of the Equity Transformation Plan for 2015-17 and for the next three to five years: Students at the Center, Equity Leadership Development, Culturally Relevant Teaching & Learning Practices, and Family/Community Engagement & Empowerment. Presenters responded to questions and feedback from Board members.

Dr. Prince noted that staff will come back to the Board with a budget recommendation following tonight's conversation.

VI. ADJOURNMENT

There being no further business before the Board, Chair Rochester adjourned the meeting at 9:12 p.m.

Chris Rochester, Board Chair

Dr. Erin Prince, Superintendent

Prepared By: Julie Catala

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Corvallis

SCHOOL DISTRICT

X.A.3. March 7, 2016

MINUTES
Regular Meeting of the
BOARD OF DIRECTORS
Corvallis School District 509J

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:34 p.m. in the Board Room of the Central Administration Building, 1555 SW 35th Street, Corvallis, OR 97333. The secretary recorded those present as listed below.

<u>BOARD MEMBERS PRESENT</u> Vincent Adams Judy Ball Bill Kemper Alexis McQuillan Scott Newsham Chris Rochester, Chair Tom Sauret, Vice Chair	<u>EXECUTIVE STAFF PRESENT</u> Dr. Erin Prince, Superintendent Kevin Bogatin, Assistant Superintendent Jennifer Duvall, Human Resources Director Olivia Meyers Buch, Finance and Operations Director Ryan Noss, Student Services Director <u>STUDENT REPRESENTATIVES PRESENT</u> Isaac Smartt, College Hill David So, CVHS
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A quorum was present and due notice had been published.

II. PLEDGE OF ALLEGIANCE

Chair Rochester led the Pledge of Allegiance.

III. COMMITTEE/BOARD MEMBER ITEMS

Board members provided brief updates regarding the District work groups to which they are liaisons and the activities they attended throughout the District.

IV. STUDENT REPRESENTATIVE REPORTS

Student representatives provided highlights about the events and activities involving their schools.

V. SUPERINTENDENT'S REPORT

Dr. Prince read aloud from a prepared statement regarding background and context for the Instructional Technology Study, which would be discussed later during the meeting. Following is the text of her statement:

Plans for 2016-17

Last month, we provided the school board with detail about the costs of sustaining the 1:1 program K-12 at an estimated cost of \$1.2 million annually. Since then there has been some confusion about what the \$1.2 million covers, the rationale for technology investments, health concerns for younger students, and student outcomes. I'd like to spend some time in my superintendent's report addressing these topics.

For next year, the recommended amount for expansion is \$250,000

- Focus on future ready classrooms (currently 84% are fully interactive)
- Improve grade 6-8 device management (classroom carts)
- Increase professional development and staff support
- Complete K-8 implementation (46 classrooms in 5 schools)
- At least double the number of high school pilot projects (iPad, HP 310, and ChromeBook)

Sustaining Instructional Technology

The annual figure \$1.2 million accounts for future ready classrooms, student device replacements, digital curricula, technical staff support and coaching, and professional development. We have not cut any classes, programs, or staff since we began this instructional technology expansion. This investment is spread across the entire school district K-12.

Class Size

One of the questions we have heard is why are we not redirecting these funds to alter classroom sizes. If we were to do so, the net effect would be a reduction of only one student per classroom across the district. Recognizing that staffing does not equate this easily, the impact would be unequal across grade levels. We would need to invest over \$10 million to get our class sizes down to where research suggests potential positive impact on student learning.

Why K-8?

Another question we've heard is "why fully implement K-8 and not high school next year?" It's important to remember that instructional technology is about providing access for all students at all grade levels. That is our long term intention. The Technology Advisory Committee has recommended, and the District supports, full high school implementation as soon as possible. High school classrooms have comprehensive and diverse course offerings. We want to ensure that we select a device that is appropriate. Several pilot projects are underway with various hybrid laptop and tablet devices. The proposal for next year is to at least double the pilots at the high school level.

Health and Safety

Another concern that we are aware of is the question about how much screen time is acceptable, especially for younger students. The American Academy of Pediatrics has taken an official position that “not all screens are created equally” and “when used appropriately, technology and media can enhance children’s cognitive and social abilities.” In our 1:1 schools, student devices supplement traditional tools such as art supplies, outdoor exploration, books, and hands-on manipulatives. Screen time in our primary classrooms averages no more than 30 minutes a day for kindergarten classrooms, and 30-45 minutes per day for first and second grade classrooms. *Tablet devices do not travel home with our K-2 students.*

Future Ready

We are committed to future ready classrooms and making sure that students are equipped to be responsible digital citizens. The Technology Advisory Committee provided recommendations with input on topics ranging from parent concerns about health and internet safety, to parent communications and board policy related to technology. With these recommendations, our board has adopted policy changes and staff has developed parent publications to address concerns about privacy, security, and access to content. Our goal is to help parents with tools and concepts to support the age appropriate use of technology.

Outcomes

A review of 40 sets of student data files, encompassing the school years 2013-14, 2014-15, and the first half of 2015-16 was recently conducted in an effort to provide conclusive student outcomes as they related to the use of student devices.

- Middle schools and Garfield Elementary School student behavior referrals have been cut in half since the implementation of the 1:1 program.
- Cheldelin and Linus Pauling Middle Schools have experienced a drop in the number of students in need of significant behavior and academic support.
- Cheldelin has had a huge drop in the number of Red Zone students over the past three years: 15% in 2013-14, to 0.5% so far in 2015-16.
- LPMS has also had a drop in the number of students who reach the Red Zone over the past three years: 7.9% in 2013-14, to 0% so far in 2015-16.
- Student growth in 6th-8th grade OAKS reading included every student group including students of poverty, students of color, students with disabilities, and English Language Learners .
- Student growth in 6th-8th grade OAKS math included every student group except students with disabilities.
- Reviewed STAR data for Fall-to-Winter for Garfield and Lincoln (2nd-5th graders)
 - Reading: Average scale score growth between screening windows was higher this year than last year for all grades. This was also true when comparing “approximate cohorts.” For example, 2015-16 3rd grade growth was higher than their prior 2nd grade year (2014-15).
 - Math: Average scale score growth between screening windows was higher this year than last year for all grades except 2nd.

While this data review showed several positive results in 1:1 schools, we are careful in drawing explicit correlations. I want to caution that isolating and measuring the effect of a single intervention is an imprecise endeavor as we have not attempted to control the many variables at play in student learning. We know the single most influential factor in student achievement is teacher effectiveness. Additionally highly effective instructional leaders are at each school and are implementing a variety of innovative and intentional programs to increase student learning.

We envision student devices as an enhancement to the learning environment. The expansion of instructional technology is intended to broaden student learning, not limit it to a screen. Project based, hands-on learning will continue to be a daily activity in our schools. We will hear tonight from the director of the OSU Center for Research on Lifelong STEM Learning, Dr. Martin Storksdieck, about a research study that will further inform our instructional technology practices.

VI. PUBLIC/STAFF COMMENT

Denise Cardinali, 6017 SW Grand Oaks, Corvallis, a parent in the District, read from a prepared statement, which will be filed with the minutes of this meeting. She referred to last month's equity transformation plan presentation and the District's desire to address the issue of school supplies that families must purchase. She opined that anything on a school supply list should be considered necessary for students' education and provided at no cost to families who qualify for free or reduced-price meals. She said she works in a district where the first stop during high school registration is at food service. A staff member processes the free and reduced-price meals application and enters a code into the student accounts system; then, when the student goes to subsequent tables, the system already notes that their fees are waived; that way, students and families never have to announce in the melee of people, "I am on free meals, I don't have to pay." She said that the first year her employer did this, participation in high school sports jumped dramatically.

David So, a student at CVHS, expressed concerns regarding the change in next year's high school schedule, including difficulty scheduling extracurricular activities. He referenced a private music teacher for whom the scheduling of high school and college students has become a nightmare due to their differing schedules. He opined that not enough time was given for everyone to consider the change, and he asked the Board to ask students and staff what they think about it. He opined that it's unfair that the 10% of students who commute between the two high schools affects the remaining 90% of students.

Peg Cornell, a teacher at CVHS, spoke regarding last month's change to Administrative Regulation JC-AR—School Boundary Areas. She said that after the open enrollment policy was first implemented in the District many years ago, the climate in the District turned toxic, especially at the high school level; rumors were spread about schools and teachers; trust between schools eroded; and, enrollment at CV dropped – usually for non-academic reasons. She said that when several programs were later moved to CHS after having been housed at CV, two full time science positions at CV were cut; as a result, CV is offering 12 fewer science classes today than it was when she began work there. She commented that the consequences of losing classes

and staff is eroding morale. She said that the 7% process subsequently developed for JC-AR wasn't arbitrary; however, its goal has never been reached and CV's enrollment has never recovered. She asked the Board to carefully reconsider the change made to JC-AR, adding that she and her fellow teachers have evidence to support their concerns.

Margie McShane, a 2nd grade teacher at Adams, displayed examples of "fun work" and worksheets that her students still do in her classroom even though they also use iPads. She said the change in her classroom is in instruction. She gave the example of students in her class who are at a very low reading level but who still check out chapter books because they want to look like all of the other students in their class; the reading app Raz-Kids allows students to read at a lower level without compromising their self-esteem. She said the math app Reflex allows students to work exactly at their level, and they have the sense of accomplishment. She said she used to teach in inner-city schools where behavior issues were a coping skill because students couldn't do the work. She added that parents need to trust their kids' teachers and know that they want the same thing the parents do. She said iPads are another tool to reach kids who have specific needs that aren't being met now.

Gabe Giordono, a student at Linus Pauling Middle School, opined that iPads aren't very useful because teachers don't know how to use them. He added that kids know how to distract teachers and then goof off while using iPads, so there's no learning going on. He said there are problems with Wi-Fi, and iPads just don't work if the whole class is trying to use the internet at the same time. He said he feels that it would be better for classes to have carts of iPads so they'd all be charged and ready to go at school and students wouldn't be able to take the iPads out into the hallways and on breaks.

Laura Felton Rosulek, 4535 NW Elmwood Drive, Corvallis, a parent in the District, said she supports the use of iPads at school. She said that she limits screen time for her kids at home but that doesn't mean she's opposed to it in school. She said she's more concerned with seat time and student engagement; with iPads, students can get individual feedback and instruction. She said we can't go back in time; as a future speech pathologist, she wants people to think of iPads like amazing learning devices. She gave an example of how iPads can help her own child who is hearing impaired. She urged those present to look at the amazing things that are being done via iPads before making a negative decision about them.

Andy Roberts, 1476 SW Birdie Drive, Corvallis, a parent in the District, read from a prepared statement, which will be filed with the minutes of this meeting. He said iPads are a long-term issue for which there is no research supporting their use. He said that the majority of the schools in the District run a high risk of collapse in the event of an earthquake, and he wonders what message the District is sending by spending \$1.2 million on iPads when student safety isn't being ensured and kids are learning in modular classrooms. He said he wonders if the public will believe that the District needs more money when they've just bought all K-2 students iPads. He said he wants kids to have access to technology but wants them first to explore art, PE and music without fear that those classes will be cut. He recommended full high school implementation and limited implementation at the elementary level. He urged the Board to address class sizes, aging facilities, etc., before iPads because those issues are real and big, and are begging for the Board's time.

Peter Sabee-Paulson, 3225 NW Deer Run Street, Corvallis, a parent in the District, provided a written statement to accompany his oral comments. The statement will be filed with the minutes of this meeting. Mr. Sabee-Paulson said his business relies on technology-savvy people to program computers and to model. He opined that it doesn't make sense to wait to implement devices at the high school level because those students need computers. He said he's heard a message about how effective iPads will be, and supporters and naysayers reaching for their supporting articles; however, he hasn't seen any good peer reviewed studies that show the District would be getting a good outcome on its investment. He said he'd be really uncomfortable dedicating a lot of money without that data unless the District can afford to be an early adopter, which isn't necessarily bad; however, what's needed are the resources or some fundamental driving belief that this will be good for students and affect educational outcomes for kids. He said he's a little worried that iPads are driving curriculum, and he opined that the sooner kids start learning programming skills the better because the hardest employees to find are creative programmers.

Rachel Ozeretich, 453 SE Powell Avenue, Corvallis, said she is an early childhood educator and has two grandkids who will attend Lincoln Elementary School. She said she is very concerned that the District is bringing in a lot of screen time to the early grades, and she asked why a lot of research wasn't done beforehand. She said a lot of people are trying to control the amount of access kids have to screens, advertisements, and violence; it would drive her nuts to have her kids exposed to the media that she finds kids exposed to nowadays. She said she doesn't believe that the culture in the 21st century is positive, and she gave the example of parents walking with their kids but talking on their cell phones. She opined that the District could do a lot more research before experimenting on our kids.

Michelle Ekroth, 3155 SW Long Avenue, Corvallis, a parent in the District, said her kids participate in a "hybrid" of educational venues; her daughter had the benefit of participating in the District's Running Start program, and the family also participates in a home school cooperative because Ms. Ekroth doesn't speak German or play the violin, etc. She said that one of the ways her family has been able to manage this hybrid was because the high school schedule had been the same. She said as a result of the schedule change for next year, there's a component of the community that won't be able to take advantage of things outside of school hours, and kids would be prevented from participating in a hybrid model of education such as her kids have.

Robbie Faith, Technology Teacher on Special Assignment, said his job is to support teachers with the implementation of technology in their classrooms. He said he wants to provide the Board some insight into what the District's primary teachers feel are the benefits of iPads in the classrooms. Mr. Faith shared reflections from the teachers that he spoke with today during his visit to four elementary schools. He noted that some of the common themes that had emerged were: time to collect data and get an immediate read on student understanding that can drive student learning; student engagement – students are more interested in learning the topic at hand; differentiation, which allows the teacher to provide help for struggling students and advanced curriculum for students who need it; and, meaningful small group activities. He also offered a few quotes from teachers that captured the theme of equity. He said that iPads help students with

independence at all levels of language, and it is very helpful to have digital books in English and Spanish.

Aldo Magana, an 8th grade student at Franklin K-8 School, opined that iPads are useless and a waste of time. He said that most students and teachers don't use them. He said that this whole year in his classes, they've used iPads for only about five hours, total. He said the District shouldn't spend money on things students and teachers don't use.

Heather Moore, 4788 NW Veronica Place, Corvallis, a parent in the District, said she is a speech language pathologist and a university professor whose research is in early language intervention. She said our children are growing up in a time when access to technology is critical and it needs to be reflected in the core curriculum; we have a responsibility to teach our students to be technology literate, to help them learn what's reputable, and to teach them to be consumers of education. She said the information Superintendent Prince presented was wonderful, but she hadn't heard it before tonight; knowledge is very helpful and the community and parents need to be informed. Ms. Moore said we need to make sure that teachers are prepared, and she urged the Board to avoid cutting professional development in an attempt to make the iPad implementation more palatable. She added that the need for training has been exemplified by students who've said their teachers don't use iPads; that's because the teachers need support in how to effectively use technology in their classrooms.

Hathai Sangsupan, 2004 NW Woodland Drive, Corvallis, a parent in the District, said that her most pressing concern is that the iPad program will divert money from other important issues. She said that teachers have cut learning experiences because they have too many students in their classrooms, and she provided an example of a negative experience her daughter had in a blended 3rd/4th grade classroom. She said that students need devices that better meet their needs; when her daughter was in middle school, the iPad was a distraction and she regularly came home and talked about the videos they watched and games they played while at school. She said that her daughter is now a high school student and the District isn't providing laptops, although that is the device that her daughter needs at this stage in her education.

[Recorder's note: given the number of patrons signed up to speak, public comment was temporarily suspended at this point (8:16 p.m.) so that guest presenter Martin Storksdieck could give his report about the Instructional Technology Study Overview. The remaining public comment took place following Mr. Storksdieck's report but has been printed here for ease of reading.]

Hongxia (Lucy) Wu, 2167 NW Fritz Place, Corvallis, a parent in the District, said that she is the principal of the largest Chinese school in Corvallis, and president of the TAG parent group at Hoover Elementary School. She opined that there are many more important and fundamental problems to solve before implementing the iPad program. She said her daughter is a gifted math student and is able to take advanced math; however, Ms. Wu misses the art, dance and music education that had been offered at her daughter's previous school in Washington. Ms. Wu said that her daughter and other Hoover students get rain-soaked when walking to their modular classrooms, which are there due to a shortage of space in the regular school building. She opined that younger kids learn best from their parents, their teachers and their peers at school – from human interactions. She opined that iPads are a good and fancy tool but should not be the main

tool for education, especially considering that all the schools already have computer labs. She expressed dismay at the lack of information from the District regarding implementing iPads at the kindergarten level. She urged the Board to commission a survey of all parents and teachers to get their input about what is really needed to improve kids' education, and to find out if they think the iPad program is good for students in kindergarten through 2nd grade.

Steve Smith, 3110 NW Swan Place, Corvallis, a parent in the District, said he supports the 1:1 program both as a parent and as a member of the District's Technology Advisory Committee (TAC). He said the District is working to implement many of the recommendations that TAC put forth and he believes staff is on the right path. He said he is an administrator at Linn Benton Community College (LBCC) and that 60% of the students who enter that college test into a developmental level of reading, writing or math; that makes it very difficult for them to achieve a certificate either at LBCC or at any other higher education institution. He said that from a social justice perspective, he would like all K-12 students to have a tablet device to help erase that deficit. He added that the District is on track to save money using open resources; tablets help with that as well.

Mac Gillespie, 939 NW 11th Street, Corvallis, a parent in the District, read from a prepared statement regarding his concerns about District administration's budget proposal to provide 1:1 devices to all K-8 students. His statement will be filed with the minutes of this meeting. He cautioned that there are no peer reviewed studies to show that 1:1 devices produce positive outcomes for students; however, there are a number of studies showing the negative impact of screen time. He said that there are countless peer reviewed studies that show positive outcomes for children, especially among low income and minority populations, when 1:1 human interaction is increased; he urged the Board to hire more teachers, aides and specialists to reduce class size. He said that in terms of equity, it should be noted that Garfield Elementary, which has the largest low income and minority populations in the District, doesn't have a covered outdoor play area; those students who are at the highest risk for obesity and diabetes often must stay inside and play on their iPads when the weather is bad during recess. He urged the Board to have a discussion with all parents, teachers, and the community before implementing the budget proposal for iPads.

Steve George, 544 NW 16th Street, Corvallis, a parent in the District, said he is a big proponent of the District's attempts to increase access to technology for all students. He said his family is very privileged and could provide technology for their kids but there are a lot of families at Garfield Elementary School who can't even put food on the table, let alone drive a car to get to Wi-Fi. He said the issue is about privilege; so many families don't have access to technology and he appreciates the District's efforts to level the playing field. He noted that Garfield has a really great program underway to teach computer programming to all kids in all grades, and younger students are also involved with Lego Robotics. He expressed appreciation for the more fortunate Garfield parents who had purchased some laptop computers for less privileged families to use.

Jasmine Woodside, 2836 SE Goodpark Avenue, Corvallis, a parent in the District, read from a prepared statement, which will be filed with the minutes of this meeting. She said she is a civil engineer and chair of the City of Corvallis Planning Commission, and is concerned about electromagnetic field (EMF) exposure from iPads. She said that iPads are so new that no studies exist regarding their safety after long-term use. She referenced studies showing that a child's body can absorb up to ten times more radiation than an adult's body, and she added that there are currently no regulations about EMF exposure. She commented that the World Health Organization recommends taking a precautionary approach when scientific certainty is unavailable. She said that it can take years for new cancers to develop, noting how long it took before studies showed the hazards of asbestos and cigarettes. She criticized a 2013 study done for the District regarding EMF exposure by PBS Environmental Engineering, saying that the source cited in the study was from 1998, even though thousands of studies had been conducted since then.

Margit Foss, 1955 NW Larch Avenue, Corvallis, a parent in the District, said she's concerned that the biggest expense in the Superintendent's equity action plan relates to the expansion of 1:1 iPads to grades K-2. She said she is unaware of any studies that show that 1:1 is the most effective way to improve outcomes. She said she's concerned that the Board hadn't been asking for hard data on the results of the program before approving the K-2 expansion. She said it's more logical to find out that the outcomes are proven at the grade schools where 1:1 has been implemented, and commented that Mt. View Elementary School's test scores have actually gone down since 1:1 implementation. She said she wonders if the drop in behavior referrals is due to kids having the opportunity to just sit around and play on their iPads.

Mario Magana, 3640 NW Witham Hill Drive, Corvallis, a parent in the District, said he is a professor of electrical engineering at OSU. He asked the Board to provide real evidence based on real metrics as to why they support 1:1 iPads. He said that he is in the 12th year of a research study of not allowing any electronic devices in his classrooms, and he noted that 20% of students drop his classes after finding out that fact. He said that last year his family took a sabbatical to Germany and found out that electronic devices aren't allowed in any classrooms in those schools; his child is now taking AP physics, solely due to the quality of the teachers in the German school system. He opined that no one can deny that the United States cannot compete with the teachers in Germany. He closed his remarks by saying that it's unconscionable for Corvallis to have just one teacher to teach all levels of German.

VII. SPECIAL REPORTS

A. Instructional Technology Study Overview

The Board had received an overview of the study prior to the meeting; the overview will be filed with the minutes of this meeting. Dr. Martin Storksdieck, the Director of the Center for Research on Lifelong STEM Learning at Oregon State University, said he developed the instructional technology study over the course of a year in discussions with his team at OSU and with the District's Technology Advisory Committee.

Some of Dr. Storksdieck's comments and responses to Board member questions included:

- I find all of the comments made by the public tonight very engaging and enlightening because they're extremely relevant with what we intend to do.
- We intend to capture what we currently learned from iPad use in the District.
- It's not to study outcomes, literacy, belonging, or the other 21st century skills; the study is designed to understand how teachers have been using iPads and other devices in classrooms but also what they haven't been able to do.
- The study will reveal the current state of affairs: the good, the bad, the ugly and the wonderful.
- We will obtain input from students and parents as well, so that we can hear from all stakeholders.
- The idea is not only what can be done with proper support in school but also what can be done at home.
- The purpose of the study isn't to find out why people are for or against iPads; it will look at how we can improve the current situation.
- We can tell you how you can improve the program, as was often demanded by people who spoke tonight.
- We will use a lot of focus groups in addition to surveys.
- We intend to do some homogenous focus groups and some that are across perspectives.
- We sample people into the focus groups that give us representative perspectives.
- We consider our research group to be the mutual arbiter who brings these groups together so that people won't say "this is a biased voice."
- This is not a research study in the sense that it would be publishable; it's an evaluation in a sense and is intended to improve the program.
- When we have a clear conceptual framework for what we're doing, "noise" will become data.
- When we are certain that everyone is using the technology well then we will be able to take a look at outcomes.
- The teacher survey will help us select teachers for the focus groups but we'll also ask for volunteers.
- We will recruit students whose teachers are participating in focus groups.
- When we recruit the students we will simultaneously recruit the parents.
- The focus groups will represent a continuum of voices.
- We won't exclude extreme skepticism; I assume that in some of our groups we will have extreme skeptics but the questions won't be "tell me about your skepticism," it'll be questions such as "what would it take to..."
- We are doing a study that is relevant to the current conditions in Corvallis, not the conditions of other districts.
- Students have to be able to express themselves; therefore, we're excluding from the focus groups students who are in kindergarten through second grade.
- We will work very closely with the teachers to select the students; there will be a bias, I just have to understand what the bias is.
- For teachers, the sample is not meant to be representative; it'll be about affinity.

- It'll be a little more difficult with parents and students because they'll need to volunteer.
- We will run a Spanish focus group of parents at Garfield.
- There are other perspectives we will be gathering; it's the idea of getting typical groups together.

B. Local Option Levy Renewal

Due to the lateness of the hour, this report was postponed until March 14, 2016.

VIII. CONSOLIDATED ACTION

MOTION:

It was moved by Director Adams and seconded by Director Ball to approve the Consolidated Action items. The motion was voted on and unanimously approved.

The following items were approved:

- A. Licensed Personnel Recommendations Including Annual Contract Renewals** (These documents will be filed with the minutes of this meeting.)

IX. UNAUDITED FINANCIAL STATEMENTS – December 2015 and January 2016 (These documents will be filed with the minutes of this meeting.)

Due to the lateness of the hour, no oral report was given; however, Ms. Meyers Buch responded to a few questions from Board members regarding the financial statements which they had been provided prior to the meeting.

X. CONSOLIDATED INFORMATION

The Board received the following information.

A. Non-Licensed Personnel Information

Recommendation to Hire

- Brett Casey: Educational Assistant 2, 2.6 hrs, Linus Pauling Middle School, effective February 23, 2016 (Limited Term)
- Claudia Enciso-Kuraica: Educational Assistant 2/Bilingual, 5 hrs, Lincoln Elementary School, effective February 23, 2016 (Probationary)
- Kelly Frisk: Educational Assistant 2, 6.5 hrs, Wilson Elementary School, effective February 15, 2016 (Limited Term)

- Elizabeth Harper: Food Service Assistant, 4 hrs, Central Kitchen, effective February 26, 2016 (Probationary)
- China Johnson: Educational Assistant 2, 5.5 hrs, Lincoln Elementary School, effective February 22, 2016 (Limited Term)
- Forrest Leisner: Food Service Assistant, 4 hrs, Central Kitchen, effective February 11, 2016 (Probationary)
- Kelly Thurman: Educational Assistant 2, 6 hrs, Adams Elementary School, effective February 8, 2016 (Limited Term)

Termination/Resignation/Layoff/Retirement

- Arely Acosta Santana: Educational Assistant 2/Bilingual, 6.5 hrs, Lincoln Elementary School, effective February 22, 2016 (Resignation)
- Debbie Fischer: Educational Assistant 2, 4.5 hrs, Jefferson Elementary School, effective February 29, 2016 (Retirement)

B. Board Policy DJC—Biding Requirements—Revised—First Reading

C. Administrative Regulation DJC-AR—Special Procurements and Exemptions from Competitive Bidding—Revised—For Information

Vice Chair Sauret pulled this item because he had some questions about it. He will work with staff to resolve the questions and this administrative regulation will be brought back at a later date.

D. Board Policy DI—Receipt and Deposit of Funds (nka Fiscal Accounting and Reporting)—Revised—First Reading

E. Board Policy DIC—Financial Reports and Statements—New—First Reading

F. Board Policy DID—Property Inventories—Revised—First Reading

G. Board Policy DJ—District Purchasing (nka Purchasing Standards)—Revised—First Reading

Vice Chair Sauret pulled this item because he had some questions about it. He will work with staff to resolve the questions and this policy will be brought back at a later date.

H. Administrative Regulation DJ-AR—Purchasing Standards—Revised—For Information

Vice Chair Sauret pulled this item because he had some questions about it. He will work with staff to resolve the questions and this administrative regulation will be brought back at a later date.

I. Board Policy DN—Disposal of District Property—Revised—First Reading

Vice Chair Sauret pulled this item because he had some questions about it. He will work with staff to resolve the questions and this policy will be brought back at a later date.

J. Board Policy DBE—Budget Preparation—Revised—First Reading

Director Ball pulled this item because she had some concerns about it. Vice Chair Sauret indicated he had questions regarding this policy as well. Both Board members will work with staff to resolve the issues and this policy will be brought back at a later date.

Director Newsham asked for a discussion regarding the type of role the Board has in budget preparation and the way it should be expressed in this policy. A robust conversation ensued.

MOTION: Director Newsham moved to add the words “...taking into account any budget guidance adopted by the Board.” to the end of the first sentence of the policy. The motion died for lack of a second.

MOTION: Director Ball moved to add the words, “The Budget reflects all areas of District operations in accordance with priorities set by the Board.” after the first sentence of the policy.

MOTION: Director McQuillan moved to amend Director Ball’s motion by replacing the words “...in accordance with...” with the words “...taking into account...” Director Adams seconded the motion. The motion was voted on and unanimously failed.

MOTION: Director Adams moved to amend Director Ball’s motion by replacing the words, “...in accordance with priorities set by the Board.” with the words, “...taking into account Board priorities.” Director Kemper seconded the motion. The motion was voted on and unanimously approved.

The revised language will be included with any possible changes as a result of Vice Chair Sauret’s questions, and brought for the second reading of this policy on April 11, 2016.

K. Administrative Regulation DBE-AR(1)—Budget Preparation Procedures—Revised—For Information

Vice Chair Sauret pulled this item because he had some questions about it. He will work with staff to resolve them and it will be brought back at a later date.

L. Administrative Regulation DBE-AR(2) [formerly called Administrative Regulation DBE-AR(3)] —Budget Presentation—Revised—For Information

Vice Chair Sauret pulled this item because he had some questions about it. He will work with staff to resolve them and it will be brought back at a later date.

M. Board Policy DBEA [formerly called Administrative Regulation DBE-AR(2)] — Budget Review Committee—Revised—First Reading

Vice Chair Sauret pulled this item because he had some questions about it. He will work with staff to resolve them and it will be brought back at a later date.

N. Board Policy DBG/DBH [formerly called Administrative Regulation DBE-AR(4)]— Budget Hearing and Adoption Procedures—Revised—First Reading

XI. EXECUTIVE SESSION

The Board met in Executive session at 5:45 p.m. under ORS 192.660(2)(d) – To consult with persons designated for labor negotiations.

XII. ADJOURNMENT

There being no further business before the Board, Chair Rochester adjourned the meeting at 9:51 p.m.

Chris Rochester, Board Chair

Dr. Erin Prince, Superintendent

Prepared By: Julie Catala

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Corvallis
SCHOOL DISTRICT

X.B. Licensed Personnel Recommendations

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 11, 2016

FOR-ACTION

SUBJECT: Licensed Personnel Action

1. Issue: Information on licensed personnel recommendations

a. Recommendation to Hire:

Mayra Juarez Hernandez: Bilingual Elementary Teacher, 1.0 FTE, Lincoln Elementary School, effective September 1, 2016 (Probationary)

Vanesa Torres Montano: Bilingual Elementary Teacher, 1.0 FTE, TBA Garfield/Lincoln Elementary School, effective September 1, 2016 (Probationary)

b. Termination/Resignation/Layoff/Retirement:

Barbara Meyers: 5th Grade Teacher, 1.0 FTE, Wilson Elementary School, effective June 20, 2016 (Retirement)

Alyssa Maciel: Bilingual Teacher, 1.0 FTE, Linus Pauling Middle School, effective June 17, 2016 (Resignation)

Margaret Carrick: ELL Teacher, 1.0 FTE, Franklin K-8 and Hoover Elementary School, effective June 30, 2016 (Retirement)

ACTION REQUESTED: Approve recommendations.

CONTACT PERSON: Jennifer Duvall



Corvallis
SCHOOL DISTRICT

X.C. Resolution No. 16-0401 Re-approving PACE Trust Agreement

FOR ACTION

BOARD MEETING DATE: April 11, 2016

SUBJECT: Resolution No. 16-0401 Re-approving PACE Trust Agreement

Each fiscal year, the District must bind insurance coverage for property and liability. The district's insurance Agent of Record, Barker-Uerlings, annually solicits quotes from carriers in appropriate markets in late spring. For many years, the district has chosen to purchase coverage from Property and Casualty Coverage for Education (PACE).

Along with necessary insurance coverage, PACE also provides additional benefits to members, including: risk management support, legal assistance, training, and pre-loss services.

PACE, a self-insured public entity program, adopted its original trust in 2006. At that time, originators did not require a formal approval of the Trust Agreement by each participating member agency; it was the opinion at the time that coverage documents issued to members at their insurance renewals could act as an intergovernmental agreement accepted upon payment of contributions.

A review of this original trust was just conducted, resulting in a couple of administrative updates including a creation of a dispute resolution process as well as a change to the trustee terms of service. At this time, PACE is asking all members to formally adopt a resolution approving a Joinder of Trust Agreement to continue participating in the program.

Acceptance of this Trust Agreement does not obligate the district to purchase insurance from PACE. However, it allows the district to continue a valuable partnership if it is determined to be in the best interest of the district in the future.

Presenter:	Olivia Meyers Buch, Finance and Operations Director
Attached:	Memo from PACE Board Chair Phil Wentz, including common questions Restated Trust Agreement Joinder to Trust Agreement for Members Resolution 16-0401
Motion Requested:	I move that Resolution 16-0401 be approved by the board, re-affirming the district's partnership with PACE by authorizing staff to sign the Joinder to Trust Agreement.

Corvallis School District 509J
**Authorization of Trust Agreement for
PROPERTY AND CASUALTY COVERAGE FOR EDUCATION (PACE)
Resolution No. 16-0401**

WHEREAS, the Board of Directors of School District No. 509J (Corvallis) of Benton and Linn Counties, Oregon has authority to participate in a self-insured public entity program for the purpose of mitigating the risks of the district through insurance, legal, and other services; and

WHEREAS, the Property and Casualty Coverage for Education Trust (Trust) has was created in 2006, and restated effective March 12, 2016, through declaration and agreement between the Oregon School Boards Association, acting by and through its Board of Directors, and the Trustees of the Trust, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of School District No. 509J (Corvallis) of Benton and Linn Counties, Oregon that the Deputy Clerk of the district is authorized by the Board of Directors to enter into an Agreement establishing the district as a party to, and bound by, the First Restatement of Declaration of Trust of the Property and Casualty Coverage for Education (PACE) effective as of March 12, 2016 (and as the same may be amended, supplemented, or otherwise modified from time to time, the "Agreement."

Adopted by the Board of Directors of School District No. 509J (Corvallis) of Benton and Linn Counties, Oregon, at its regular meeting this 11th day of April, 2016.

ATTEST:

Chris Rochester, Board Chair

Olivia Meyers Buch, Deputy Clerk

****IMPORTANT****
REQUIRES BOARD ACTION

DATE: March 28, 2016

TO: PACE Members

FROM: Phil Wentz, PACE Board Chair

SUBJECT: New PACE Trust Agreement Requires Board Action

2015-2016 PACE
BOARD OF TRUSTEES

Chair

Phil Wentz
Facilities Manager
Tigard-Tualatin ZSD

Vice Chair

Debbie Laszlo
Reg. Risk/Benefits Mgr.
Redmond JI

Sharla Anderson
Dir., Contracts & Risk
Central Oregon CC

Marie Knudt
Fiscal Assistant
Yonkers JI

Craig Prewitt
Board Chair
Phoenix-Talent JI

John Rexford
Superintendent
High Desert USD

Michael Schofield
Chief Financial Officer
Gresham-Barlow JI

Adrian Stewart
Chief Financial Officer
Hillsboro JI

Duff Yancey
Dir., Bus. Operations
Springfield JI

Oregon law requires that self-insured public entity programs be formed through an intergovernmental agreement between the participating entities. PACE's original trust was adopted in 2006 and the Trustees just completed a review of the original trust and proposed a couple of changes to the OSBA Board of Directors.

Now that the new PACE Declaration of Trust has been approved by the OSBA Board of Trustees, it is necessary to have all of the trust members have their boards adopt the Joinder of Trust Agreement. The Joinder of Trust Agreement is located on the last page of the enclosed Declaration of Trust. By signing the Joinder of Trust Agreement your board will be entering into an intergovernmental agreement with PACE.

Before renewing in the PACE self-insured, property, and liability program, your board will need to adopt the enclosed Joinder of Trust Agreement and return a signed copy to PACE. We understand that this is not an easy task for PACE's many members to accomplish, but we assure you we would not be taking this action if the Trustees did not feel it was absolutely necessary to protect the trust's assets, which all of the members have helped build over the past 10 years.

Following is the deadline for sending back the signed resolution to PACE by:

- **June 30, 2016**
- **Please return the signed resolution to underwriting@sdao.com or FAX to (503) 371-4781**

I am sure you and your board members will have questions about the new Trust Agreement. In anticipation of your questions, following are some frequently asked questions and answers for your reference.

FREQUENTLY ASKED QUESTIONS:

What is my district's financial risk as part of a self-insured program?

The revised Declaration of Trust does not increase your district's financial liability any more than you currently have under the existing Trust Agreement. The PACE Trust is a non-assessable trust. This means that your district can never be asked to contribute additional funds, other than your annual contributions, to cover your claims or the claims of any other member. It also means, though, that you are ultimately responsible for your own claims liabilities in the event the trust is not able to pay your claims. The PACE Trustees are dedicated to making sure this never happens by being extremely conservative with the amount of funds the trust retains to pay claims. Based on a certified actuary's estimates, PACE has over \$32 million to satisfy all claims liabilities. When not used in the day-to-day business operations, these funds are invested, which allows for reinvestment of PACE resources into programs that reduce members' risks and keep rates low. In addition, the trust purchases reinsurance that puts a cap on the trust's and members' claims liability.

Why is the Trust Agreement an intergovernmental agreement?

Oregon law requires that for local governments to form their own self-insured programs they must do so by entering into an intergovernmental agreement. Intergovernmental agreements require each participating organization to have a resolution adopted by its Board of Directors. The enclosed Joinder of Trust Agreement can be considered a suggested board resolution.

What are the primary differences between this new Trust Agreement and the original agreement?

There are two substantive changes to the Trust Agreement. First, Trustees created a dispute resolution process in the new Trust Agreement that encourages the parties to resolve any disputes at the lowest possible level.

Secondly, under the new agreement, Trustees will be allowed to serve up to three terms of three years, adding stability to the program and allowing Trustees the ability to apply the education they have received to the complexities of the insurance program.

Why can't my district find a resolution adopting the original Trust Agreement?

When the original Trust Agreement was created in 2006, the originators did not believe the Trust Agreement needed to be approved by the participating members. They had

an opinion that the coverage documents issued to members at their insurance renewals were considered an intergovernmental agreement that was entered into with the members when the members paid their contributions. With changes in law and philosophy over time, we believe that the best course of action for the newly amended Declaration of Trust is for each member to sign a resolution agreeing to enter into the Trust Agreement as an intergovernmental agreement.

What happens if my district does not adopt the resolution?

Unfortunately, if your district does not adopt the Joinder of Trust Agreement, your district will no longer be able to participate in the property or liability program. Your district will not be able to renew its coverage in these programs when your current policy term expires.

Whom should I contact if I have questions about the enclosed materials?

PACE Administration
Lisa M. Freiley
Staff Counsel
lfreiley@osba.org
(503) 588-2800
(800) 578-6722

RESTATED TRUST AGREEMENT

Property and Casualty Coverage for Education

THIS DECLARATION AND AGREEMENT creating the OSBA PROPERTY AND CASUALTY COVERAGE FOR EDUCATION TRUST (OSBA PACE), hereinafter referred to as the "Trust," is made and entered into by and between the OREGON SCHOOL BOARDS ASSOCIATION, acting by and through its Board of Directors, and the TRUSTEES signatory hereto,

WITNESSETH:

WHEREAS, the Oregon School Boards Association, hereinafter referred to as the "Association," is an organization of school boards of school districts in the State of Oregon established to promote the common interests of its members and to institute programs to assist those members in performing their governmental functions in a cost effective way; and

WHEREAS, the Association desires to establish a program whereby the risks incurred by its members in the areas of tort liability, property loss and workers' compensation may be effectively and economically managed and whereby insurance and self-insured retention of such risks may be most responsibly and economically funded; and

WHEREAS, the Association has agreed to establish such a program and to make arrangements for those members of the Association which desire to do so to procure and maintain group insurance coverages or participate in group self-insurance for the benefit of such members; and

WHEREAS, the Association is merely an association and the establishment of a trust is necessary and desirable for the receipt, protection, management and disposition of the premiums, contributions and other collections to be received; and

WHEREAS, the purpose of this agreement, therefore, is to establish a trust which will protect and manage insurance premiums, contributions and other collections related to the program; oversee the management and administration of the program; and approve the necessary contracts, insurance policies, premium and fee schedules, and other arrangements necessary to implement the program for the benefit of those members of the Association that choose to participate; and

WHEREAS, the undersigned Trustees have consented to act as the initial trustees under this Trust Agreement, and their consent shall be evidenced by their signatures hereto,

NOW, THEREFORE, in consideration of the benefits to be derived for the participating members of the Association and the mutual promises and agreements hereinafter set forth, the parties agree as follows:

1. **Creation of Trust:** The Association hereby establishes a trust to be known as the "OSBA Property and Casualty Coverage for Education Trust" (OSBA PACE) which shall in all respects be governed by the laws of the State of Oregon and administered to accomplish the purposes expressly, and by necessary implication, contained herein.

2. **Purposes of Trust:** The express purposes and primary objectives of the Trust are:

- (a) To insure that there is available to members of the Association a market for liability, property and/or workers' compensation insurance coverage appropriate to the risks to which such members are exposed.
- (b) To aggregate the collective buying power of the members of the Association, and the economic advantages of individual and pooled risk retention where lawful and actuarially sound, and to reduce and stabilize the cost of funding those risks.
- (c) To make available to members of the Association a resource of expertise in the management of risk through loss prevention and loss control program, claims management and consulting, data gathering, information sharing and related services.
- (d) To act as an information resource to members of the Association in presenting to appropriate legislative bodies and committees data related to the cost of public body risk in Oregon.
- (e) To create and act as a pooled self-insured retention fund for participating members of the Association, and to establish actuarially sound contribution schedules for participants in such a pool at appropriate retention levels.
- (f) To receive, account for, invest and disburse as lawfully due and payable moneys collected from participating members of the Association as premiums, fees and other contributions to the Trust.
- (g) To promote the common interests of its members and to institute programs to assist those members in performing their governmental functions in a cost effective way.

The foregoing expression of purposes is not exhaustive and, in addition to other related objectives reasonably inferred from that list, the Trust shall have such other objectives as may be lawful for an intergovernmental association under Oregon law.

3. **Designation of Trustees:**

- (a) The Trust shall be managed by a board of nine (9) trustees (the "Trustees") chosen by majority vote of the Board of Directors of the Association. The Trustees, parties hereto, have been so chosen.
- (b) As qualification for appointment and continued service, each appointed trustee shall be an elected or appointed official of a member of the Oregon School Boards Association.
- (c) The term of office of a trustee shall be for three (3) years at a time. The Trust may nominate a Trustee to serve up to two (2) additional three (3) year terms which must be approved by the OSBA Board of Directors prior to the start of each additional term.
- (d) The Trustees shall submit a list of nominated candidate(s) to the OSBA Board of Directors for consideration. If the list of candidates is not acceptable by the OSBA Board of Directors, the Trustees will continue to submit nominated candidate(s) for consideration

until accepted by the OSBA Board of Directors. To the extent practicable, the OSBA Board of Directors shall appoint a successor (including the incumbent if it be so desired) prior to the expiration of a term of a trustee, which appointee shall assume the duties of office upon appointment.

- (e) (Reorganized paragraph) The Trustees shall submit a list of nominated candidate(s) to the OSBA Board of Directors for consideration. If the list of candidates is not acceptable by the OSBA Board of Directors, the Trustees will continue to submit nominated candidate(s) for consideration until accepted by the OSBA Board of Directors. Vacancies in the office of a trustee shall be filled by a majority vote of Directors of the Association from the list submitted by the Trustees.
- (f) During the period of any vacancy or vacancies among the trustees, the remaining trustees shall have full power to act.
- (g) No Trustee shall serve, and no appointment shall be effective, until such appointee acknowledges in writing full and, unconditional acceptance of the terms of this Trust.
- (h) The Trustees shall designate a chair to preside at meetings of the trustees and to possess such powers and to perform such duties as the holder of such an office usually has and performs. The Trustees shall also designate a vice-chair to act in the absence of the chair. In the absence of both the chair and the vice-chair, the Trustees constituting a quorum may elect a chair pro tempore for purposes of conducting a meeting and transacting Trust business. All such officers of the Trustees may vote on any issue or matter properly before the Trustees.
- (i) The Executive Director of the Oregon School Boards Association shall be designated as the Program Administrator. The Program Administrator, or his designee, shall serve as an ex-officio Trustee. The Trustees shall require the Program Administrator to keep and preserve minutes of the meetings of the Trustees and possess such powers and perform such duties as the holder of such an office usually has and performs.
- (j) A Trustee may resign by notification to the Program Administrator. If such notification is made orally, the Program Administrator shall reduce it to writing. The written notice of resignation shall be delivered to the chair of the Trust. Such written notice of resignation may state a prospective date upon which such resignation shall become effective; otherwise, such resignation shall become effective upon acceptance by the OSBA Board of Directors. Upon the effective date of any such resignation, such Trustee shall become and be fully discharged from all further duties, responsibilities or liabilities associated with such office. A Trustee, upon vacating such office, shall promptly deliver to the remaining Trustees or Program Administrator any and all records, books, documents, monies or other property of the Trust in the possession or under the control of such Trustee.
- (k) Any Trustee may be removed from office because of a violation of their fiduciary responsibilities by the OSBA Board of Directors.

4. **Powers of Board of Trustees:** In furtherance of the purposes set forth in this Trust, the Trustees shall have such powers as may be necessary or prudent to discharge their responsibilities in

managing and controlling the Trust, whether or not mentioned herein, including but not limited to the following powers:

- (a) To provide programs whereby members of the Association may obtain or participate in the coverage afforded by policies of insurance or participate in pooled self-insurance programs. To accept, determine and make reasonable arrangements for the payment by or on behalf of each Member of all contributions and premiums due. Administer the loss funds, collect contributions thereto and pay authorized losses on behalf of its Members.
- (b) To engage in and oversee, as the Trustees deem appropriate, the services of competent insurance agents and brokers to negotiate on behalf of the Trust with insurance underwriters and to market coverage and services to prospective participants in the Trust's services. To purchase reinsurance or excess insurance as necessary to protect the interest of the Members of the Trust.
- (c) To engage and oversee administrative services and other staff necessary to provide risk management and insurance related services to the Trust and its participants, including such claims reporting and adjusting record keeping, information sharing, underwriting, claims administration services, legal defense and settlement of claims, communications and marketing, loss control and prevention procedures and consulting, risk reduction and related administrative and consulting services as the Trustees deem appropriate.
- (d) To review and approve policy forms, service contract forms, and other documents appropriate to the operation of the Trust and to establish the limits of authority of the persons engaged under Paragraphs (b) and (c) above.
- (e) To establish funding levels for insurance coverages offered by the Trust; To establish procedures for the collection, investment and disbursement of moneys owed to and by the Trust; and to establish actions to be taken with respect to delinquent accounts receivable.
- (f) To provide for complete accounting and a plan for audit of the funds received, invested, kept and disbursed by the Trust; and to establish such accounts with financial and investment institutions and brokerages as may be necessary and prudent for the proper management of Trust funds.
- (g) To contract for the services of staff members and for such support services and facilities as the Trustees shall consider appropriate. The Trustees may pay for such services and facilities out of Trust funds.
- (h) To contract for risk management and insurance related services; to provide for marketing the products and services of the Trust; to provide claims reporting and adjusting record keeping; information sharing, underwriting, claims administration, legal services, communications and marketing, loss control and prevention including but not limited to use of the name and goodwill of the Association. The Trustees may pay for such services out of Trust funds.
- (i) To appoint from among themselves such committees as the Trustees shall deem expedient which may be vested with such powers as the Trustees in their sole discretion shall determine. To establish such advisory committees as the Trustees deem advisable to assist

in policy and operations of the Trust and to appoint qualified persons to such committees to serve at the pleasure of the trustees.

- (j) To receive, hold, and manage premiums for such programs authorized by the trustees, to invest, reinvest, and manage funds received for such purposes and to transmit to the proper recipient premiums received. To employ such agents, advisors and counsel as may be reasonably necessary in collecting, managing, administering, investing and distributing the assets of the fund and to charge the expense thereof to the Trust.
- (k) Subject to the laws of the State of Oregon, if any premiums or expenses as hereinafter provided for are not paid by a member of the Association within thirty (30) days from the date of notification that the same is due, the Trustees may terminate that member's right to participate further under this trust and any program established hereunder; and thereupon, without further notice, any insurance as may exist for the benefit of such member may be terminated. Any such member whose participation is so terminated may be reinstated and entitled to subsequent participation by appropriate approval by the Trustees and upon such terms and conditions as the Trustees shall prescribe.
- (l) The Trustees shall not be entitled to any remuneration for their services but they may be reimbursed for reasonable expenses incurred by them in connection with the performance of their duties as trustees. To the extent that such Trustee is reimbursed by a Member or other entity for expenses as Trustee, such Trustee shall not be so reimbursed, but such reimbursement may be paid to the Member or other entity, as the case may be, with respect to which such Trustee is an employee.
- (m) The Trustees may delegate any of their non-discretionary powers to the Program Administrator, service administrator or other staff retained by the Trustees as the Trustees deem it appropriate.
- (n) The Trustees shall require all persons performing services to the Trust to be bonded or insured in a form and amount set by the Trustees. The cost of such bond may be paid out of Trust funds.
- (o) To promulgate bylaws for the operation of the Trustees and to make reasonable rules and regulations for the fulfillment of the purposes of the Trust and the programs to be established pursuant hereto. Violation of any such rules and regulations by a participating member shall also be cause for termination of participation hereunder or in any program instituted pursuant hereto after notice given as the Trustees in its sole discretion shall determine. Reinstatement of any such violator shall rest in the absolute discretion of the Trustees and upon such terms and conditions as the Trustees shall determine.
- (p) The Trustees may maintain a bank account or bank accounts in such depositories as the Trustees may select and may empower any person or persons selected by them to draw and sign checks against any funds deposited therein. To hold cash, uninvested, for such length of time as the Trustees may determine without liability for interest thereon.
- (q) To engage and pay for such accounting, legal or other professional advice or assistance as in the discretion of the Trustees may be required. The Trustees may pay for such services out of Trust funds.

- (r) To determine the general policy for operation of the Trust that shall be followed by all committees, officers, employees, agents, and independent contractors employed by the Trust.
- (s) To ensure the chair or vice-chair of the Trustees shall execute on behalf of the Trust all contracts, documents and pleadings as may be approved by the Trustees, provided that the Trustees may delegate to any person or firm engaged pursuant to Paragraphs 4(b), ©, (g) or (n) a limited agency authority to bind the Trust in certain cases or kinds of transactions to be specified by the trustees.
- (t) To sue and be sued, or to prosecute and defend any and all actions affecting the Trust or its property, either in the name of the Trust or in their own names; to compromise or settle any suit, claims or demands, or waive or release any rights relating to the Trust or its property.
- (u) To have a judicial settlement of their accounts and judicial determination of any questions in connection with their duties and obligations hereunder, or in connection with the administration or distribution thereof. The costs and expenses, including accounting and legal fees, for such judicial settlement of accounts or other judicial determination shall be paid by the Trust as a general administrative expense to the extent permitted by applicable law.
- (v) To borrow or raise money for the purpose of the Trust in such amount, and upon such terms and conditions as the Trustees shall deem advisable; and for any sum so borrowed to issue the promissory note of the Trust, and to secure the repayment thereof by creating a security interest in all or any part of the property of the Trust; and no person lending such money shall be obligated to see that the money lent is applied to Trust purposes or to inquire into the validity, expedience or propriety of such borrowing. No such debt incurred by the Trust shall be deemed a debt of any Member.
- (w) To continue to have and to execute, after the termination of the Trust and until final distribution, all of the titles, powers, discretions, rights and duties conferred or imposed upon the Trustees hereunder, or by law.
- (x) To acquire, hold, own, rent or lease, alone or in conjunction with any other party or parties and for the use in connection with the purposes of the Trust, any property, real or personal, and to pay the appropriate pro rata part of the mortgage payments, property taxes, assessments, insurance, maintenance and ordinary repairs on all such property.
- (y) To purchase as a general administrative expense of the Trust general liability insurance fidelity bonds and other insurance for the benefit of the Trust or the protection of the Trustees, Trust employees or agents against any losses by reason of errors or omissions, breach of fiduciary duty or negligence.
- (z) To construe and interpret this Trust Agreement.

5. **Duties of the Trustees:** The Trustees shall have the following duties:

- (a) To notify each participating member of the amount of premium due from such participant.

- (b) To receive the appropriate amount of premiums and remit the same promptly to the appropriate insurer or its representative entitled to receive the same, or retain such premium in the Trust if pertaining to a self-insurance program.
- (c) If any dividends or benefits are received by the trustees, the same shall be used by the trustees as a part of the trust funds or used to reduce premiums on an equitable basis all as shall be determined by the trustees in their sound discretion.
- (d) To keep accurate account books and records reflecting all transactions of the Trust and to provide for an annual audit of Trust funds, accounts and operations, and financial reports as the Trustees deem necessary. Copies of such audits and financial reports shall be furnished to each Trustee. The cost of such audits may be paid out of Trust funds.
- (e) To furnish to participating members such special reports or information as they reasonably require, provided the Trustees in its sound discretion may make the payment of the expense of furnishing the same a condition precedent to doing so.
- (f) To examine and re-examine the nature and provisions of insurance obtained by members and to seek to improve the coverage and the cost thereof.
- (g) The Trustees may delegate these duties to the Program Administrator, other service administrator or other staff retained by the Trustees as the Trustees deem it appropriate.
- (h) If services are not otherwise provided by the Trust, the Trustees shall obtain the services of a service company for the purpose of administering claims. The service company shall adhere to guidelines for the performance of its duties as set forth by the Trustees.
- (I) Pay claims to or on behalf of the Members in accordance with purposes of the Trust Agreement, Bylaws, Rules and coverage documents.
- (j) Create a reserve for the payment of claims.
- (k) Pay or provide for the payment on behalf of Members hereunder all premiums as they become due to an insurer on any policy of insurance.
- (l) Cause to be maintained accounts of all investments, receipts, disbursements and all other transactions affecting funds or property of the Trust.
- (m) Engage an independent certified public accountant to perform a financial audit of the Trust at least once per fund year and to report regarding such audit to the Members at the meetings of the Members.
- (n) Engage an independent and qualified actuary to perform actuarial calculations and provide advice regarding the sufficiency of the loss funds as frequently as is required for prudent management.
- (o) Maintain minutes of all meetings of the Trustees and Members and cause copies thereof to be distributed in a timely manner to all Trustees.

- (p) Publish such claim reports, financial statements and actuarial projections as necessary to advise Members of the current and projected financial status of the Trust.
- (q) Pay all taxes and assessments that may be levied or assessed under existing or future laws upon, or in respect of, the Trust or its income.
- (r) Cause the terms and provisions of the Trust Agreement, the Bylaws and the Rules to be performed and carried out and the assets of the Trust to be properly held and administered.
- (s) Pay or provide for the payment of all reasonable and necessary expenses of administering the Trust and all charges reasonably incurred by the Trustees in protecting the funds and property of the Trust and in carrying out the purposes of the Trust.

6. **Meetings of the Board of Trustees:** Each Spring the Trustees shall hold an annual meeting. Other meetings of the Trustees shall be held at the call of the chair or of any five (5) trustees. The notice of any meeting shall state the time, place and purpose or purposes of the meeting. It shall be in any form of communication that the person or persons calling the meeting may designate, provided that it shall be given five (5) days in advance of the meeting, and provided further that nothing herein contained shall prevent the holding of any meeting pursuant to a consent to hold the same and a waiver of notice thereof signed by all the trustees entitled to receive notice. A majority of the trustees shall constitute a quorum for the transaction of business. All meetings shall be held within the State of Oregon. All decisions of the trustees shall be made by a vote of a majority of the trustees present and voting. Conduct of all meetings shall be governed by rules of order promulgated in the Bylaws.

7. **Use of Trust Funds:**

- (a) Without further specific action of the Trustees, but subject to any limitations or conditions set by the Trustees in its bylaws or regulations, the administrators designated by the Trustees shall disburse or authorize disbursement of moneys from funds of the Trust for any of the following purposes:
 - (1) Payment of moneys due and certain under or by virtue of any contract, bond, or policy of insurance made or obtained by or on behalf of the Trust, including the costs of audits;
 - (2) Investment and reinvestment of Trust funds under such standards and limitations as may be approved by the Trustees;
 - (3) Payment of premiums due on fidelity, performance, errors and omissions, or other bonds and insurance which the Trustees may require in its bylaws to protect the Trust and the trustees;
 - (4) Reasonable and necessary expenses incurred by trustees for such items as travel, meals, lodging, telephone calls and other out-of-pocket expenses incurred in performing their duties as trustees, provided that the personal services and time devoted by trustees shall not be compensated by Trust funds.
 - (5) Payments authorized by the Trust's annually approved budget.
- (b) Except as provided in Paragraph 7(a), Trust funds shall not be disbursed, expended or indebted without express approval of the Trustees. Such approval may be solicited from each trustee in writing without necessity for a meeting of the Trustees.

- (c) Surplus funds, including the income from investments of the Trust, in excess of obligations payable under this Section may, at the direction of the Trustees, be distributed in whole or in part, from time to time, to participants in the program, either directly or by way of reduction of premiums, contributions or other fees assessed to participants. Such distributions shall be based upon such formula as the Trustees shall approve except as provided in this section, investment income shall remain with the Trust for reinvestment or satisfaction of the obligations of the Trust as provided in Paragraph 7(a).

8. Membership in the Trust:

- (a) School boards and districts, education services districts, and community colleges represented by them (as such terms are defined in the Constitution and Bylaws of the Association) which are members of the Association and any Charter School (established pursuant to ORS Chapter 338) that is sponsored by a participating member of OSBA-PACE or a district that is self insured who purchases excess coverage from the OSBA-PACE may participate under this Trust and in all programs established pursuant hereto. To participate, the school board and district shall make application for membership to the Trustees under such terms and conditions as the Trustees may reasonably require. Membership shall be granted to any qualified applicant which agrees to comply with such terms and conditions unless good reasons exist why membership should be denied.
- (b) A member's participation in the Trust may be terminated or not renewed by the Trustees in the event it ceases to be qualified under Paragraph 8(a) above, subject to any vested right not otherwise subject to termination for cause, which the member may have acquired in such participation. The Trust may terminate membership and participation of any Member who fails to comply with the reasonable requirements of the Trustees concerning payment of contributions or premiums, compliance with loss prevention programs or cooperation with the Trust staff and agents or for any other reason that may be detrimental to the fiscal soundness or efficiency of the Trust.

9. Termination of Trust:

- (a) The Trust shall terminate upon the happening of any of the following:
 - (1) The date on which all participating members shall cease to be members of the Association.
 - (2) The date on which there are no members of the Association participating in the services offered by or indemnified or insured by or through the Trust.
 - (3) Upon notice in writing requesting termination given by the OSBA Board of Directors to the Trustees and all participating members.
 - (4) Upon the dissolution, adjudication of bankruptcy or appointment of a receiver for the Association.
- (b) Notwithstanding anything contained herein, the voluntary termination of the Trust identified in Paragraph 9(a)(3) above shall not occur until the expiration or termination of every policy, contract or other agreement under which any member participates in the services offered by or is indemnified or insured by or through the Trust.

- (c) Upon termination of the Trust, any excess funds held in the Trust after payment of all just claims and expenses shall be first distributed to Trust members for the payment of all liabilities incurred prior to such termination and for liquidation of all assets of the trust. Upon satisfaction of all obligations of the Trust, all remaining assets of the Trust shall be returned to current participating members based on a formula of historic contributions and losses to the Trust.
 - (d) Automatic termination as provided in Paragraphs 9(a)(1), (2) and (4) shall not affect the rights of any participating member under any "policy" of "insurance" underwritten by an "insurer" other than the Trust, as the terms "policy", "insurance" and "insurer" are defined in the Oregon Insurance Code.
 - (e) The Trust created hereby shall be operated as a non-profit organization.
 - (f) No Member shall be responsible for any claim or judgment against any other Member or the Trust except to the extent of the assets of the loss fund, any insurance carried by the Trust and future contributions as provided herein.
 - (g) The Trustees shall continue to serve in office until all obligations of the Trust have been fully and finally discharged or adequately provided for. Thirty (30) days prior to the termination of the Trust, the Trustees shall notify each member of such termination.
10. **Withdrawal:** Any participating member may withdraw from participation under the Trust, provided that a withdrawal on any date other than a normal renewal date shall only be upon six (6) month's notice in writing to the trustees of such intention to withdraw. The withdrawing member shall remain liable, however, until all earned premiums or those which are past due are fully paid. There shall be no refund of premiums for an early withdrawal.
11. **Dispute Resolution Process:**
- (a) **Appeal to Board of Trustees:** In the event of any dispute arising from the operation of the Trust, the affected Member shall first appeal to the Trustees. In a matter relating to a claim under a Coverage Document, the appeal must be made within 30 days of the trust's proposed resolution of the disputed claim unless otherwise provided in the Coverage Document. To institute an appeal, the Member must give written notice to the Chair or Vice-Chair of the Trust providing a written summary of the dispute, detailing in reasonable detail the facts and circumstances of the issues and the requested remedies. At the next scheduled Trust meeting or at such other time as determined by the Chair, the Trustees will review the matter, using procedures as promulgated by the Trust. The Trustees's decision will be communicated to the Member within 90 days of the Trustees's hearing the appeal.
 - (b) **Mandatory Mediation:** If a dispute is not resolved by appeal to the Trust, it must be submitted to the Arbitration Services of Portland ("ASP"), or its successor, for mediation. The Trust or any Member may commence mediation by providing ASP and the other affected parties a written request for mediation, setting forth the subject of the dispute and the relief requested. The Trust and each affected Member shall cooperate with ASP and with one another in selecting a mediator from the ASP panel of neutrals and in scheduling the mediation proceedings. They agree that they will participate in the mediation in good faith and that they will share equally in the costs (the Trust will pay one half of the costs

and the other half will be paid by the affected Member, or if more than one Member, each shall contribute equally to that half or otherwise as they may agree). All of the offers, promises and conduct and statements, whether oral or written, made in the course of the mediation by any of the parties, their agents, employees, experts and attorneys, and by the mediator or any ASP employees, are confidential and privileged and inadmissible for any purpose, including impeachment, in any arbitration or other proceeding involving the parties, providing that evidence that is otherwise admissible and discoverable will not be rendered inadmissible or non-discoverable as a result of its use in the mediation.

- (c) **Mandatory Arbitration:** If the matter is not resolved through mediation, then it shall be submitted to ASP, or its successor, for final and binding arbitration pursuant to the rules for commercial arbitration for ASP. The Trust or a Member may initiate the arbitration with respect to the matter submitted to mediation by filing a written demand for arbitration at any time following the initial mediation session or at any time following 45 days from the date of filing the written request for mediation, whichever occurs first ("Earliest Initiation Date"). The mediation may continue after the commencement of arbitration if the parties agree. At no time prior to the Earliest Initiation Date will either side initiate an arbitration or litigation related to this Agreement, except as provided by the rules of commercial arbitration for ASP or by agreement of the parties. All applicable statutes of limitations and defenses based upon the passage of time shall be tolled until 15 days after the Earliest Initiation Date. The parties will take such action, if any is required, to effectuate such tolling. The dispute will be settled by a single arbitrator. The parties will cooperate with ASP and with one another in selecting an arbitrator and in scheduling arbitration proceedings. Arbitration will occur in Salem, Oregon unless the parties otherwise agree. The parties will be entitled to conduct discovery in accordance with the Federal Rules of Civil Procedure, subject to limitation by the arbitrator to secure the just and efficient resolution of the dispute. If the amount in controversy exceeds \$250,000, the arbitrator's decision shall include a statement specifying in reasonable detail the basis for and computation of the amount of the award, if any. In any arbitration arising out of or related to this Agreement, the arbitrator may not award any incidental, indirect or consequential damages, including damages for lost profits. The decision of the arbitrator will be final and binding. The party prevailing in the arbitration will also be entitled to recover any amount for his or her costs and attorney fees incurred in connection with the arbitration as determined by the arbitrator. Judgment upon the arbitration award may be entered in any court having jurisdiction.
- (d) **Coverage Document Dispute Resolution:** The dispute resolution provision in any Coverage Document shall apply for the matters to which such provisions are made applicable in the Coverage Document, and shall supersede the dispute resolution provisions of this Section 11. If a Coverage Document is silent, or the dispute resolution contained within it do not apply to a particular dispute, the dispute resolution provision of this Section 11 shall apply.

- 12. **Amendment:** The OSBA Board of Directors reserves the right to alter, amend or terminate this Trust and the terms under which it exists at any time by a memorandum in writing delivered to the Trustees, provided any such change or termination shall not prejudice the rights of any participant with respect to any accrued right or claim. In order to advise the OSBA Board of Directors on any proposed material change to the provisions of this Trust Agreement, the Trustees shall prepare an

impact statement to determine the financial impact, if any, on Trust operations and fiscal stability of the proposed changes to the Trust Agreement. The Trustees will provide a thirty (30) day notice to members by sending a written copy of the impact statement to the participating members. If any member of the Trust, by virtue of this impact statement can clearly show that a change to the provisions in this Trust Agreement will directly result in a significant financial detriment (e.g. Deterioration of operating ratios or trust reserves) they may withdraw from the Trust with any vested equity.

13. **Severability:** If any provision of this Agreement is adjudicated to be invalid, unenforceable or unconstitutional, the remainder of the provisions not subject to such adjudication shall not be affected and shall continue in full force and effect.
14. **Joinders.** Any joinder to this Agreement executed by a member will be deemed to be that member's assent to the entirety of this Agreement, as if such had executed an original of this Agreement.
15. **Indemnification:** Trustees, officers and agents of the Trust shall use ordinary care and diligence in the exercise of their powers and in the performance of their duties. They shall not be liable for any mistakes of judgment or other action made, taken or omitted by them in good faith, nor for any action taken or omitted by any agent, employee or independent contractor selected with reasonable care, nor for loss incurred through investment of funds or failure to invest. No Trustee shall be liable for any action taken or omitted by any other Trustee. No Trustee shall be required to give a bond or other security to guarantee the faithful performance of their duties hereunder. The Trust shall defend, hold harmless and indemnify the individual Trustees, officers and agents of the Trust from any and all demands, claims, suits, actions and legal proceedings brought against the Trustees in their official capacity as agents of the Trust. The incident must have occurred while the Trustee, officer or agent of the Trust, was acting within the scope of official duties. This indemnification excludes criminal litigation and is limited to the amount of liability insurance coverage which is within the authority of the Trust to provide under state law.

IN WITNESS WHEREOF, by action of the OSBA Board of Directors, this Trust Agreement is approved and the OSBA Board of Directors by and through its authorized officers, has caused this Agreement to be executed in its name and on its behalf as of this 12th day of March, 2016.

OREGON SCHOOL BOARDS ASSOCIATION

By



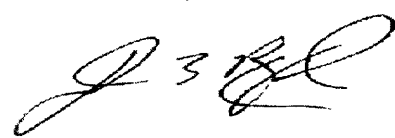
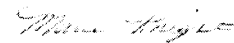
OSBA President
Doug Nelson

By



OSBA Secretary
Don Cruise

We, the undersigned Trustees, having been duly appointed to carry out the provisions of the above Trust Agreement, do hereby approve, affirm and accept such Trust.

Date:	March 21, 2016	
		Phil Wentz, Chair
Date:	March 21, 2016	
		Debbie Laszlo, Vice-Chair
Date:	March 21, 2016	
		Adam Stewart, Trustee
Date:	March 21, 2016	
		Brett Yancy, Trustee
Date:	March 21, 2016	
		Sharla Andresen, Trustee
Date:	March 21, 2016	
		John Rexford, Trustee
Date:	March 21, 2016	
		Marie Knight, Trustee
Date:	March 21, 2016	
		Mike Schofield, Trustee
Date:	March 21, 2016	
		Craig Prewitt, Trustee

**FORM OF
JOINDER TO TRUST AGREEMENT
FOR MEMBERS**

By execution of this Joinder, the undersigned public body hereby agrees to become a party to, and is bound by, the First Restatement of Declaration of Trust of the Property and Casualty Coverage for Education (PACE) effective as of March 12, 2016 (and as the same may be amended, supplemented or otherwise modified from time to time, the "Agreement"), by and among the Trustees and the Members, in the same manner as if the undersigned were an original signatory to such Agreement.

The undersigned represents and warrants that (i) the undersigned has received a copy of, and has reviewed the terms of, the Agreement and all related or relevant documents and agreements, (ii) undertakes to become a Member of the Property and Casualty Coverage for Education (PACE) with all the rights and obligations thereof, and (iii) such undertaking has been duly authorized as an intergovernmental agreement to create a program of self-insurance pursuant to ORS 30.282. Capitalized terms used but not defined in this Joinder shall have the meanings set forth in the Agreement.

IN WITNESS WHEREOF, the undersigned has executed this Joinder as of this ____ day of _____, 2016.

[Name of District]

By: _____

Name: _____

Title: _____

Address for Notices:

With copies to:



Corvallis

SCHOOL DISTRICT

X.D. Employment Contracts/Addendums for Assistant Superintendent,
Teaching and Learning Director (formerly called Student Services Director),
Finance and Operations Director, and Human Resources Director

BOARD MEETING DATE: **April 11, 2016**

FOR ACTION

SUBJECT: Employment Contracts/Addendums – Assistant Superintendent, Teaching and Learning Director, Finance and Operations Director, and Human Resources Director

Issue:

The Teaching and Learning Director, Finance and Operations Director, and Human Resources Director's contracts are for a new three year period pursuant to Board action taken on March 7, 2016. The Assistant Superintendent's 2015-18 contract stipulates that "Salary for subsequent years will be subject to negotiations with the Superintendent." Therefore, the attached contracts and addendums reflect the following changes:

- *Changed name of Student Services Director to Teaching and Learning Director, to better reflect scope of work.
- *2% COLA in 2016-17 to maintain alignment with other non-represented employees for all four positions;
- *TSA contribution for Finance and Operations Director starts in 2016-17. This was agreed upon in her initial contract.
- *Updated tuition reimbursement language in Teaching and Learning Director's contract and Assistant Superintendent's contract/addendum.

ACTION REQUESTED: Approve the attached employment contracts and addendums.

CONTACT PERSON: Superintendent Erin Prince

ADDENDUM
Employment Contract for Assistant Superintendent

The following changes are being made to the Employment Contract with Kevin Bogatin, Assistant Superintendent effective July 1, 2016.

SECTION 3. COMPENSATION:

Salary: The District shall pay the Assistant Superintendent, for the services rendered, at an annual base salary of \$130,950, for the 2016-17 school year, paid monthly commencing July 1. Salary for subsequent years will be subject to negotiations with the Superintendent.

SECTION 5. BENEFITS:

Tuition: Tuition reimbursement will be negotiated with the Superintendent in the third year of this contract.

Superintendent/Date

Assistant Superintendent /Date

EMPLOYMENT CONTRACT

BETWEEN

Jennifer Duvall, HUMAN RESOURCES DIRECTOR

And the

CORVALLIS SCHOOL DISTRICT

This employment contract is made and entered into between CORVALLIS SCHOOL DISTRICT 509J, hereinafter referred to as the "District," and JENNIFER DUVALL, hereinafter referred to as "Human Resources Director."

WITNESSETH:

WHEREAS, the District will employ a Human Resources Director under the general supervision of the Superintendent and;

WHEREAS, the District and Human Resources Director believe that a written employment contract is necessary to describe specifically their relationship and to serve as the basis of the effective communication between them;

NOW THEREFORE, in consideration of the mutual promises contained herein, the District hereby employs Jennifer Duvall as the Human Resources Director and the Human Resources Director hereby accepts such employment upon the terms and conditions set forth below.

SECTION 1. TERM:

The agreement shall be a three-year agreement commencing July 1, 2016 through June 30, 2019.

SECTION 2. DUTIES:

The Human Resources Director shall have and maintain the qualifications, perform the specific duties, and shall have and exercise the authority outlined in the job description for the position of Human Resources Director. In addition, the Human Resources Director shall perform other duties as prescribed by the Superintendent.

SECTION 3. COMPENSATION:

Salary: The District shall pay the Human Resources Director, for the services rendered, at an annual base salary of \$120,267 for the 2016-2017 school year, paid monthly commencing July 1. Salary for subsequent years will be subject to negotiations with the Superintendent. The School Board may unilaterally reduce the number of workdays and proportionately reduce the salary if such reduction is part of a District-wide reduction in response to limited financial resources.

SECTION 4. CONTRACT DAYS:

The contract days for the Human Resources Director position is 260 days, which includes nine (9) paid holidays as outlined in the non-represented agreement and five (5) non-contract days.

SECTION 5. BENEFITS:

The Human Resources Director shall be entitled to the fringe benefits and agreements accorded to the other District administrative employees as identified in the non-represented agreement, including, but not limited to: PERS contribution, health insurance, holidays, leaves, and professional memberships.

Allowance: The District will pay the Human Resources Director a stipend of \$100 a month, as taxable income, for use of personal automobile for District business.

Tax-sheltered annuity: The District will make a contribution of \$175.00 a month toward a tax-sheltered annuity of the Human Resources Director's choice through one of the District approved vendors. The Human Resources Director is responsible that such TSA contributions are within the IRS regulations.

Vacation: The Human Resources Director shall receive 20 vacation days per year. Unused vacation days may be carried over into the following fiscal year (July – June). However, the carry over days must be used by December 31 of the following year or are forfeited.

Vacation days are granted at the beginning of the fiscal year. Upon termination of employment, vacation days are pro-rated based on the number of days worked. All used, unearned vacation is owed to the District and will be deducted from the Human Resources Director's final pay. Any unused, earned vacation, not to exceed ten (10) days, shall be cashed out at the per diem rate at the termination of the Human Resources Director's employment with the District.

SECTION 6. PROFESSIONAL DEVELOPMENT:

The District is committed to professional development and will provide the necessary resources to facilitate the professional growth of the Human Resources Director. The District expects the Human Resources Director to continue professional development and to participate in relevant learning experiences at District expense, with Superintendent approval.

- a. The Human Resources Director is encouraged to develop a professional growth plan that meets the needs of both the individual and the District, as approved by the Superintendent.
- b. Participation in a national/regional conference is encouraged, should be part of the overall plan for professional development of the Human Resources Director, and is subject to Superintendent approval. The Human Resources Director may attend at least one (1) national conference each year, expenses to be incurred by the District subject to the limit of budgeted amounts for this expenditure.

The District shall reimburse the Human Resources Director for all actual and necessary professional development expenses incurred by her as provided in the budget and within the scope of her employment, such as:

- a. Lodging expenses will be reimbursed based upon documented receipts, subject to prior approval by the Superintendent.

- b. Meals will be reimbursed to the limits established by District policy or administrative rule upon submission of receipts, subject to prior approval by the Superintendent or his/her designee.

SECTION 7. ADMINISTRATIVE CERTIFICATE:

The Human Resources Director shall maintain throughout the term of this agreement a valid and appropriate license to act as Human Resources Director as required by the State of Oregon. Failure by the Human Resources Director to maintain such a license in good standing constitutes cause for the Corvallis School District to terminate this contract.

SECTION 8. EVALUATION:

The Human Resources Director and the Superintendent shall meet annually for the purposes of evaluation of the performance of the Human Resources Director and expressing recommendations and observations on how such performance may be continually improved. Such evaluation shall be summarized in writing and placed in the Human Resources Director's personnel file.

SECTION 9. LAYOFF:

Should the School Board determine to eliminate or reduce the percentage of "FTE" the position of Human Resources Director, the Human Resources Director shall be considered for any vacant administrative positions that she is qualified to fill.

SECTION 10. RENEWAL:

The Superintendent and the Human Resources Director shall consult and confer each year to consider changes in salaries, benefits, and/or other items either party deems appropriate. The Superintendent shall consider and decide upon renewal of this Contract, recommend decision to the School Board, and notify the administrator no later than March 15, 2018. If no contract extension is executed, this contract expires at the end of its term.

SECTION 11. TERMINATION:

This Employment Contract may be terminated by mutual agreement of the parties, voluntary resignation, death, or retirement. Throughout the term of this contract, the Human Resources Director will be subject to dismissal under ORS 342.805-925. The Superintendent shall provide notice of specific charges that may be the basis for dismissal and shall provide an opportunity to respond to the Superintendent before the Superintendent makes a recommendation for dismissal to the School Board. The District shall give the Human Resources Director no less than ten (10) days written notice in advance of the pre- termination meeting with the Superintendent. If the Human Resources Director chooses to be accompanied by legal counsel at the hearing, she will assume the cost of her attorney. The Human Resources Director may resign prior to the conclusion of the contract by giving at least 30 days advance notice to the Board.

SECTION 12. INDEMNIFICATION:

The District will defend, hold harmless, and indemnify the Human Resources Director from any and all demands, claims, suits, actions, and legal proceedings brought against the Human Resources Director in her individual capacity, or in her official capacity as agent and employee of the District, provided the incident arose while she was acting within the scope of her employment, all according to the Oregon Tort Claims Act.

SECTION 13. SAVINGS CLAUSE:

If during the term of this Contract it is found that a specific clause of the Contract is illegal in federal or state law, the remainder of the Contract not affected by such a ruling shall remain in force.

SECTION 14. APPLICABLE LAW:

This Employment Contract is subject to all applicable laws of the State of Oregon, rules and regulations of the State Board of Education, and policies of the District and of the Board, all of which are made part of the terms and conditions of this Contract as though set forth therein.

SECTION 15. AMENDMENT:

This Employment Contract may be amended by the parties at any time. No amendment shall be effective unless it is in writing and signed by the Human Resources Director and the Superintendent.

IN WITNESS WHEREOF, the District has caused this Contract to be approved on its behalf by a duly authorized officer, and the Human Resources Director has approved this Employment Contract.

Approved this _____ day of _____ 20____.

Superintendent

Human Resources Director

EMPLOYMENT CONTRACT

BETWEEN

Ryan Noss, TEACHING AND LEARNING DIRECTOR

And the

CORVALLIS SCHOOL DISTRICT

This employment contract is made and entered into between CORVALLIS SCHOOL DISTRICT 509J, hereinafter referred to as the "District," and RYAN NOSS, hereinafter referred to as "Teaching and Learning Director"

WITNESSETH:

WHEREAS, the District will employ a Teaching and Learning Director under the general supervision of the Superintendent and;

WHEREAS, the District and Teaching and Learning Director believe that a written employment contract is necessary to describe specifically their relationship and to serve as the basis of the effective communication between them;

NOW THEREFORE, in consideration of the mutual promises contained herein, the District hereby employs Ryan Noss as the Teaching and Learning Director and the Teaching and Learning Director hereby accepts such employment upon the terms and conditions set forth below.

SECTION 1. TERM:

The agreement shall be a three-year agreement commencing July 1, 2016 through June 30, 2019.

SECTION 2. DUTIES:

The Teaching and Learning Director shall have and maintain the qualifications, perform the specific duties, and shall have and exercise the authority outlined in the job description for the position of Teaching and Learning Director. In addition, the Teaching and Learning Director shall perform other duties as prescribed by the Superintendent.

SECTION 3. COMPENSATION:

Salary: The District shall pay the Teaching and Learning Director, for the services rendered, at an annual base salary of \$120,267 for the 2016-2017 school year, paid monthly commencing July 1. Salary for subsequent years will be subject to negotiations with the Superintendent. The School Board may unilaterally reduce the number of workdays and proportionately reduce the salary if such reduction is part of a District-wide reduction in response to limited financial resources.

SECTION 4. CONTRACT DAYS:

The contract days for the Teaching and Learning Director position is 260 days, which includes nine (9) paid holidays as outlined in the non-represented agreement and five (5) non-contract days.

SECTION 5. BENEFITS:

The Teaching and Learning Director shall be entitled to the fringe benefits and agreements accorded to the other District administrative employees as identified in the non-represented agreement, including, but not limited to: PERS contribution, health insurance, holidays, leaves, and professional memberships.

Allowance: The District will pay the Teaching and Learning Director a stipend of \$100 a month, as taxable income, for use of personal automobile for District business.

Tuition: The District will reimburse the Teaching and Learning Director up to \$20,000, from the point of hire in 2015, for college course work related to educational leadership and completion of an advanced degree. Tuition will be reimbursed upon proof of payment and successful course completion. The Teaching and Learning Director will be required to work for a minimum of one additional year beyond the completion of his advanced degree with the Corvallis School District for the full tuition reimbursement. If the Teaching and Learning Director resigns before completing this full employment obligation then he will be required to reimburse the Corvallis School District 50% of the tuition reimbursement paid.

Vacation: The Teaching and Learning Director shall receive 20 vacation days per year. Unused vacation days may be carried over into the following fiscal year (July – June). However, the carry over days must be used by December 31 of the following year or are forfeited.

Vacation days are granted at the beginning of the fiscal year. Upon termination of employment, vacation days are pro-rated based on the number of days worked. All used, unearned vacation is owed to the District and will be deducted from the Teaching and Learning Director's final pay. Any unused, earned vacation, not to exceed ten (10) days, shall be cashed out at the per diem rate at the termination of the Teaching and Learning Director's employment with the District.

SECTION 6. PROFESSIONAL DEVELOPMENT:

The District is committed to professional development and will provide the necessary resources to facilitate the professional growth of the Teaching and Learning Director. The District expects the Teaching and Learning Director to continue professional development and to participate in relevant learning experiences at District expense, with Superintendent approval.

- a. The Teaching and Learning Director is encouraged to develop a professional growth plan that meets the needs of both the individual and the District, as approved by the Superintendent.
- b. Participation in a national/regional conference is encouraged, should be part of the overall plan for professional development of the Teaching and Learning Director, and is subject to Superintendent approval. The Teaching and Learning Director may attend at least one (1) national conference each year, expenses to be incurred by the District subject to the limit of budgeted amounts for this expenditure.

The District shall reimburse the Teaching and Learning Director for all actual and necessary professional development expenses incurred by him as provided in the budget and within the scope of his employment, such as:

- a. Lodging expenses will be reimbursed based upon documented receipts, subject to prior approval by the Superintendent.
- b. Meals will be reimbursed to the limits established by District policy or administrative rule upon submission of receipts, subject to prior approval by the Superintendent or his/his designee.

SECTION 7. ADMINISTRATIVE CERTIFICATE:

The Teaching and Learning Director shall maintain throughout the term of this agreement a valid and appropriate license to act as Teaching and Learning Director as required by the State of Oregon. Failure by the Teaching and Learning Director to maintain such a license in good standing constitutes cause for the Corvallis School District to terminate this contract.

SECTION 8. EVALUATION:

The Teaching and Learning Director and the Superintendent shall meet annually for the purposes of evaluation of the performance of the Teaching and Learning Director and expressing recommendations and observations on how such performance may be continually improved. Such evaluation shall be summarized in writing and placed in the Teaching and Learning Director's personnel file.

SECTION 9. LAYOFF:

Should the School Board determine to eliminate or reduce the percentage of "FTE" the position of Teaching and Learning Director, the Teaching and Learning Director shall be considered for any vacant administrative positions that he is qualified to fill.

SECTION 10. RENEWAL:

The Superintendent and the Teaching and Learning Director shall consult and confer each year to consider changes in salaries, benefits, and/or other items either party deems appropriate. The Superintendent shall consider and decide upon renewal of this Contract, recommend decision to the School Board, and notify the administrator no later than March 15, 2018. If no contract extension is executed, this contract expires at the end of its term.

SECTION 11. TERMINATION:

This Employment Contract may be terminated by mutual agreement of the parties, voluntary resignation, death, or retirement. Throughout the term of this contract, the Teaching and Learning Director will be subject to dismissal under ORS 342.805-925. The Superintendent shall provide notice of specific charges that may be the basis for dismissal and shall provide an opportunity to respond to the Superintendent before the Superintendent makes a recommendation for dismissal to the School Board. The District shall give the Teaching and Learning Director no less than ten (10) days written notice in advance of the pre- termination meeting with the Superintendent. If the Teaching and Learning Director chooses to be accompanied by legal counsel at the hearing, he will assume the cost of his attorney. The Teaching and Learning Director may resign prior to the conclusion of the contract by giving at least 30 days advance notice to the Board.

SECTION 12. INDEMNIFICATION:

The District will defend, hold harmless, and indemnify the Teaching and Learning Director from any and all demands, claims, suits, actions, and legal proceedings brought against the Teaching and Learning Director in his individual capacity, or in his official capacity as agent and employee of the District, provided the incident arose while he was acting within the scope of his employment, all according to the Oregon Tort Claims Act.

SECTION 13. SAVINGS CLAUSE:

If during the term of this Contract it is found that a specific clause of the Contract is illegal in federal or state law, the remainder of the Contract not affected by such a ruling shall remain in force.

SECTION 14. APPLICABLE LAW:

This Employment Contract is subject to all applicable laws of the State of Oregon, rules and regulations of the State Board of Education, and policies of the District and of the Board, all of which are made part of the terms and conditions of this Contract as though set forth therein.

SECTION 15. AMENDMENT:

This Employment Contract may be amended by the parties at any time. No amendment shall be effective unless it is in writing, signed by the Teaching and Learning Director and the Superintendent, and approved by the School Board.

IN WITNESS WHEREOF, the District has caused this Contract to be approved on its behalf by a duly authorized officer, and the Teaching and Learning Director has approved this Employment Contract.

Approved this _____ day of _____ 20____.

Superintendent

Teaching and Learning Director

EMPLOYMENT CONTRACT

BETWEEN

Olivia Meyers Buch, FINANCE AND OPERATIONS DIRECTOR

And the

CORVALLIS SCHOOL DISTRICT

This employment contract is made and entered into between CORVALLIS SCHOOL DISTRICT 509J, hereinafter referred to as the "District," and OLIVIA MEYERS BUCH, hereinafter referred to as "Finance and Operations Director."

WITNESSETH:

WHEREAS, the District will employ a Finance and Operations Director under the general supervision of the Superintendent and;

WHEREAS, the District and Finance and Operations Director believe that a written employment contract is necessary to describe specifically their relationship and to serve as the basis of the effective communication between them;

NOW THEREFORE, in consideration of the mutual promises contained herein, the District hereby employs Olivia Buch as the Finance and Operations Director and the Finance and Operations Director hereby accepts such employment upon the terms and conditions set forth below.

SECTION 1. TERM:

The agreement shall be a three-year agreement commencing July 1, 2016 through June 30, 2019.

SECTION 2. DUTIES:

The Finance and Operations Director shall have and maintain the qualifications, perform the specific duties, and shall have and exercise the authority outlined in the job description for the position of Finance and Operations Director. In addition, the Finance and Operations Director shall perform other duties as prescribed by the Superintendent.

SECTION 3. COMPENSATION:

Salary: The District shall pay the Finance and Operations Director, for the services rendered, at an annual base salary of \$120,267 for the 2016-2017 school year, paid monthly commencing July 1. Salary for subsequent years will be subject to negotiations with the Superintendent. The School Board may unilaterally reduce the number of workdays and proportionately reduce the salary if such reduction is part of a District-wide reduction in response to limited financial resources.

SECTION 4. CONTRACT DAYS:

The contract days for the Finance and Operations Director position is 260 days, which includes nine (9) paid holidays as outlined in the non-represented agreement and five (5) non-contract days.

SECTION 5. BENEFITS:

The Finance and Operations Director shall be entitled to the fringe benefits and agreements accorded to the other District administrative employees as identified in the non-represented agreement, including, but not limited to: PERS contribution, health insurance, holidays, leaves, and professional memberships.

Allowance: The District will pay the Finance and Operations Director a stipend of \$100 a month, as taxable income, for use of personal automobile for District business.

Tax-sheltered annuity: The District will make a contribution of \$175.00 a month toward a tax-sheltered annuity of the Finance and Operations Director's choice through one of the District approved vendors. The Finance and Operations Director is responsible that such TSA contributions are within the IRS regulations.

Vacation: The Finance and Operations Director shall receive 20 vacation days per year. Unused vacation days may be carried over into the following fiscal year (July – June). However, the carry over days must be used by December 31 of the following year or are forfeited.

Vacation days are granted at the beginning of the fiscal year. Upon termination of employment, vacation days are pro-rated based on the number of days worked. All used, unearned vacation is owed to the District and will be deducted from the Finance and Operations Director's final pay. Any unused, earned vacation, not to exceed ten (10) days, shall be cashed out at the per diem rate at the termination of the Finance and Operations Director's employment with the District.

SECTION 6. PROFESSIONAL DEVELOPMENT:

The District is committed to professional development and will provide the necessary resources to facilitate the professional growth of the Finance and Operations Director. The District expects the Finance and Operations Director to continue professional development and to participate in relevant learning experiences at District expense, with Superintendent approval.

- a. The Finance and Operations Director is encouraged to develop a professional growth plan that meets the needs of both the individual and the District, as approved by the Superintendent.
- b. Participation in a national/regional conference is encouraged, should be part of the overall plan for professional development of the Finance and Operations Director, and is subject to Superintendent approval. The Finance and Operations Director may attend at least one (1) national conference each year, expenses to be incurred by the District subject to the limit of budgeted amounts for this expenditure.

The District shall reimburse the Finance and Operations Director for all actual and necessary professional development expenses incurred by her as provided in the budget and within the scope of her employment, such as:

- a. Lodging expenses will be reimbursed based upon documented receipts, subject to prior approval by the Superintendent.

- b. Meals will be reimbursed to the limits established by District policy or administrative rule upon submission of receipts, subject to prior approval by the Superintendent or his/her designee.

SECTION 7. EVALUATION:

The Finance and Operations Director and the Superintendent shall meet annually for the purposes of evaluation of the performance of the Finance and Operations Director and expressing recommendations and observations on how such performance may be continually improved. Such evaluation shall be summarized in writing and placed in the Finance and Operations Director's personnel file.

SECTION 8. LAYOFF:

Should the School Board determine to eliminate or reduce the percentage of "FTE" the position of Finance and Operations Director, the Finance and Operations Director shall be considered for any vacant administrative positions that she is qualified to fill.

SECTION 9. RENEWAL:

The Superintendent and the Finance and Operations Director shall consult and confer each year to consider changes in salaries, benefits, and/or other items either party deems appropriate. The Superintendent shall consider and decide upon renewal of this Contract, recommend decision to the School Board, and notify the administrator no later than March 15, 2018. If no contract extension is executed, this contract expires at the end of its term.

SECTION 10. TERMINATION:

This Employment Contract may be terminated by mutual agreement of the parties, voluntary resignation, death, or retirement. Throughout the term of this contract, the Finance and Operations Director will be subject to dismissal under ORS 342.805-925. The Superintendent shall provide notice of specific charges that may be the basis for dismissal and shall provide an opportunity to respond to the Superintendent before the Superintendent makes a recommendation for dismissal to the School Board. The District shall give the Finance and Operations Director no less than ten (10) days written notice in advance of the pre- termination meeting with the Superintendent. If the Finance and Operations Director chooses to be accompanied by legal counsel at the hearing, she will assume the cost of her attorney. The Finance and Operations Director may resign prior to the conclusion of the contract by giving at least 30 days advance notice to the Board.

SECTION 11. INDEMNIFICATION:

The District will defend, hold harmless, and indemnify the Finance and Operations Director from any and all demands, claims, suits, actions, and legal proceedings brought against the Finance and Operations Director in her individual capacity, or in her official capacity as agent and employee of the District, provided the incident arose while she was acting within the scope of her employment, all according to the Oregon Tort Claims Act.

SECTION 12. SAVINGS CLAUSE:

If during the term of this Contract it is found that a specific clause of the Contract is illegal in federal or state law, the remainder of the Contract not affected by such a ruling shall remain in force.

SECTION 13. APPLICABLE LAW:

This Employment Contract is subject to all applicable laws of the State of Oregon, rules and regulations of the State Board of Education, and policies of the District and of the Board, all of which are made part of the terms and conditions of this Contract as though set forth therein.

SECTION 14. AMENDMENT:

This Employment Contract may be amended by the parties at any time. No amendment shall be effective unless it is in writing, signed by the Finance and Operations Director and the Superintendent, and approved by the School Board.

IN WITNESS WHEREOF, the District has caused this Contract to be approved on its behalf by a duly authorized officer, and the Finance and Operations Director has approved this Employment Contract.

Approved this _____ day of _____ 20____.

Superintendent

Finance and Operations Director



Corvallis
SCHOOL DISTRICT

X.E. Addition of Two New Non-Represented Employee Positions: Facilities
Director and Technology Director

BOARD MEETING DATE: April 11, 2016

FOR ACTION

SUBJECT: New Director Positions: Facilities and Technology

Issue:

Responsibilities and expectations have increased in the district's technology and facilities department. Years ago the facilities and maintenance department had a director position and through attrition and budget reductions the department structure was changed, including the director position being cut. The two employees currently in the supervisory roles in these departments have stepped up and taken on this additional responsibility over the years. These two employees would be reclassified into the Director roles, not adding positions.

Comparison data was gathered from several districts, new job descriptions are being developed and a new salary range recommended. These positions would fall under the Non-Represented Employee salary and benefits agreement. The Board approved the 2% COLA increase to the 2016-17 non-represented salary schedule at its June 15, 2015 meeting. The updated 2016-17 salary schedule with these positions is included.

The recommended salary range for the Facilities Director and Technology Director on a 260-day contract would be:

2016-17

Step 1	Step 2	Step 3	Step 4	Step 5
\$87,720	\$90,270	\$92,820	\$95,370	\$97,920

Involvement:

Jennifer Duvall, Human Resources Director and Olivia Meyers Buch, Finance and Operations Director took the lead in developing this recommendation.

ACTION REQUESTED:

Approve the Facilities and Technology Director positions and salary range for 2016-17 Non-Represented Employee salary schedules.

CONTACT PERSONS: Jennifer Duvall

FY2016-17 - Non Rep Salary Schedule

Position	Days	Step 1	Step 2	Step 3	Step 4	Step 5
Asst Superintendent	260	120,978	123,398	125,866	128,382	130,950
Director/Teaching & Learning	260	111,109	113,331	115,597	117,910	120,267
Director/Finance & Operations	260	111,109	113,331	115,597	117,910	120,267
Director/Human Resources	260	111,109	113,331	115,597	117,910	120,267
Principal/HS	230	111,165	113,934	116,774	119,684	122,671
Principal/MS	230	103,630	106,212	108,857	111,570	114,354
Principal/Elem	230	99,386	101,860	104,398	106,998	109,668
Coord/Teaching & Learning	230	99,386	101,860	104,398	106,998	109,668
Asst Principal/HS	230	96,624	99,031	101,499	104,025	106,622
Coord/Alternative Pathways	230	96,624	99,031	101,499	104,025	106,622
Asst Principal/MS	230	92,169	94,464	96,816	99,227	101,703
Director/Facilities	260	87,720	90,270	92,820	95,370	97,920
Director/Technology	260	87,720	90,270	92,820	95,370	97,920
Manager/Tech Services	260	83,693	85,776	87,911	90,100	92,350
Controller	260	74,063	75,905	77,793	79,729	81,718
Manager/Food Services	260	73,386	75,211	77,082	78,999	80,973
Manager/Facilities & Transportation	260	69,035	70,751	72,511	74,314	76,171
Manager/Custodial Operations	260	69,035	70,751	72,511	74,314	76,171
Analyst/Budget	260	62,484	64,037	65,629	67,260	68,940
Manager of District Theaters	260	61,288	62,811	64,371	65,972	67,620
Exec Asst to Superintendent & Board	260	61,288	62,811	64,371	65,972	67,620
Instructional Services Support	260	59,682	61,175	62,703	64,272	65,878
Therapist/Physical	190	59,370	60,846	62,358	63,907	65,495
Communications Coordinator	260	52,776	54,086	55,429	56,816	58,229
Payroll Lead Specialist 2	260	50,690	51,949	53,237	54,560	55,925
Human Resource Specialist	260	50,690	51,949	53,237	54,560	55,925
Business Services Specialist	260	50,690	51,949	53,237	54,560	55,925
Athletic Trainer-grndf	210					50,417
Supervisor/Food Services	260	43,141	44,211	45,306	46,430	47,591
Human Resource Technology Specialist	260	42,471	43,522	44,601	45,707	46,841
Specialist/Family Outreach Advocate	190	37,673	38,614	39,580	40,569	41,583
Athletic Trainer	210	35,656	36,549	37,462	38,398	39,359



Corvallis

SCHOOL DISTRICT

X.F. Board Policy DI—Receipt and Deposit of Funds (nka Fiscal Accounting and Reporting)—Revised—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 11, 2016

FOR ACTION

SUBJECT:

Board Policy DI—Receipt and Deposit of Funds (nka Fiscal Accounting and Reporting)—
Revised—Second Reading
Board Policy DIC—Financial Reports and Statements—New—Second Reading
Board Policy DID—Property Inventories—Revised—Second Reading

Issue: With the guidance of the Oregon School Boards Association (OSBA), district staff have reviewed fiscal management policies and made a number of changes to outdated policies.

- DI—renamed Fiscal Accounting and Reporting and replaced with OSBA language.
- DIC—new and highly recommended by OSBA.
- DID—updated—Board may authorize employment of appraisal company to assist with inventory procedure.

Options Considered: Not revising and adopting the policies.

Involvement: District office staff.

Consequences: Policies would remain outdated.

Cost Impact: Unknown.

ACTION REQUESTED: Adoption of the revised policies.

CONTACT PERSON(S): Olivia Meyers Buch, Debbie Bell, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: DI
Adopted: 6/1/88
Revised/Readopted: 2/10/97, 1/11/99
Original Code: 6310

Fiscal Accounting and Reporting
Receipt and Deposit of Funds

~~The director of business services shall acknowledge, in the name of the clerk, receipt of all funds paid to the district and shall deposit them to the credit of the district in the clerk's name, as required by law and as described in Board policy DG—Depository of Funds.~~

Accounting procedures shall show a detailed and meaningful analysis of both receipts and expenditures. This analysis should be adequate for study and evaluation by the Board and school management, and will serve as a basis to make financial and related educational decisions, to formulate future plans, to safeguard public funds, and to ensure adequate financial accountability.

Payment on all district accounts, including the general fund and special accounts, shall operate according to established accounting procedures.

All cash received is to be properly receipted. Money received shall be placed in deposit.

The superintendent shall be the lawful custodial officer of all district funds and shall demand receipt for, and safely keep according to law, all bonds, mortgages, notes, moneys, effects, books, and papers belonging to the district. Funds may be commingled in the depository so long as they are budgeted and accounted for separately.

From time-to-time, funds may become available to the district prior to the time they are needed to offset current expenditures. The custodial officer shall forward all such receipts to the Local Government Investment Pool or other investment instrument as authorized by the district's investment policies.

END OF POLICY

Legal References:

[ORS 294.305 - 294.565](#)
[ORS 338.115\(2\)](#)
[OAR 581-023-0035](#)

OR. DEP'T OF EDUC, PROGRAM BUDGET AND ACCOUNTING MANUAL.



Corvallis

SCHOOL DISTRICT

X.G. Board Policy DIC—Financial Reports and Statements—New—Second
Reading

Financial Reports and Statements

The Board will receive and accept periodic financial reports that include estimates of expenditures for the general fund in comparison to budget appropriations, actual receipts in comparison to budget estimates and the district's overall cash condition. Supplementary reports on other funds or accounts will be furnished upon request of the Board or superintendent.

The Board will receive a pre-audit report from the business manager recapping the year-end closure of financial statements prior to the annual audit.

Appropriate staff will be available at any Board meeting, upon the Board's request, to respond to questions and to present current financial information. The superintendent will notify the Board at any time of substantial deviations in the anticipated revenues and/or expenditures.

END OF POLICY

Legal Reference(s):

[ORS 294.155](#)

[ORS 294.311](#)

[ORS Chapter 297](#)

[ORS 328.465](#)

[ORS 332.105](#)

[OAR 162-010-0000 to -0330](#)

[OAR 162-040-0000 to -0160](#)

[OAR 581-023-0037](#)

OR, DEP'T OF EDUC, PROGRAM BUDGET AND ACCOUNTING MANUAL (2004).



Corvallis

SCHOOL DISTRICT

X.H. Board Policy DID—Property Inventories—Revised—Second Reading

PROPERTY INVENTORIES

The district will maintain an inventory of all capital assets in accordance with governmental accounting standards. The inventory will be updated as necessary to include equipment purchased, disposed of, and donated to the district. The Board may authorize the employment of an appraisal company to assist with the inventory procedure.

Capital assets include all district-owned property such as land, buildings, improvements, vehicles, and equipment with a value greater than \$5,000 (*accounting industry standard*). Capital assets with a value greater than \$5,000 are depreciable.

Other district assets with a value of less than \$5,000 that are important to control for management purposes will be inventoried as Controllable assets. Controllable assets will not be depreciated.

END OF POLICY

Legal Reference:

ORS 332.155

Cross Reference:

Policy DN - Disposal of District Property



Corvallis
SCHOOL DISTRICT

X.I. Board Policy DJC—Biding Requirements—Revised—Second Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 11, 2016

FOR ACTION

SUBJECT:

Board Policy DJC—Bidding Requirements—Revised—Second Reading
Board Policy—DJA—District Purchasing—Rescinded

Issue: Senate Bill (SB) 254 affects board policy and specifies the condition in which districts may use an alternative contracting method for procuring construction manager/general contractor services for public improvement contracts. The SB requires the Attorney General to draft model rules for procuring such services and requires the district to use the Attorney General's rule even if the district has adopted its own purchasing rules.

Policy DJA—District Purchasing is being rescinded because it is now covered under DJC—District Purchasing.

Options Considered: Not revising the policy DJC or rescinding policy DJA.

Involvement: District office staff.

Consequences: Policy will remain outdated.

Cost Impact: Unknown.

ACTION REQUESTED: Adoption of the revised policy DJC and rescinding policy DJA.

CONTACT PERSON(S): Olivia Meyers Buch, Debbie Bell, Kerry Richey

Bidding Requirements

The Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended. All public contracts for goods or services shall be based upon applicable competitive procurement provisions of Oregon Revised Statutes and adopted public contracting rules except:

1. Contracts between contracting agencies or between contracting agencies and the federal government;
2. Insurance and services contracts as provided for under state law;
3. Contracts for the procurement or distribution of textbooks or textbook equivalents;
4. Energy savings performance contracts;
54. Contracts made with qualified nonprofit agencies providing employment opportunities for disabled individuals;
65. Public improvement contracts exempted by the Local Contract Review Board (LCRB) upon findings that the award would not encourage favoritism or substantially diminish competition and would result in substantial cost savings and other substantial benefits to the contracting agency;
76. Special procurements exempted by the LCRB upon findings that the award would not encourage favoritism or substantially diminish competition and would result in substantial cost savings to the contracting agency;
87. Emergency contracts;
98. Any other public contract specifically exempted from the code by another provision or law.

The Board will serve as the LCRB for the district. All district purchasing shall be conducted in accordance with the Board's adopted rules¹.

¹The Board may contract with another public agency to serve as its LCRB.

The Board acting as its own LCRB adopts² the *Oregon Attorney General's Model Public Contract Rules* OAR Chapter 137, Divisions 046 through 049, in effect at the time this policy is adopted. These rules govern purchasing procedures, and other matters subject to public contracting provisions of law.

The district shall procure the construction manager/general contractor services in accordance with model rules the Attorney General adopts under ORS 279A.065(3).

Additionally, the Board may include as part of its rules portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246-249 in effect at the time this policy is adopted.

Where necessary, the Board shall make ~~has made~~ the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district shall review its rules each time the Attorney General adopts a modification of the model rules, as required by ORS 279.049 (5)(b), to determine whether any modifications need to be made to district rules to ensure compliance with statutory changes. Modifications will be made only following review by the district's legal counsel. New rules, as necessary, shall be adopted by the Board. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required. The Board recognizes that a public contracting agency that has not established its own rules of procedure as required by ORS 279.049 (5) is subject to the model rules adopted by the Attorney General, including all modifications to the model rules that the Attorney General may adopt.

Procurements estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process described in ORS 279B.

Records of bids, proposals, and specifications will be kept in the district administration office and will conform with Oregon Revised Statutes and applicable records retention provisions of the *Oregon Attorney General's Model Public Contract Rules Manual*.

END OF POLICY

Legal References(s):

[ORS Chapters 279, 279A, 279B](#), and [279C](#)

[OAR Chapter 125](#), Divisions 246-249

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES

OAR 125-030-0000 to -0100

²Purchases shall be governed by ORS Chapter 279, 279A, 279B, and 279C. Additionally, the Board may, as provided by ORS 279, 279A. 065, adopt the Oregon Attorney General's Model Public Contract Rules, OAR Chapter 137 governing purchasing/ bid procedures. The Board may also adopt the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125. The Board may adopt portions of those rules or adopt its own rules. A Board that creates its own LCRB but has not established its own rules of procedure for public contracts is subject to the model rules (OAR 137) adopted by the Attorney General.



Corvallis
SCHOOL DISTRICT

X.J.Board Policy—DJA—District Purchasing—Rescinded

District Purchasing

The administration of the purchasing policy and methods used to purchase supplies, services, equipment and construction will be supervised by Business Services. All purchase orders will be approved by a building/department administrator or designee within the dollar limits as set forth by the Board. Building/Department administrators or designee have the responsibility for determining that the budget resources are available and for verifying the instructional need. This policy will extend to and include all acquisitions which are paid through the various district funds. No purchase will be approved for payment unless covered by one of the approved purchasing methods or specified as an exception to the purchasing methods.

Business Services will:

1. Be responsible for managing districtwide contracts for services or supplies;
2. Be a resource available to the buildings and departments to assist in the expeditious procurement of supplies, equipment and services requested by the various departments, divisions and schools;
3. Be responsible for developing a manual of purchasing procedures to guide district personnel in the purchasing of goods and services.

Purchases made on district purchase orders through district vendors are for the use of the district only and no purchase orders will be authorized for the personal use of staff members without expressed authorization from the Board. Staff members will not use the district's name in any way to obtain items from vendors for private use or for any private advantage. This paragraph is not intended to prevent the district from purchasing for other nonprofit organizations or for other public agencies, and the district staff are empowered to do this if workload and other circumstances permit.

The Board will serve as the Local Public Contract Review Board for the district. A copy of the Board's policy or resolution so designating the district shall be filed with the Linn-Benton-Lincoln Education Service District.

The Board will adopt the Oregon Attorney General's Model Public Contract Rules OAR Chapter 137, Divisions 030, 035 and 040 (1998 Version) governing purchasing procedures and other matters subject to the competitive procurement provisions of law. The Board may modify such rules as deemed appropriate. Modifications will be made only following review by the district's legal counsel. All such district purchasing shall be conducted in accordance with the district's adopted rules.

END OF POLICY

Legal References:

ORS 244.040
ORS Chapter 279
ORS 294.311
ORS 328.441 - 328.470
ORS 332.075
OAR 125-065-0000
OAR 125-310-0020

Cross References:

Policy BBA—Board Powers and Duties
Policy DJB—Petty Cash Accounts
Policy DK—Payment Procedures



Corvallis
SCHOOL DISTRICT

XI. UNAUDITED FINANCIAL STATEMENTS - February 2016

FOR INFORMATION

BOARD MEETING DATE: April 11, 2016

SUBJECT: February 2016 Financial Statements (Unaudited)

The Statement of Revenues and Expenditures for the period ending February 28, 2015 and February 29, 2016 for the General Fund follow this report.

The 2015-16 budget has been updated to include post-adoption budget appropriations approved by the board. Year-to-date revenues through the end of February 2016 total \$50.9 million or 81.9 percent of total budgeted revenue as compared to \$47.5 million or 84.1 percent through the end of February 2015.

General Fund expenditures through February 2016 decreased \$2,192,698 as compared to the prior year. Even though total expenditures have gone down, most expense categories have shown an increase. Maintenance projects, computer equipment replacements, and increased property and liability insurance premiums have all had notable increases. Offsetting these increases are salary and benefit costs which are down \$2,698,975 as a result of going from a ten month pay period calendar to a twelve month pay period calendar as per updated bargaining agreements. Year-to-date totals for 2015-16 are 54.3 percent of budget and for 2014-15 they were 61.3 percent of budget.

Projected revenues and expenditures through June 30, 2016 result in an estimated annual operating surplus of \$485,290. All General Fund reserves are projected to be at or above the designations outlined in Board Policy DA on June 30, 2016 with a grand total of \$8,873,482 or 14.4 percent of operating revenues as compared to \$8,388,192 or 14.1 percent of operating revenues on June 30, 2015.

The Schedule of Investments and Cash Disbursements for February 2016 is also included as part of this report. As noted in previous reports, the district's balance in the Local Government Investment Pool (LGIP) is over the allowable maximum due to the influx of local property tax payments that will be used to fund operations in the coming months. Staff have been working with the investment firm of Piper Jaffray to provide an avenue for investment of funds beyond the LGIP. Piper Jaffray will work with staff to meet cash flow requirements and seek investment options that meet or beat the LGIP rates. In upcoming months, you will see the results of this work on the investment report as investments are purchased. Piper Jaffray's work will be within the district's investment policy and approval of any investment purchase will be authorized by me prior to purchase.

If you have any questions or would like additional information, please contact me.

Presenter: **Olivia Meyers Buch, Director of Finance and Operations**

Supplementary Materials:

- 1. Statement of Revenue and Expenditures, fiscal year to date as of February 28, 2015 and February 29, 2016**
- 2. Schedule of Investments as of February 29, 2016**
- 3. Schedule of Cash Disbursements greater than or equal to \$1,000 for the period of February 1-29, 2016**

Corvallis School District 509J
Statement of Revenues and Expenditures
Fiscal Year to Date as of February 29, 2015 and 2016 Respectively (Unaudited)

General Fund

	FY2014-15					FY2015-16				
	Amended	Actuals Thru	% of	Actuals Thru	% of	Amended	Actuals Thru	% of	Projected Thru	% of
	Budget	2/28/2015	Budget	6/30/2015	Budget	Budget	2/29/2016	Budget	6/30/2016	Budget
Revenues:										
Local Sources										
Property Taxes	\$ 23,137,983	\$ 22,363,640	96.7%	\$ 23,862,331	103.1%	\$ 24,669,358	\$ 23,168,920	93.9%	\$ 24,669,357	100.0%
Local Option Taxes	3,756,650	3,640,603	96.9%	3,888,088	103.5%	4,064,897	3,823,546	94.1%	4,063,998	100.0%
Earnings on Investments	100,000	82,021	82.0%	140,411	140.4%	100,000	86,699	86.7%	135,000	135.0%
Other	445,000	152,246	34.2%	442,337	99.4%	520,000	140,381	27.0%	520,000	100.0%
Intermediate Sources	260,000	149,007	57.3%	329,000	126.5%	260,000	238,533	91.7%	280,000	107.7%
State Sources										
General Support	28,185,108	21,091,948	74.8%	29,717,662	105.4%	31,722,494	22,980,634	72.4%	30,772,613	97.0%
Common School Fund	561,055	-	-	919,188	163.8%	768,694	451,753	58.8%	903,506	117.5%
Other	33,000	-	-	12,920	39.2%	33,000	-	-	113,000	342.4%
Federal Sources	9,000	-	-	25,968	288.5%	27,000	-	-	27,000	100.0%
Total Revenue	\$ 56,487,796	\$ 47,479,465	84.1%	\$ 59,337,906	105.0%	\$ 62,165,443	\$ 50,890,466	81.9%	\$ 61,484,474	98.9%
Expenditures:										
Instruction	\$ 35,135,365	\$ 21,051,664	59.9%	\$ 35,083,304	99.9%	\$ 37,066,539	\$ 18,682,118	50.4%	\$ 36,799,660	99.3%
Supporting Services	22,783,047	14,458,238	63.5%	22,770,712	99.9%	24,291,883	14,629,005	60.2%	24,116,981	99.3%
Community Services	127,184	63,694	50.1%	97,532	76.7%	101,711	69,775	68.6%	82,542	81.2%
Facilities Improvements	1	-	-	-	-	1	-	-	-	-
Transfers to Other Funds	2	-	-	-	-	2	-	-	-	-
Total Expenditures	\$ 58,045,599	\$ 35,573,596	61.3%	\$ 57,951,549	99.8%	\$ 61,460,136	\$ 33,380,898	54.3%	\$ 60,999,183	99.2%
Excess of Revenues over Expenditures	\$ (1,557,803)	\$ 11,905,869		\$ 1,386,358		\$ 705,307	\$ 17,509,568		\$ 485,290	
Beginning Fund Balance	7,001,833	7,001,834	100.0%	7,001,834	100.0%	8,388,192	8,388,192	100.0%	8,388,192	100.0%
Ending Fund Balance	\$ 5,444,030	\$ 18,907,703		\$ 8,388,192		\$ 9,093,499	\$ 25,897,760		\$ 8,873,482	
Contingency	1,412,190			1,483,448	2.5% *	1,554,136			1,537,112	2.5% *
Rainy Day Reserve	1,207,450			2,966,895	5.0% *	3,108,272			3,074,224	5.0% *
Unappropriated Reserve	2,824,390			3,937,849	6.6% *	4,431,091			4,262,147	6.9% *
Total Reserves	\$ 5,444,030			\$ 8,388,192		\$ 9,093,499			8,873,482	

* Percent of Total Revenue

Corvallis School District 509J
Schedule of Investments
February 29, 2016

Type of Investment	Investment Date	Maturity/ Call Date	No. of Days	Bond Equivalent Yield	Purchase Price	Par (Maturity) Value
Total Investments outside of Local Government Investment Pool:					\$ -	\$ -
				Average Annualized Rate		
<u>Local Government Investment Pool:</u>						
General Account				0.75%		\$ 46,374,064
Debt Service Account				0.75%		1,317
Subtotal LGIP ¹						<u>\$ 46,375,381</u>
<u>Local Government Investment Pool - Pension Bond Debt Service:</u>						
Pension Bond Debt Service Account: ⁴				0.75%		<u>\$ 1,188,196</u>
<u>Total Investments</u>						<u>\$ 47,563,577</u>

1. The maximum amount (in any combination of accounts) that the Local Government Investment Pool (LGIP) allows in an account is \$47,012,858
2. The PERS Bond Debt Service Account is outside of the LGIP limit, and collects the PERS intercept payments from the Basic School Fund for payment twice a year to the bond holders of the PERS bond debt.

Compliance with Investment Policy		
Type of Investment	Maximum Percent of Portfolio per Policy	Current Percent
US Government-Sponsored Enterprises (Total):	90.0%	0.0%
US Treasury Obligations	100.0%	0.0%
Local Government Investment Pool	100.0%	100.0%
Bankers Acceptances	25.0%	0.0%
Repurchase Agreements	25.0%	0.0%
State and Local Government Securities	25.0%	0.0%
Time Certificates of Deposit & Collateralized Money Market	50.0%	0.0%
Commercial Paper (bonds and promissory notes issued by corporations)	10.0%	0.0%
TOTAL		100.00%

Benchmarks as of 1/31/16:

3-Month U. S. T-Bill bond equivalent yield:	0.32%
3-Mo. Jumbo CDs	0.52%

Corvallis School District 509J
Schedule of Cash Disbursements greater than or equal to \$1,000
For the period of February 1, 2016 - February 29, 2016

Vendor by Fund and Object	Check Total
100 - General Fund	
Charter School Payments	
INAVALE COMMUNITY PARTNERS, INC	54,056.95
Computer Software	
NETCHEMIA	1,984.17
SCIENTIFIC LEARNING	1,000.00
Consumable Supplies and Materials	
AMAZON.COM CREDIT SERVICES	1,539.14
APPLE, INC	1,995.00
CAMBIUM LEARNING INC	3,072.30
COASTWIDE LABORATORIES	5,198.22
HOME DEPOT CREDIT SERVICES	1,750.76
OFFICE MAX	11,021.51
PLATT ELECTRIC SUPPLY CO	1,374.21
SCHOOL SPECIALTY	2,384.92
Copier Charges	
CTX - SAN FRANCISCO	3,503.43
Electricity	
CONSUMERS POWER INC	13,277.07
PACIFIC POWER AND LIGHT	50,349.52
Equipment-like items \$1,000 - \$4,999	
ADORAMA CAMERA	1,246.30
Fuel	
BENTON COUNTY PUBLIC WORKS	2,655.32
NW NATURAL	58,220.55
Garbage	
REPUBLIC SERVICES	10,686.06
Other Communication Services	
CENTURYLINK	1,347.79
COMCAST/INSTITUTIONAL NETWORKS	12,192.99
Other Non-instructional Professional and Technical	
CRIMINAL INFORMATION SERVICES INC	1,916.75
MAXIM HEALTHCARE SERVICES	5,300.97
MCLELLAN TEMPORARIES, INC.	3,467.95
OPTIMIZON	6,333.00
PACIFIC EDUCATIONAL GROUP, INC.	31,000.00
VEENHUIZEN, DARLENE	1,200.00

Corvallis School District 509J
Schedule of Cash Disbursements greater than or equal to \$1,000
For the period of February 1, 2016 - February 29, 2016

Vendor by Fund and Object	Check Total
Other Property Services	
US Bank Equipment Finance	4,097.20
Postage	
GARTEN SERVICES, INC	2,332.67
Printing and Binding	
FRANKLIN PRESS	2,026.00
Reimbursable Student Transportation	
DIAL-A-BUS OF BENTON COUNTY	17,452.00
DYE, MINDY	1,347.84
FIRST STUDENT INC	195,043.22
GO GET'EM TAXI AND TRANSPORT LLC	23,302.50
Repairs and Maintenance Services	
BENTON COUNTY PUBLIC WORKS	2,524.59
CHOWN HARDWARE	2,666.68
LINDSTROM CONSTRUCTION LLC	4,740.00
MASCOTT EQUIPMENT	2,119.48
MICK'S GLASS SERVICE INC	1,800.00
PACIFIC OFFICE AUTOMATION	1,572.94
REYNOLDS ELECTRIC, INC.	2,282.82
ROBERT LLOYD SHEET METAL, INC	9,850.00
SYNERGY SECURITY SOLUTIONS	5,677.00
TIM BREWER TREE & STUMP SERVICE INC	1,040.00
Technology Equip \$1,000 - \$4,999	
GOVCONNECTION INC	2,076.83
Telephone	
AT&T MOBILITY-ACCT#837370420 (TECH)	1,762.59
CENTURYLINK	6,205.83
Textbooks	
AMAZON.COM CREDIT SERVICES	1,119.28
Travel, Out of District	
AASA SCHOOL SUPERINTENDENT ASSOC CREDIT	1,200.00
AMAZON.COM CREDIT SERVICES	2,176.85
HILTON - SEATTLE	1,651.44
NATIONAL COUNCIL FOR COMPUTER EDUCATION	1,365.00
ORBITZ CREDIT CARD VENDOR	2,091.38
OREGON READING ASSOCIATION	1,025.00
OREGON SCHOOL BOARDS ASSOCIATION	2,020.00
SCHOOLDUDE.COM	1,614.00
Water and Sewage	
CITY OF CORVALLIS	22,304.25

Corvallis School District 509J
Schedule of Cash Disbursements greater than or equal to \$1,000
For the period of February 1, 2016 - February 29, 2016

Vendor by Fund and Object	Check Total
Equipment \$5,000 and greater	
BENTON COUNTY PUBLIC WORKS	18,376.44
Away HS Playoffs and/or Tournaments	
DOUBLE TREE BY HILTON PORTLAND	1,202.25
Legal Services	
HUNGERFORD LAW FIRM LLP	1,020.83
Architect/Engineer Services	
PAUL L BENTLEY ARCHITECT	3,425.00
Tuition Payments to Other Districts Within State	
SALEM-KEIZER SCHOOL DISTRICT	7,589.25
100 - General Fund Total	646,176.04
203 - Food Service Fund	
Food - Food Service Only	
CHARLIES PRODUCE	13,391.43
FRANZ FAMILY BAKERIES	4,538.64
LOCHMEAD DAIRY	14,536.08
SYSCO FOOD SERVICE	2,099.44
Inventories	
COSTCO - ALBANY	1,430.92
HUMMINGBIRD WHOLESale	1,075.00
MCDONALD WHOLESale CO	32,240.64
NORTHWEST DISTRIBUTION SERVICES	2,362.97
SYSCO FOOD SERVICE	4,652.71
Travel, Out of District	
OREGON SCHOOL NUTRITION ASSOC (OSNA)	1,125.00
203 - Food Service Fund Total	77,452.83
204 - District Donation Fund	
Consumable Supplies and Materials	
FRED MEYER CUSTOMER CHARGES	1,404.36
GOVCONNECTION INC	4,050.00
Instructional, Professional and Technical Service	
THALER, MIKE	1,650.00
204 - District Donation Fund Total	7,104.36
296 - Grants Fund	
Consumable Supplies and Materials	
AMAZON.COM CREDIT SERVICES	4,457.35
Instructional, Professional and Technical Service	
CAMBIUM LEARNING INC	2,500.00
Travel, Out of District	
SALISHAN CREDIT CARD CHARGE	1,595.70

Corvallis School District 509J
Schedule of Cash Disbursements greater than or equal to \$1,000
For the period of February 1, 2016 - February 29, 2016

Vendor by Fund and Object	Check Total
296 - Grants Fund Total	8,553.05
297 - Student Body Funds	
Consumable Supplies and Materials	
AMAZON.COM CREDIT SERVICES	1,068.21
BSN SPORTS	1,017.55
HOME DEPOT CREDIT SERVICES	1,307.33
LES & BOBS SPORTS AND APPAREL	1,440.00
LIDS TEAM SPORTS	3,856.60
PACIFIC NORTHWEST THEATRE ASSOCIATES INC	1,000.37
SHIRT CIRCUIT	3,308.15
VARSITY FASHIONS	3,197.30
VEX ROBOTICS, INC	2,541.56
WEISSMAN COSTUMES	1,014.59
Equipment-like items \$1,000 - \$4,999	
LES & BOBS SPORTS AND APPAREL	4,300.00
Non-reimbursable Student Transportation	
FIRST STUDENT INC	4,980.64
Other Non-instructional Professional and Technical	
HITCHCOCK, MAE	1,000.00
Printing and Binding	
STAPLES CREDIT PLAN	1,617.50
Rentals	
ASHBROOK INDEPENDENT SCHOOL	1,040.00
Travel, Out of District	
OASC	1,260.00
Travel, Student Out of District	
OPD CHURCH OF THE NAZARENE	1,098.00
SOUTH EUGENE SKI TEAM	1,722.99
SPRINGHILL SUITES MARRIOTT	6,840.73
297 - Student Body Funds Total	43,611.52
298 - Designated Revenue Fund	
Computer Software	
MIND RESEARCH INSTITUTE	3,499.00
Consumable Supplies and Materials	
FASTENAL COMPANY	1,214.56
HARDWOOD INDUSTRIES INC	1,983.71
RIO GRANDE	1,101.72
SCHOOL SPECIALTY	1,722.19
Equipment-like items \$1,000 - \$4,999	
FULL COMPASS SYSTEMS, LTD.	2,307.82

Corvallis School District 509J
Schedule of Cash Disbursements greater than or equal to \$1,000
For the period of February 1, 2016 - February 29, 2016

Vendor by Fund and Object	Check Total
Repairs and Maintenance Services	
CELL PHONE SICK BAY	1,426.00
Travel, Student Out of District	
ALASKA AIRLINES CREDIT CARD CHARGE	1,328.60
CITY OF CORVALLIS - OSBORN AQUATIC CTR	3,210.00
298 - Designated Revenue Fund	Total
	17,793.60
402 - Capital Projects Fund	
Buildings Acquisition	
UMPQUA ROOFING COMPANY INC	14,019.24
402 - Capital Projects Fund	Total
	14,019.24
601 - Insurance Fund	
Other Non-instructional Professional and Technical	
BARKER-UERLINGS INSURANCE, INC	7,287.51
LIFEMAP ASSURANCE COMPANY	3,826.09
Group Insurance	
LIFEMAP ASSURANCE COMPANY	6,619.37
REGENCE BCBS OF OREGON	417,235.40
WILLAMETTE DENTAL GROUP (GROUP Z1329)	17,823.25
601 - Insurance Fund	Total
	452,791.62
Grand Total	1,267,502.26



Corvallis

SCHOOL DISTRICT

XII. CONSOLIDATED INFORMATION

XII.A. Non-Licensed Personnel Information

BOARD MEETING DATE: April 11, 2016

FOR INFORMATION ONLY

SUBJECT: Non-licensed Personnel Information

1. Issue: Information on non-licensed-personnel

a. Recommendation to Hire:

Lauren Sprowl: Human Resources Technology Specialist, 1.0 FTE, District Office, effective March 30, 2016 (Probationary)

Chrystal Shearer: Food Service Assistant, 5 hrs, Corvallis High School, effective March 30, 2016 (Probationary)

Breanna Davis: Educational Assistant 2/LRC, 6.5 hrs, Adams Elementary School, effective February 29, 2016 (Limited Term)

Kimberly Nelson: Administrative Assistant 2/Operations Assistant, 8 hrs, Franklin School, effective June 1, 2016 (Probationary), currently at Cheldelin Middle School as leave support through May 31, 2016

Gary Quinn: Informational Services Technical Support 2, 8 hrs, District Office, effective April 1, 2016 (Limited Term)

Lacy Surmeier: Educational Assistant 2/LRC, 3 hrs, Mountain View Elementary, effective February 29, 2016 (Probationary)

Debra Kuo: Educational Assistant 2, 4.5 hrs, Jefferson Elementary School, effective February 29, 2016 (Probationary)

Kathryn Melvin: Educational Assistant 2/LRC, Jefferson Elementary School, effective March 14, 2016 (Limited Term)

b. Termination/Resignation/Layoff/Retirement:

Gary Quinn: Informational Services Technical Support 2, 8 hrs, District Office, effective March 31, 2016 (Retirement)

Christopher Taylor: Maintenance 1, 8 hrs, Hoover and Lincoln Elementary Schools, effective March 30, 2016 (Resignation)

Ann Lamer: Educational Assistant 2, 5.25 hrs, Hoover Elementary School, effective March 25, 2016 (Resignation)

Cynthia Wettengel: Fiscal Clerk 2, 8 hrs, Corvallis High School, effective April 15, 2015 (Resignation)

Jennifer Loza: Educational Assistant 2, 6.5 hrs, Linus Pauling Middle School, effective April 15, 2016 (Resignation)

Lauren Sprowl: Administrative Assistant 2, 8 hrs, District Office, effective March 29, 2016 (Resignation)

CONTACT PERSON: Jennifer Duvall



Corvallis
SCHOOL DISTRICT

XII.B. Administrative Regulation DJC-AR—Special Procurements and
Exemptions from Competitive Bidding—Revised—For Information

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 11, 2016

FOR INFORMATION

SUBJECT:

Administrative Regulation DJC-AR—Special Procurements and Exemptions from Competitive Bidding—Revised—For Information

Issue: Senate Bill (SB) 254 affects board policy and specifies the condition in which districts may use an alternative contracting method for procuring construction manager/general contractor services for public improvement contracts. The SB requires the Attorney General to draft model rules for procuring such services and requires the district to use the Attorney General's rule even if the district has adopted its own purchasing rules.

House Bill 2212 amends ORS 279B.065 and 279.070 and affects the administrative regulation, by raising the amount used to classify public procurement as small procurement under Public Contracting Code, from a maximum of \$5,000 to a maximum of \$10,000.

Other updates to DJC-AR have been made by OSBA based on a review by the Oregon Association of School Business Officials (OASBO) and other accounting professionals.

This administrative regulation was pulled from the last Board meeting on March 7 and minor changes made to clarify language.

Options Considered: Not revising the administrative regulation

Involvement: District office staff.

Consequences: Not revising the administrative regulation puts the district out of compliance with Oregon law.

Cost Impact: Unknown

CONTACT PERSON(S): Olivia Meyers Buch, Debbie Bell, Kerry Richey

**Special Procurements and Exemptions from Competitive Bidding
(Other than for Contracts for Public Improvements)**

SPECIAL PROCUREMENTS

The district shall submit a written request to the Board, acting as the Local Contract Review Board (LCRB), that describes the contracting procedure, the goods and services or class of good and services that are the subject of the special procurement, and circumstances that justify the use of a special procurement under the standards as follows: the special procurement is unlikely to encourage favoritism in the awarding of public contract or to substantially diminish competition for public contracts, and

- A. Is reasonably expected to result in substantial cost savings to the district or to the public, or
- B. Otherwise substantially promote the public interest in a matter that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065, 279B.070 or under any related rules.

Public notice of the approval of a special procurement must be given in the same manner as provided in ORS 279B.055(4). If the district intends to award a contract through special procurements that calls for competition among prospective contractors, the district shall award the contract to the contractor it determines to be most advantageous to the district. When the LCRB approves a class special procurement, the district may award contracts to acquire goods and services within the class of goods and services in accordance with the terms of approval without making a subsequent request for a special procurement.

~~Effective March 1, 2005 ORS Chapter 279 has been renamed the Public Contracting Code of the State of Oregon. It has been divided into three sections. ORS Chapter 279A includes the general provisions for all public contracts. ORS Chapter 279B has the provisions governing public contracts other than for public information. And, ORS Chapter 279C governs public improvement contracts.~~

~~All public contracts shall be based upon competitive bids of proposals, except those contracts which have been specifically exempted under ORS 279A.025(2). There are also contracts covered by class special procurements, as authorized by the provisions of ORS 279B.085. Pursuant to ORS 279B.085(3), the Local Contract Review Board (LCRB) is authorized to approve findings that demonstrate this special procurement will~~

- ~~_____ (a) Be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts, and~~
- ~~_____ (b) (A) result in cost savings to the contracting agency, or (B) otherwise substantially promote the public interest in the manner that could not practicably be realized with the requirements that are applicable under 279B.055 (competitive sealed bids), ORS 279B.060 (competitive sealed proposals), ORS 279B.065 (small procurements—under \$5,000), or ORS 279B.070 (intermediate procurements—between \$5,000 and \$150,000).~~

ORS 279B specifies two other methods of source selection: ORS 279B.075 (sole source procurements), and ORS 279B.080 (emergency procurements).

I. BRAND NAMES OR PRODUCTS, "OR EQUAL," SINGLE SELLER, AND SOLE SOURCE

A. The district may purchase brand names or products from a single seller or sole source without competitive bidding subject to the limitations of this rule.

~~B. The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote public interest.~~

BC. Solicitation specifications for public contracts of the district shall not expressly or implicitly require any product of any particular manufacturer or seller except as expressly authorized in subsections C. and D. of this rule.

~~D. The district may specify a particular brand name, make or product suffixed by "or equal," "or approved equal," "or equivalent," "or approved equivalent" or similar language if there is no other practical method of specification after documenting the procurement file with the following:~~

- ~~1. A brief description of the solicitation(s) to be covered, including contemplated future purchases;~~
- ~~2. The brand name, mark or product to be specified; and~~
- ~~3. The reasons the district is seeking this procurement method, which shall include any of the following findings:~~
 - ~~a. It is unlikely that specification of the brand name, mark or product will encourage favoritism in the award of the public contracts or substantially diminish competition; or~~
 - ~~b. Specification of the brand name, mark or product would result in cost savings to the agency; or~~
 - ~~c. Efficient utilization of existing equipment or supplies requires the acquisition of compatible equipment or supplies.~~
- ~~4. The district shall make reasonable effort to notify all known suppliers of the specified product and invite such vendors to submit competitive bids or proposals.~~

C. The district may specify a particular brand name or equal specification when the use of a brand name or equal specification is advantageous to the district, because the brand name describes the standard of quality, performance, functionality, and other characteristics of the product needed by the district.

- 1.** The district is entitled to determine what constitutes a product that is equal or superior to the product specified, and any such determination is final.
- 2.** The district is not prohibited from specifying one or more comparable products as examples of the quality, performance, functionality, or other characteristics of the product needed by the district.
- 3.** A brand name specification may be prepared and used only if the district determines for a solicitation or class of solicitations that only the identified

brand name specification will meet the needs of the district based on one or more of the following written determinations:

- a. The use of a brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts.
- b. Specification of the brand name, mark, or product would result in cost savings to the district.
- c. There is only one manufacturer or seller of the product of the quality, performance, or functionality required.
- d. The efficient utilization of existing goods requires the acquisition of compatible goods and services.

~~E. The district may purchase a particular product or service available from only one source, after documenting the procurement file with the district's findings of current market research to support the determination that the product is available from only one seller or source. The district's findings shall include:~~

- ~~1. A brief description of the contract or contracts to be covered, including contemplated future purchases;~~
- ~~2. Description of the product or service to be purchased; and~~
- ~~3. The reasons the district is seeking this procurement method, which shall include any of the following:~~
 - ~~a. Efficient utilization of existing equipment or supplies requires the acquisition of compatible equipment, supplies or services; or~~
 - ~~b. The required product is data processing equipment which will be used for research where there are requirements for exchange of software and data with other research establishments; or~~
 - ~~c. The particular product is for use in a pilot or an experimental project.~~

D. The district may award a contract for goods or services without competition when the LCRB determines in writing that the goods or services, or the class of goods or services, are available from only one source. The determination of source must be based upon written findings that shall include:

1. A brief description of the contract or contracts to be covered, including contemplated future purchases.
2. Description of the product or service to be purchased.
3. The reasons the district is seeking this procurement method, which shall include any of the following:
 - a. That the efficient utilization of existing goods requires the acquisition of compatible goods or services.

- b. That the goods or services required for the exchange of software or data with other public or private agencies are available from only one source.
- c. That the goods or services are for use in a pilot or an experimental project.
- d. To the extent reasonably practical, the contracting agency shall negotiate with the sole source to obtain contract terms advantageous to the contracting agency.

EF. The district may specify a product or service available from only one manufacturer but available through multiple sellers after complying with subsection C. above documenting the procurement file with the following information:

- 1. If the total purchase is over \$10,000 5,000 but does not exceed \$150,000, and a comparable product or service is not available under an existing Mandatory Use Contract, the district must obtain informal competitive quotes, bids, or proposals and document this process in the procurement file. purchasing contract, competitive quotes shall be obtained by the district and retained in the procurement file.
- 2. If the purchase does not exceed \$150,000, and the supplies, or services are not available under an existing price agreement for information technology with competing products or Mandatory Use Contract, the district must first request and obtain prior written authorization from the LCRB to proceed with the acquisition. comparable product or service is available under an existing purchasing contract, authorization from District's purchasing agent, to proceed with the acquisition shall be first requested and obtained. The acquisition process would then be subject to the requirements and documentation in this rule; or
- 3. If the amount of the purchase exceeds \$150,000, the product or service shall be obtained through competitive bidding unless a specific exception is granted by the LCRB.

FG. If the district intends to make several purchases of the product of brand name-specific supplies and services from a particular manufacturer or seller for a period not to exceed five years, the district will must so state this in the solicitation procurement file and in the solicitation document, if any, or a public notice of a solicitation. Such documentation shall be sufficient notice as to subsequent purchases. If the total purchase amount is estimated to exceed \$150,000, this shall be stated in the advertisement for bids or proposals.

Findings of Fact/Conclusion of Compliance with Law (OAR 125-247-0275)

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279B.085 (3)(a). This rule requires the district to make a good faith effort to determine that no other sources are available for the specified products. The district maintains open lists from which vendors are contacted for quotations and utilizes electronic means of determining new vendors on an ongoing basis. In addition, the awarding of a contract as described in this special procurement should result in substantial cost savings by virtue of the ability to reduce solicitation costs when it is known that comparable products are not available, or when specifying another product solely to meet a competition requirement might lead to lower initial cost but longer lifetime cost. This special procurement of a class of contracts complies with the requirements of the law.

The district shall submit a written request to the LCRB that describes the contracting procedure, goods and services subject of the special procurement and the circumstances that justify the use of the special procurement.

- A. It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts and is reasonably expected to result in substantial cost savings to the district that could not be realized under ORS 279B.055, 279B.060, 279B.065, or 279B.070 as required by ORS 279B.085(4).
- B. Public notice of the approval must be given in the same manner as provided in ORS 279B.055(4).
- C. This rule requires the district to make a good faith effort to determine that no other sources are available for the specified products.
- D. The district maintains open lists from which vendors are contacted for quotations and utilizes electronic means of determining new vendors on an ongoing basis.
- E. The awarding of a contract as described in this special procurement should result in substantial cost savings by virtue of the ability to reduce solicitation costs when it is known that comparable products are not available, or when specifying another product solely to meet a competition requirement might lead to lower initial cost but longer lifetime cost.
- F. When the LCRB approves a class special procurement the district may award contracts to acquire goods and services within the class of goods and services in accordance with the terms of the approval without making a subsequent request for procurement.

II. ADVERTISING CONTRACTS, PURCHASE OF

- A. The district may purchase advertising in any media, regardless of dollar amount, without competitive bidding.
- B. The Board acting as the LCRB of the district must use competitive methods whenever possible to achieve best value and must document in the procurement file the reasons why a competitive process was deemed impractical and the resulting contract must be in writing. ~~for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~
- C. If the anticipated purchase exceeds \$10,000 and a competitive method is used, the district must post notice in a public manner. ~~If the anticipated purchase exceeds \$25,000, the district will publish notice pursuant to OAR 137-047-0300. The procurement file shall document the reasons why a competitive process was deemed impractical and the resulting contract must be in writing.~~

Findings of Fact

The district traditionally purchases advertising in newspapers. The following findings relate primarily to newspapers and written publications; however, the district may also purchase advertising for student activities or educational programs in other media, such as radio or television, where these findings apply:

- A. By their nature, media sources are generally unique. Advertisements are placed in a particular source because of the specific audience that source serves.
- B. Competition to furnish advertising space in daily newspapers of general, trade, or business circulation in the vicinity of the district is limited.
- C. Cost savings are difficult to quantify where the sources are unique and not interchangeable.
- D. Advertisements may be placed to satisfy legal notice or Board policy requirements.
- E. Other published advertisements or notices, such as routine public notices, personnel recruitment information, etc., are placed in one or more of the publications of general circulation in the local area and other publications, as appropriate.

- F. The communities served by the district rely upon its use of the local daily newspaper as a central source of news and information regarding district activities.
- G. It is unknown whether contracts for advertisements placed with radio, television, or other broadcast media are going to result in cost savings if not placed for competitive bid or request for proposal (RFP). If possible savings could be obtained through competitive means, the district would attempt to obtain competitive quotes or bids, as appropriate.

Conclusion of Compliance with Law

Due to limited competition and unique nature of sources, it is unlikely that this class special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Further, any contracts awarded under this class special procurement would result in a cost savings available to the district where the district can achieve volume savings through contracts for advertising with a particular media source, or otherwise substantially promote the public interest.

III. ADVERTISING CONTRACTS, SALE OF

The district may sell advertising for district publications and activities, regardless of dollar amount, without competitive bidding, including school newspapers, yearbooks, athletic programs, drama, or music programs and the like.

~~_____ A. The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~

Findings of Fact

Sales of advertising for student activities are generally other fund revenues, where student groups solicit advertisements from local businesses to help with the cost of the activity itself. A common example is the sale of advertising in school newspapers and yearbooks. The circulation of the newspaper and yearbook is limited to the students, teachers, parents, and interested members of the community associated with the activities of that particular school. Due to the limited circulation and audience, the businesses that participate by purchasing advertising do so partly in the spirit of good will. Any business is welcome to place an advertisement in the school newspaper or yearbook; all it needs to do is to contact any district school ~~that~~ which publishes one. The district itself would not achieve any increased revenue to the General Fund by seeking competitive bids or proposals for such advertising. This holds true for other student activities, such as athletics, drama, or music events and the like.

Conclusion of Compliance with Law

These findings indicate that it is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Any business or individual who wishes to advertise in this manner may do so by simply contacting the student group responsible for the activity.

The sale of advertising for student activities such as school newspapers, yearbooks, athletic, drama, or music programs would not benefit from competitive procurement. Such a requirement would place an unnecessary burden on the student group's activity and there is no financial advantage to the district in doing so. Consequently, the cost savings test is not an issue.

IV. EQUIPMENT REPAIR AND OVERHAUL

- A. The district may enter into a public contract for equipment repair or overhaul without competitive bidding, subject to the following conditions:
1. Service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing.
 2. Service or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source.
 3. The purchase is made within the limits and pursuant to the methods in subsection B. of this rule.

~~B. The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~

- B**C. The following limitations apply to this rule:

1. If the contract is less than or equal to \$150,000, the school or department shall submit in writing to the superintendent or designee the reasons why competitive bids or quotes are deemed to be impractical. The superintendent or designee will accordingly document in its procurement file and may enter directly into the contract,
2. If the school or department official thinks the contract may exceed \$150,000, he/she shall submit in writing to the superintendent or designee the reasons why competitive bidding is deemed to be impractical and a description of the cost savings to be obtained by a special procurement. The superintendent or designee may prepare a specific request for the anticipated contract to be obtained through special procurement procedures to submit to the LCRB for approval.

Findings of Fact

- A. The need for equipment repair or overhaul cannot be anticipated by district staff. If a piece of equipment is broken or not working properly, the district incurs cost of downtime, possible replacement equipment rental fees, staff time, and other inconveniences or liabilities to its programs.
- B. Generally, there are a limited number of vendors who are able to perform repair or overhaul on a particular piece of equipment because of its make or manufacture. Sophisticated equipment may require specially trained personnel available from only one source. Often, a piece of equipment will have a partial warranty in place ~~that~~ ~~which~~ will guarantee some savings to the district in the parts and/or labor needed to do the repair or overhaul. This warranty savings may only be achieved if the original manufacturer or provider of the equipment performs the necessary repair or overhaul.
- C. The dollar limits on the use of this special procurement procedure ensure that when the cost of the equipment repair or overhaul is expected to exceed \$150,000, the district will either seek formal competitive bids or, if that is not practical or cost effective, obtain a specific special procurement procedure from the LCRB to proceed with the purchase of the needed repair or overhaul.

Conclusion of Compliance with Law

It is unlikely that this special procurement procedure will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts because the dollar limits incorporated into this special procurement, when the anticipated costs exceed \$150,000, ~~and ensures~~ the district will seek formal competitive bids and proposals. If the formal process is not practical, the district will obtain a specific exemption from the LCRB to proceed with the purchase of the needed repair or overhaul.

The awarding of public contracts under this special procurement will result in a cost savings to the district, as required by ORS 279B.085 ~~(3)(b)~~, because the district incurs direct and indirect costs from the moment equipment breaks down or becomes unusable. This special procurement only applies to equipment already owned by the district and does not provide for the purchase of new equipment. The district must be able to purchase necessary services and parts as quickly as possible in order to minimize equipment downtime and potential costs during that downtime.

V. COPYRIGHTED MATERIALS

The district may, without competitive bidding and regardless of dollar amount, purchase copyrighted materials where there is only one known supplier available for such goods. Examples of copyrighted materials covered by this special procurement procedure may include, but are not necessarily limited to, newly adopted textbooks/instructional materials, workbooks,

curriculum kits, reference materials, audio and visual media and non-mass-marketed software from a particular publisher or ~~their~~ designated distributor.

~~———— A. ——— The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~

Findings of Fact

- A. By their nature, copyrighted materials are protected for the use of a single owner. Copyrighted materials may not be duplicated by others without the copyright owner's permission or license. Copyrights are established and regulated under federal law.
- B. Often, copyrighted materials are produced by only one supplier who may be the owner of the copyright or his/her licensee. Textbooks/instructional materials are examples of copyrighted materials that the district purchases through a sole source. Textbooks/instructional materials are adopted through a statewide process under the authority of the Oregon Department of Education. A textbook/instructional material adoption defines the various materials ~~which~~ the district will purchase for use in its educational programs.

The district implements state adopted textbook/instructional materials through a curriculum review process from available vendors. Vendor products are typically copyrighted. Upon completion of the district review process that includes evaluation of content and price, a curriculum is selected to meet adoption requirements.

~~The district purchases a majority of its textbooks/instructional materials through the Northwest Textbook Depository. This practice enables the regional textbook depository to purchase and warehouse textbooks/instructional materials in conformance with adoptions made in the states of their region. The result is that savings are achieved through the depository's combined purchases on behalf of member districts. Freight costs for individual districts are reduced by the bulk purchases of the depository and the depository takes on the cost of stocking and warehousing enough to meet each member district's needs. It is recognized, at times an opportunity exists to purchase adopted textbooks and materials through a more economical vendor and the opportunity may be taken utilizing this exemption.~~

~~The system of textbook/instructional materials distribution enables the district to participate in the largest possible bulk purchasing activity of adopted textbooks/instructional materials in the region. This ensures a cost savings to the district. This savings would be jeopardized if the district was to act as an individual purchaser.~~

Conclusion of Compliance with Law

This special procurement will not encourage favoritism or substantially diminish competition in the awarding of public contracts. The production and distribution of copyrighted materials is controlled by the owner of the copyright and may only be permitted through a sole source. The district has no control over this.

The awarding of contracts pursuant to this special procurement will result in a cost savings to the district when it needs to purchase copyrighted materials and there is only one known supplier for such goods, or otherwise substantially promote the public interest.

VI. PRODUCT PREQUALIFICATION

- A. When specific design or performance specifications must be met or such specifications are impractical to create or reproduce for a type of product to be purchased, the district may specify a list of approved or qualified products by reference to the prequalified product(s) of particular manufacturers or vendors in accordance with the following product prequalification procedure:
1. The district will make reasonable efforts to notify all known manufacturers and vendors of competing products of the district's intent to compile a list of prequalified products. The notice will explain the opportunity manufacturers and vendors of competing products will have to apply to have their product(s) included on the district's list of prequalified products. At its discretion, the district may provide notice by advertisement in a trade paper of general statewide circulation or other appropriate trade publication; or instead of advertising, the district may provide written notice to those manufacturers and vendors appearing on the appropriate list maintained by the district.
 2. The district will accept manufacturer and vendor applications to include products in the district's list of prequalified products up to 15 calendar days prior to the initial advertisement for bids or proposals for the type of product to be purchased, unless otherwise specified in the advertisement or in the district's written notice.
- ~~B. The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~
- BC.** If the district denies an application for including a product on a list of prequalified products, the district shall promptly provide the applicant with a written notice of the denial and include the reason for denial. The applicant may submit a written appeal within seven calendar days to the district **finance and operations director** ~~business manager~~ to request review and reconsideration of the denial.

Findings of Fact

- A. There are occasions when the district needs to establish a list of prequalified products before it invites bids or proposals to furnish the products. The district may have a specific performance or design need, but it is impractical for the district to create a specification for the type of product(s) to be purchased. An example is audiovisual equipment. There is a tremendous variety of audiovisual products offered in the market. The equipment technology is complex and constantly changing. It would be very burdensome and time consuming for the district to generate nonbrand name, generic performance specifications for such equipment every time it wants to make a purchase.

Also, competition would be poorly served because bidders and proposers would not know in advance whether their offered product would meet the general specification substantially enough to be considered a responsive offer. The decision to make an award would be slow, because each product offered would have to be analyzed against the district's specification. Slowdown in the award process affects both bidders, who are asked to hold their bids open until award is made, and district programs, because staff ~~is~~ ~~are~~ not able to order the equipment they need until the contract is awarded.

In this case, it might be more cost effective and efficient for the district to prequalify products and establish a list of approved products before invitations to bid are sent out. The prequalification process can be done some time before the need for a new contract. Once the prequalified product list is established, the bidding and contract award process can go quickly and smoothly.

- B. A second occasion when prequalification of products will be useful is when the specific design or performance specifications for a product are so exacting that the district must have time to carefully consider what is offered in the market that may or may not meet the specifications and, if necessary, reconsider its options before issuing an invitation to bid.
- C. This rule sets out a process of prequalification ~~that which~~ requires the use of advertisement or other appropriate means to notify vendors of competing products of their opportunity to submit items for prequalification. The district maintains vendor mailing lists ~~that which~~ are open to all interested vendors. The district uses these lists routinely to notify vendors of its intentions to prequalify products or to invite bids on products.
- D. This includes a 15-day time limit between the closure of a prequalification list and a related invitation to bid. This time factor ensures that vendors have a reasonable time to apply to include their products on a prequalified product list.
- E. Subsection B. of this rule provides vendors with an appeal process to follow if their application for prequalification is denied.

Conclusion of Compliance with Law

Where prequalification of products is appropriate, it is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or diminish competition for such contracts. There are several safeguards in the rule to prevent this, including notice, advertising, time, and appeal process requirements to ensure that vendors are given a fair and open opportunity to participate in the prequalification process.

The prequalification of products process is a time-consuming effort for the district. It is not a shortcut procurement method. The district would use this method only after balancing cost-saving considerations, such as the ability of the district to create or generate nonbrand name generic specifications for types of products or the need for lengthy product evaluation prior to contract award. If the prequalification method is chosen, it will result in a cost savings to the district because the normal method of product selection is too cumbersome and costly to pursue, or otherwise substantially promote the public interest.

VII. REQUIREMENTS CONTRACTS (BLANKET PURCHASE ORDERS, PRICE AGREEMENTS)¹

A. The ~~finance and operations director~~ ~~business manager~~, on behalf of the district, may establish requirements contracts for the purposes of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, combining district requirements, for volume discounts, standardization among schools and departments, and reducing lead time for ordering.

——— B. ~~The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~

~~B.C.~~ The district may enter into a requirements contract (also known as a blanket purchase order or price agreement) whereby it is agreed to purchase goods or services for an anticipated need at a predetermined price or price discount from a price list, provided the contract is led by a competitive procurement process pursuant to the requirements of the public contracting code and these rules.

¹The ~~) Oregon Procurement Information Network (ORPIN)~~ ~~state of Oregon's Cooperative Purchasing Program (ORCPP)~~ allows authorized members to utilize the state's price agreement/contracts to purchase goods and services. Authorized ~~ORCPP~~ members can legally attach to a state price agreement and forego the competitive bid process. Access to hundreds of competitive price contracts for a wide variety of goods and services: vehicles, computers, furniture, copiers, fax machines, travel, pharmaceuticals, office products, etc. is available. Counties, cities, schools, municipalities or their public corporate entities having local governing authority, a United States governmental agency or American Indian tribe or agency are eligible to participate.

~~Members pay an annual fee to participate in the program. The fee is based on the agency/organization's budget. Public agencies with budgets under \$3 million per year also have the ability to participate in a consortium option and share the cost of the annual subscription fee.~~

- CD.** Once a requirements contract is established, schools and departments may purchase the goods and services from the awarded contractor without first undertaking additional competitive solicitation.
- DE.** Schools and departments shall use requirements contracts established by the district, unless otherwise specified in the contract, allowed by law or these rules, or specifically authorized by the superintendent or designee.
- EF.** Under the authority of ORS 279A.025 and 279B.085, the district may use the requirements contract entered into by another Oregon public agency when:
 - 1. The original contract met the requirements of public contracting code.
 - 2. The original contract allows other public agency usage of the contract.
 - 3. The original public contracting agency concurs, and this is documented by a written interagency agreement between the district and the agency.
- FG.** The term of any district requirements contract, including renewals, shall not exceed five years unless otherwise permitted under the public contracting code.

Findings of Fact

- A. This rule permits the district to enter into requirements contracts, in which the vendor agrees to provide specified goods and services over the term of the contract at the bid price or discount rate. A requirements contract is useful when the purchase of the goods or services is routine and repetitive. For example, school, office, custodial, and facilities maintenance supplies are customarily purchased through requirements contracts.
- B. Requirements contracts are a common method of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, obtaining volume discounts, standardizing usage among schools and departments, and reducing lead time for ordering.
- C. The district establishes requirements contracts as a result of open competitive bidding or RFP processes, unless otherwise permitted under the public contracting code.
- D. The district limits the term of requirements contracts, including all renewal options, to a maximum of five years before competitive rebidding must be done, unless otherwise permitted under the public contracting code.
- E. The district may use the requirements contracts established by other public agencies, subject to certain conditions of state law, Board policy, and administrative regulation.

Conclusion of Compliance with Law

It is unlikely that this special procurement will result in favoritism in the awarding of public contracts or diminish competition for such contracts. The district will only enter into requirements contracts ~~that which~~ result from open competitive bidding processes. This condition applies also to the use of requirements contracts established by other public contracting agencies.

The awarding of district requirements contracts will result in a cost savings to the district, or otherwise substantially promote the public interest. It would be costly and inefficient to make routine, repetitive purchases of goods and services through individual transactions. Also, the guaranteed volume of a requirements contract allows the district to get better prices from bidders.

VIII. USED PERSONAL PROPERTY OR EQUIPMENT, PURCHASE²

- A. Subject to the provisions of this rule, the district may purchase used property or equipment without obtaining competitive bids or quotes, if the district has determined that the purchase will result in cost savings to the district and will not diminish competition or encourage favoritism. "Used personal property or equipment" is property or equipment ~~that which~~ has been placed in its intended use by a previous owner or user for a period of time recognized in the relevant trade or industry as qualifying the personal property or equipment as "used" at the time of district purchase. Used personal property or equipment generally does not include property or equipment if the district was the previous user, whether under a lease, as part of a demonstration, trial or pilot project, or similar arrangement.

~~B. The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~

- B**C. For purchases of used personal property or equipment costing less than or equal to \$150,000, the district shall, where feasible, obtain three competitive quotes unless the district has determined and documented that a purchase without obtaining competitive quotes will result in cost savings to the district and will not diminish competition or encourage favoritism.

- C**D. For purchases of used personal property or equipment totaling \$150,000 or more, the district shall attempt to obtain three competitive quotes. The district will keep a written record of the source and amount of quotes received. If three quotes are not available, a written record must be made of the attempt to obtain quotes.

²When contracting with another governmental entity, a district has a statutory exception under ORS 279A.025. The district may purchase state/federal surplus property through the Department of Administrative Services, **State Services Division** for Surplus Property Division. For more information on this program, contact DAS at 503-378-4714.

Findings of Fact

- A. The district is responsible to manage expenditures in the best interests of the public. Cost savings can be achieved through the procurement of used property and equipment. The district purchases used property and equipment when it meets the district's needs and is cost effective. Considerations include type, quality, quantity, and estimated useful life of the used item.
- B. Used equipment and property becomes available sporadically and without notice. Used equipment and property is generally sold on a first-come, first-served basis. When used property or equipment does become available, the district must be able to respond immediately in order to obtain the property or equipment.
- C. Some types of property or equipment may not be readily available in the new goods market. The district may have to look for used items to fill the need.
- D. Competition to provide used property and equipment may be very limited and inconsistent, depending on the type of product.
- E. The district maintains vendor lists ~~that~~ ~~which~~ include information on whether a vendor provides used property or equipment. These lists are open to all vendors.

Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the award of public contracts or substantially diminish competition for such contracts. The purchase of used property or equipment depends on an inconsistent, sporadic market. When a used item is available, there is often little competition available. Sources for used items of the type, quality, and quantity required by the district are inconsistent. This rule requires the district to attempt to obtain and document quotes as appropriate to the dollar amount of the purchase. If the anticipated purchase is over \$150,000, the district will advertise its need.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. The cost of used equipment or property is generally substantially less than that of new. Savings of 20 percent to 50 percent are not uncommon. Used equipment can provide good value to the district and help ensure the continuation of district services and programs.

IX. INFORMATION TECHNOLOGY CONTRACTS

The district may enter into a contract to acquire information technology hardware and software without competitive bidding subject to the following conditions:

- A. If the contract amount does not exceed \$150,000, the district shall attempt to obtain three competitive quotes pursuant to the rules governing Intermediate

Procurements. ~~The quotes, reasons why three quotes were not available and the justification for award shall be documented and retained in the procurement file.~~ The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.

- ~~————— B. ———~~ The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.
- ~~BC.~~ If the contract amount exceeds \$150,000, the district shall determine and use the best procurement method, pursuant to the public contracting code and these rules, and shall solicit written proposals in accordance with the requirements of the *Attorney General's Model Public Contract Rules* and the LCRB. ~~and LCRB Rules.~~ The district shall document the evaluation and award process, which will be part of the public record justifying the award.
- ~~CD.~~ If the amount of the contract is estimated to exceed \$150,000, the district may provide proposers an opportunity to review the evaluation of their proposals before final selection is made.

Findings of Fact

- A. Rapid changes in technology make it necessary for the district to be able to purchase needed computer equipment quickly.
- B. Pricing for high-technology equipment also changes rapidly. It is frequently possible to take advantage of frequent price changes in the marketplace in the purchase of computer equipment.
- C. There is generally sufficient competition among vendors of information technology hardware and software for school district business.
- D. The district will follow rules governing special procurements and obtain at least three informally solicited quotes for purchases less than or equal to \$150,000.
- E. If the district requires a brand name or sole source product, the district will follow its rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section I. under Special Procurements, to procure it.

Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the award of district contracts or substantially diminish competition for district contracts. The purchase of information technology hardware and software will be made in accordance with other competitive bidding rules contained in this administrative regulation. If the anticipated purchase is over \$150,000, the district will advertise its need.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of information technology hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur.

X. TELECOMMUNICATIONS SYSTEMS—HARDWARE AND SOFTWARE CONTRACTS

A. The district may enter into a contract to acquire telecommunications system hardware and software, without competitive bidding, subject to the following conditions:

1. If the contract amount does not exceed \$150,000, the district shall attempt to obtain three competitive quotes pursuant to the rules governing Intermediate Procurements. ~~The quotes, reasons why three quotes were not available and the justifications for award shall be documented and retained in the procurement file.~~ The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.
2. If the contract amount exceeds \$150,000, the district shall determine and use the best procurement method, pursuant to the public contracting code and these rules and shall solicit written proposals in accordance with the requirements of Chapter 137, Divisions 047 and 049 of the *Attorney General's Model Public Contract Rules* and the LCRB. ~~and LCRB Rules.~~ The district shall document the evaluation and award process, which will be part of the public record justifying the award.

~~B. The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~

B.C. The telecommunications solicitation authorized in subsection X.A.1. of these rules shall:

1. State the contractual requirements in the solicitation document.

2. State the evaluation criteria to be applied in awarding the contract and the role of any evaluation committee. Criteria that would be used to identify the proposal that best meets the district's needs may include, but are not limited to, cost, quality, service and support, compatibility, product or system reliability, vendor viability and financial stability, operating efficiency, and expansion potential.
3. State the provisions made for bidders or proposers to comment on any specifications ~~which~~ they feel limit competition.
4. ~~Be advertised in accordance with applicable provisions of the public contracting code.~~

Findings of Fact

- A. Rapid changes in technology make it necessary for the district to be able to purchase needed telecommunications hardware and software quickly.
- B. Since deregulation, there is generally adequate competition among vendors of telecommunication hardware and software to allow the district to make competitive purchases.
- C. Pricing for telecommunications hardware and software also changes frequently. It is important for the district to take advantage of price competition in the marketplace.
- D. The district will follow procedures governing special procurements and document reasonable efforts to obtain at least three informally solicited quotes for purchases over ~~\$10,000~~ **\$5,000** but less than or equal to \$150,000.
- E. If a purchase of telecommunications hardware or software is expected to cost more than \$150,000, the district will use a formal competitive bidding or proposal process in accordance with these rules and the *Attorney General's Model Public Contract Rules* and the LCRB. ~~and LCRB Rules.~~
- F. There are also times when the district needs to purchase specific items that are compatible with current equipment. On these occasions, the district will follow its rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section I. **under Special Procurements**, to make the purchase.

Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. The purchase of telecommunications hardware and software will be made in accordance with other competitive bidding rules herein. If the anticipated purchase is over \$150,000, the district will advertise its need.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of telecommunications hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur.

XI. TELECOMMUNICATIONS SERVICES

- A. The district shall secure the most competitive, cost-effective telecommunications services of the quality needed to meet all service performance requirements while minimizing administrative and service delivery costs. The district will use routine purchasing procedures whenever possible, but if necessary, the district can consider alternative procurement methods in accordance with this rule.

The district will generally follow the normal competitive procurement processes in obtaining telecommunications services. This process will only be used if necessary where there is a lack of sufficient competition to furnish needed services.

~~————— B. The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~

- BC.** In determining the appropriate procurement method for telecommunications services, the district shall comply with the requirements of ORS 291.038 and determine whether competition exists. In determining whether competition exists, the district may consider the following factors:

1. The extent to which alternative providers exist in the relevant geographic and service market (the greater area of Benton County).
2. The extent to which alternative services offered are comparable or substitutable in technology, service provided, and performance. For example, if the district requires digital services, analog services are not comparable or substitutable. If the district requires fiber-optic technology, then copper, microwave, or satellite transmission technology may not be comparable or substitutable.
3. The extent to which alternative providers can respond to the district's interest in consistency and continuity of services throughout its service area, volume discounts, equitable service for all users, centralized management, and limiting district liability. For example, to be considered as the district's long-distance service provider, any long-distance service vendor must be able to meet, support, and interface with the district's centralized automated billing requirements. The district must document

for the record its findings on these factors or any other factors used in determining whether competition exists. In developing its findings, the district may solicit the information either through informal telephone or written contacts or through a formal solicitation such as an RFP.

- C.D. If the district determines that competition does not exist in the area for the relevant service, the district may proceed to secure the service on a sole source basis, as described in the district's rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section I. under Special Procurements.

Findings of Fact

- A. Since deregulation, there is generally adequate competition among vendors of telecommunication services to allow the district to make competitive procurements.
- B. Since there is competition, price competition exists in the marketplace. It is important for the district to take advantage of existing competition.
- C. The district will follow its rules governing special procurements and document reasonable efforts to obtain at least three informally solicited quotes for purchases less than or equal to \$150,000. The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.
- D. If a purchase of service is expected to cost more than \$150,000, the district will use a formal competitive bidding or proposal process in accordance with these rules and the *Attorney General's Model Public Contract Rules* and the LCRB. ~~and LCRB Rules.~~
- E. There may be occasions where there is limited competition that can furnish telecommunications services of the quality and extent required by district operations. In such instances, the district will follow this rule and also its rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section I. under Special Procurements, to procure needed services from the sole source.

Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Routinely, the purchase of telecommunications services will be made in accordance with other competitive bidding rules contained in this administrative regulation. If the anticipated purchase is over \$150,000, the district will advertise its need, issue a written solicitation document, and invite written bids or proposals to be furnished in response.

There may be circumstances, however, where sufficient competition does not exist in the relevant geographic and service market area. In such cases, the district will follow this rule in determining whether sufficient competition exists to make a competitive procurement.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of telecommunications hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur. The rule also states the steps to be taken to document situations where sufficient competition may not exist and a sole source purchase needs to be made.

XII. HAZARDOUS MATERIAL REMOVAL, OIL CLEANUP

- A. The district may enter into public contracts without competitive bidding, regardless of dollar amount, when ordered to clean up oil or hazardous waste pursuant to the authority granted to the Oregon Department of Environmental Quality (DEQ) under ORS Chapter 466, especially ORS 466.605 through 466.680. In exercising its authority under this exemption, the district shall:
1. To the extent reasonable under the circumstances, encourage competition by attempting to make informal solicitations or to obtain informal quotes from potential suppliers of goods and services.
 2. Make written findings describing the circumstances that require the cleanup or maintain a copy of the DEQ order for the cleanup.
 3. Record the measures taken under A.1. of this rule to encourage competition, the amount of the quotes or proposals obtained, if any, and the reason for selecting the contractor to whom award is made.

~~———— B. The Board acting as the LCRB for the district has made the findings required by ORS 279B (3)(a) and (b) and determined that awarding a contract under this special procurement is unlikely to encourage favoritism or substantially diminished competition and will result in a cost savings to the district or otherwise substantially promote the public interest.~~

- BC.** The district shall not contract pursuant to this special procurement in the absence of an order from the DEQ to clean up a site ~~that~~ **which** includes a time limit that would not allow the district to hire a contractor under normal competitive bidding procedures. Goods and services to perform other hazardous material removal or cleanup will be purchased in accordance with normal competitive bidding procedures as described in Board policy with this administrative regulation.

Findings of Fact

- A. When the DEQ orders a public agency to remove or clean up hazardous material or oil, the public agency must respond within a very short time, which is stated in

the DEQ order. This time period does not generally allow the agency to take the time necessary to solicit written bids or proposals for the work to be performed. The district would be liable for any delay in responding to DEQ orders to perform hazardous material removal or cleanup.

- B. This exemption will not be used in those situations where there is no DEQ order to remedy the situation. Routine competitive procurement methods will be used where there is no DEQ order to act immediately. The district maintains open lists of vendors who are interested in providing hazardous material removal and cleanup services. Whenever it needs hazardous material removal or disposal, the district makes use of these lists to solicit quotes, bids, or proposals as needed, in addition to advertising the procurement as required.
- C. Cost savings are achieved through this exemption because the district can be liable for DEQ penalties and fines if it does not timely remove hazardous materials or oil as ordered. There is also serious risk in these situations that property damage or personal injury could result if the district is slow to act.

Conclusions of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279B.085 (3)(a). If it is under DEQ order to act immediately, the district will still attempt to obtain competitive quotes for the work to be performed as it has the ability and time to do so. Unless the district is faced with the quasi-emergency situation of a DEQ order to remove or clean up hazardous waste or oil, it will follow normal competitive procedures to obtain these services.

The award of public contracts pursuant to this special procurement will result in a cost savings to the district in these situation, as required by ORS 279B.085 (3)(b), because the district must comply with the law and avoid and minimize risk to persons and property. Where possible, it will seek competitive quotes for the work to be performed and will award the contract to the lowest, responsive, and responsible bidder.

XIII. Renegotiation of Existing Contracts with Incumbent Contractors

- A. The district may renegotiate for new contracts with existing vendors, service providers, or other parties subject to the limitations of this rule.
- B. The district has determined that value engineering, specialized expertise required, public safety, and technical complexity generally do not apply to this special procurement procedure.
- C. The renegotiated contract falls within a current special procurement procedure, but if not the LCRB must approve a separate special procurement.

- D. The district may renegotiate certain terms, but they must not unreasonably alter the scope of the original contract.

Findings of Fact

- A. The LCRB may amend contracts when it is in the best interest of the district. The superintendent and/or other designee, acting on behalf of the LCRB, may renegotiate certain provisions, including:
 - 1. Price
 - 2. Term
 - 3. Delivery and shipping
 - 4. Order size
 - 5. Substitution
 - 6. Warranties
 - 7. On-line ordering systems
 - 8. Price adjustments
 - 9. Produce availability
 - 10. Product quality
 - 11. Reporting requirement
 - 12. Discounts
- B. Any contract amendment will be supported by legal consideration when necessary to validate the amended provision.
- C. The amended terms must be within a reasonable scope of the original contract, but not fundamentally alter the agreement or nature of goods or services. Districts may, however, request functionally equivalent substitutes for goods or services in the original contract.
- D. The contract as a whole must be more favorable to the individual needs of the district to justify renegotiation. Cost may be a factor in determining what is a favorable change to the original contract, but the district may use factors other than cost that demonstrate that the amended contract is more favorable to the unique needs of the district.

Conclusion of Compliance with Law

This special procurement will not encourage favoritism or substantially diminish competition in awarding public contracts because it already exists as a contract awarded in compliance with the district's special procurement and public contracting code.

The awarding of contracts under this special procurement will result in cost savings to the district when it needs to renew its original contract with vendors, service providers or other parties, or otherwise substantially promote the public interest.

EXEMPTIONS FROM COMPETITIVE BIDDING (For Public Improvement Contracts)

All public contracts shall be based upon competitive bids or proposals, except the following:

- A. Contracts ~~that~~ ~~which~~ have been specifically exempted under ORS 279A.025 and 279C.335.
- B. Contracts covered by the class exemptions in the following set of rules developed pursuant to ORS 279C.335 (2) and (5) and based on Oregon Administrative Rules, Chapter ~~137, Divisions 46 through 49.~~ ~~125, Divisions 246 through 249.~~

The Board, acting as the ~~Local Contract Review Board (LCRB)~~ for the district, has made the findings required by ORS 279C.330, ORS 279C.335, and ORS 279C.345, and determined that awarding a contract under this exemption is unlikely to encourage favoritism or substantially diminish competition for the public contract and will likely result in a substantial cost savings and other substantial benefits to the district. The findings required to justify each exemption include information regarding: (1) operational, budget and financial data; (2) public benefits; (3) value engineering; (4) specialized expertise required; (5) public safety; (6) market conditions; (7) technical complexity; and (8) funding sources. Only these findings are required for each class or individual contract exemption, unless the LCRB specifically excludes a finding or includes an additional finding.

In approving a finding under this section, the LCRB 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.
- B. The construction budget and the projected operating costs for the completed public improvements.
- C. Public benefits that may result from granting the exemption.
- D. Whether value engineering techniques may decrease the cost of the public improvement.
- E. The cost and availability of specialized expertise that is necessary for the public improvement.
- F. Any likely increases in public safety.
- G. Whether granting the exemption may reduce risks to the district or the public that are related to the public improvement.
- H. Whether granting the exemption will affect the sources of funding for the public improvement.

- I. Whether granting the exemption will better enable the district to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement.
- J. Whether granting the exemption will better enable the district to address the size and technical complexity of the public improvement.
- K. Whether the public improvement involves new construction or renovates or remodels an existing structure.
- L. Whether the public improvement will be occupied or unoccupied during construction.
- M. Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions.
- N. Whether the district has, or has retained under contract, and will use district 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 district will use to award the public improvement contract and to help negotiate, administer, and enforce the terms of the public improvement contract.

Only these findings are required for each class or individual contract exemption, unless the LCRB specifically excludes a finding or including an additional finding.

Promulgation of these exemptions only can occur after public notification and a public hearing to receive testimony pertaining to the draft exemptions and findings, pursuant to ORS 279C.335.

I. BRAND NAMES OR PRODUCTS, "OR EQUAL," SINGLE SELLER AND SOLE SOURCE

- A. The district may purchase brand names or products from a single seller or sole source without competitive bidding subject to the limitations of this rule.

~~B. The Board, acting as the LCRB for the district, has made the findings required by ORS 279C.330 and determined that awarding a contract under this exemption is unlikely to encourage favoritism or substantially diminish competition and will result in a cost savings to the district. The findings required to justify each exemption include information regarding: (1) operational, budget and financial data; (2) public benefits; (3) value engineering; (4) specialized expertise required; (5) public safety; (6) market conditions; (7) technical complexity; and (8) funding sources. Only these findings are required for each class or individual contract exemption, unless the LCRB specifically excludes a finding or includes an additional finding.~~

- ~~B~~C. The district has determined that value engineering, specialized expertise required, ~~and~~ public safety, ~~and technical complexity~~ generally do not apply to this exemption.
- ~~C~~D. Solicitation specifications for public contracts of the district shall not expressly or implicitly require any product of any particular manufacturer or seller except as expressly authorized in subsections D. and E. of this rule.
- ~~D~~E. The district may specify a particular brand name, make, or product suffixed by "or equal," "or approved equal," "or equivalent," "or approved equivalent" or similar language if there is no other practical method of specification after documenting the procurement file with the following:
1. A brief description of the solicitation(s) to be covered, including contemplated future purchases.
 2. ~~The~~ Description of the brand name, mark, or product to be specified.
 3. ~~The reasons the district is seeking this procurement method, which shall include any of the following findings:~~
 - ~~a. It is unlikely that specification of the brand name, mark or product will encourage favoritism in the award of the public contracts or substantially diminish competition; or~~
 - ~~b. Specification of the brand name, mark or product would result in cost savings to the agency; or~~
 - ~~c. Efficient utilization of existing equipment or supplies requires the acquisition of compatible equipment or supplies.~~
 3. A brand name specification may be prepared and used only if the district determines for a solicitation or class of solicitations that only the identified brand name specification will meet the needs of the district based on one or more of the following written determinations:
 - a. The use of the brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts.
 - b. Specification of the brand name, mark, or product would result in substantial cost savings to the district.
 - c. There is only one manufacturer or seller of the product of the quality, performance, or functionality required.
 - d. The efficient utilization of existing goods requires the acquisition of compatible goods and services.

4. The district shall make reasonable effort to notify all known suppliers of the specified product and invite such vendors to submit competitive bids or proposals.

EF. The district may purchase a particular product or service available from only one source, after documenting the procurement file with the district's findings of current market research to support the determination that the product is available from only one seller or source. The district's findings shall include:

1. A brief description of the contract or contracts to be covered, including contemplated future purchases.
2. Description of the product or service to be purchased.
3. The reasons the district is seeking this procurement method, which shall include any of the following:
 - a. That the ~~Efficient~~ utilization of existing equipment, ~~or supplies, or~~ ~~services~~ requires the acquisition of compatible equipment, supplies, or services.
 - b. ~~The required product is data processing equipment which will be used for research where there are requirements for exchange of software and data with other research establishments~~ That the goods or services required for the exchange of software or data with other public or private agencies are available from only one source.
 - c. That the goods or services are ~~The particular product is for use in a pilot or an experimental project.~~
 - d. Other findings that support the conclusion that the goods or services are available from only one source.
4. To the extent reasonably practical, the contracting agency shall negotiate with the sole source to obtain contract terms advantageous to the contracting agency.

FG. The district may specify a product or service available from only one manufacturer but available through multiple sellers, after documenting the procurement file with the following information:

1. If the total purchase is over ~~\$10,000~~ ~~5,000~~ but does not exceed \$100,000, and a comparable product or service is not available under an existing

purchasing contract, competitive quotes shall be obtained by the district and retained in the procurement file.

~~2. If the purchase does not exceed \$100,000, and the comparable product or service is available under an existing purchasing contract, authorization from the District's purchasing agent, to proceed with the acquisition shall be first requested and obtained. Once authorization has been received the district may proceed with the acquisition subject to the requirements of this rule.~~

~~23.~~ If the amount of the purchase exceeds \$100,000, the product or service shall be obtained through competitive bidding unless a specific exemption is granted by the LCRB.

GH. If the district intends to make several purchases of the product of a particular manufacturer or seller for a period not to exceed five years, the district will so state in the solicitation file and in the solicitation document, if any. Such documentation shall be sufficient notice as to subsequent purchases. If the total purchase amount is estimated to exceed \$100,000, this shall be stated in the advertisement for bids or proposals.

Findings of Fact/Conclusion of Compliance with Law

It is unlikely that this process will encourage favoritism in the award of public contracts or substantially diminish competition for such contracts, as required by ORS 279C.335 (2)(a).

This class exemption applies only to contracts under a limited dollar amount, and then, only after efforts to obtain competitive quotes are made, or other methods have been employed to ensure that competitive means are used if available. The district maintains open lists from which vendors are contracted for quotations. In addition, as required by ORS 279C.335 (2)(b) award of a public contract subject to the above described exemption should **likely** result in substantial cost savings **or other substantial benefits to the district** by virtue of the ability to reduce solicitation costs when it is known that comparable products are not available, or when specifying another product solely to meet a competition requirement might lead to lower initial cost but longer lifetime cost.

II. PRODUCT PREQUALIFICATION

A. When specific design or performance specifications must be met or such specifications are impractical to create or reproduce for a type of product to be purchased, the district may specify a list of approved or qualified products by reference to the prequalified product(s) of particular manufacturers or vendors in accordance with the following product prequalification procedure:

1. The district will make reasonable efforts to notify all known manufacturers and vendors of competing products of the district's intent to compile a list of prequalified products. The notice will explain the opportunity manufacturers and vendors of competing products will have to

apply to have their product(s) included on the district's list of prequalified products. At its discretion, the district may provide notice by advertisement in a trade paper of general statewide circulation or other appropriate trade publication; or instead of advertising, the district may provide written notice to those manufacturers and vendors appearing on the appropriate list maintained by the district.

2. The district will accept manufacturer and vendor applications to include products in the district's list of prequalified products up to 15 calendar days prior to the initial advertisement for bids or proposals for the type of product to be purchased, unless otherwise specified in the advertisement or in the district's written notice.

~~B. The Board, acting as the LCRB for the district, has made the findings required by ORS 279C.330 and determined that awarding a contract under this exemption is unlikely to encourage favoritism or substantially diminish competition and will result in a cost savings to the district. The findings required to justify each exemption include information regarding: (1) operational, budget and financial data; (2) public benefits; (3) value engineering; (4) specialized expertise required; (5) public safety; (6) market conditions; (7) technical complexity; and (8) funding sources. Only these findings are required for each class or individual contract exemption, unless the LCRB specifically excludes a finding or includes an additional finding.~~

BC. The district has determined that special expertise required, generally, does not apply to this rule.

CD. If the district denies an application for inclusion of a product on its list of prequalified products, the district shall promptly provide the applicant with a written notice of the denial and include the reason for denial. The applicant may submit a written appeal within seven calendar days to the district **finance and operations director** ~~business manager~~ to request review and reconsideration of the denial.

Findings of Fact

- A. There are occasions when the district needs to establish a list of prequalified products before it invites bids or proposals to furnish the products. The district may have a specific performance or design need, but it is impractical for the district to create a specification for the type of products to be purchased. An example is audiovisual equipment. There is a tremendous variety of audiovisual products offered in the market. The equipment technology is complex and constantly changing. It would be very burdensome and time consuming for the district to generate nonbrand name, generic performance specifications for such equipment every time it wants to make a purchase.

Also, competition would be poorly served because bidders and proposers would not know in advance whether their offered product would meet the general specification substantially enough to be considered a responsive offer. The decision to make an award would be slow, because each product offered would

have to be analyzed against the district's specification. Slowdown in the award process affects both bidders, who are asked to hold their bids open until award is made, and district programs, because staff ~~is are~~ not able to order the equipment they need until the contract is awarded.

In this case, it might be more cost effective and efficient for the district to prequalify products and establish a list of approved products before invitations to bid are sent out. The prequalification process can be done some time before the need for a new contract. Once the prequalified product list is established, the bidding and contract award process can go quickly and smoothly.

- B. A second occasion when prequalification of products will be useful is when the specific design or performance specifications for a product are so exacting that the district must have time to carefully consider what is offered in the market that may or may not meet the specifications and, if necessary, reconsider its options before issuing an invitation to bid.
- C. This rule sets out a process of prequalification ~~that which~~ requires the use of advertisement or other appropriate means to notify vendors of competing products of their opportunity to submit items for prequalification. The district maintains vendor mailing lists ~~that which~~ are open to all interested vendors. The district uses these lists routinely to notify vendors of its intentions to prequalify products or to invite bids on products.
- D. This includes a 15-day time limit between the closure of a prequalification list and a related invitation to bid. This time factor ensures that vendors have a reasonable time to apply to include their products on a prequalified product list.
- E. Subsection C. of this rule provides vendors with an appeal process to follow if their application for prequalification is denied.

Conclusion of Compliance with Law

Where prequalification of products is appropriate, it is unlikely that this exemption will encourage favoritism in the awarding of public contracts or diminish competition for such contracts as required by ORS 279C.335 (2)(a). There are several safeguards in the rule to prevent this, including notice, advertising, time, and appeal process requirements to ensure that vendors are given a fair and open opportunity to participate in the prequalification process.

The prequalification of products process is a time-consuming effort for the district. It is not a shortcut procurement method. The district would use this method only after balancing cost-saving considerations, such as the ability of the district to create or generate nonbrand name generic specifications for types of products or the need for lengthy product evaluation prior to contract award. If the prequalification method is chosen, it will likely result in a substantial cost savings and other substantial benefits to the district as required by ORS 279C.335 (2)(b) because the normal method of product selection is too cumbersome and costly to pursue.

III. REQUEST FOR PROPOSAL³

- ~~_____ A. The district may, at its discretion, use RFP competitive procurement methods subject to the following conditions:~~
- ~~_____ 1. The procurement is advertised and a written solicitation document is issued that invites the submission of sealed, written offers to be opened publicly at a designated time and place; and~~
- ~~_____ 2. Contractual requirements are stated clearly in the solicitation document; and~~
- ~~_____ 3. Evaluation criteria and weighting factors to be applied in awarding the contract and the role of an evaluation committee are stated clearly in the solicitation document. Criteria used to identify the proposal that best meets the district's needs may include, but are not limited to, cost, quality, service and support, compatibility, product or system reliability, financial stability, operating efficiency, proposer qualifications and experience; and~~
- ~~_____ 4. The solicitation document clearly states all complaint processes and remedies available; and~~
- ~~_____ 5. The solicitation document states the provisions for proposers to comment on any specifications that they feel limit competition.~~

Findings of Fact/Conclusion of Compliance with Law

As the RFP process is an alternate method of competitive selection and not an exemption from the competitive procurement requirements of law, the district has determined that findings of fact are not required. It is unlikely that this process will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279C.335 (2)(a). The awarding of contracts pursuant to this process will result in optimal value to the district based on selection by the district of the best competitive proposal that meets the stated evaluative criteria. This meets the test of ORS 279C.335 (2)(b).

IIIIV. REQUIREMENTS CONTRACTS (BLANKET PURCHASE ORDERS, PRICE)⁴

- A. The **finance and operations director** ~~business manager~~, on behalf of the district, may establish requirements contracts for the purposes of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, combining district requirements for volume discounts, standardization among schools and departments, and reducing lead time for ordering.
- ~~_____ B. The Board, acting as the LCRB for the district, has made the findings required by ORS 279C.330 and determined that awarding a contract under this exemption is unlikely to encourage favoritism or substantially diminish competition and will result in a cost savings to the district. The findings required to justify each exemption include information regarding: (1) operational, budget and financial data; (2) public benefits; (3) value engineering; (4) specialized expertise required; (5) public safety; (6) market conditions; (7) technical complexity; and (8) funding sources. Only these findings are~~

³All procurement documents, unless trade secrets, are considered a public record under Oregon Law.

⁴The **Oregon Procurement Information Network (ORPIN)** ~~state of Oregon's Cooperative Purchasing Program (ORCPP)~~ allows authorized members to utilize the state's price agreement/contracts to purchase goods and services. Authorized ~~ORCPP~~ members can legally attach to a state price agreement and forego the competitive bid process. Access to hundreds of competitive price contracts for a wide variety of goods and services: vehicles, computers, furniture, copiers, fax machines, travel, pharmaceuticals, office products, etc. is available. Counties, cities, schools, municipalities or their public corporate entities having local governing authority, a United States governmental agency or American Indian tribe or agency are eligible to participate. Members pay an annual fee to participate in the program. The fee is based on the agency/organization's budget. Public agencies with budgets under \$3 million per year also have the ability to participate in a consortium option and share the cost of the annual subscription fee.

~~required for each class or individual contract exemption, unless the LCRB specifically excludes a finding or includes an additional finding.~~

- BC. The district has determined that value engineering, specialized expertise required public safety, and technical complexity, generally, do not apply to this rule.
- CD. The district may enter into a requirements contract (also known as a blanket purchase order or price agreement) whereby it is agreed to purchase goods or services for an anticipated need at a predetermined price or price discount from a price list, provided the contract is let by a competitive procurement process pursuant to the requirements of the public contracting code and these rules.
- DE. Once a requirements contract is established, schools and departments may purchase the goods and services from the awarded contractor without first undertaking additional competitive solicitation.
- EF. Schools and departments shall use requirements contracts established by the district, unless otherwise specified in the contract, allowed by law or these rules or specifically authorized by the superintendent or designee.
- FG. Under the authority of ORS 279A.025 and 279C.335, the district may use the requirements contract entered into by another Oregon public agency when:
 - 1. The original contract met the requirements of the public contracting code.
 - 2. The original contract allows other public agency usage of the contract.
 - 3. The original public contracting agency concurs and this is documented by a written interagency agreement between the district and the agency.
- GH. The term of any district requirements contract, including renewals, shall not exceed five years unless otherwise exempted pursuant to ORS 279C.335.

Findings of Fact

- A. This rule permits the district to enter into requirements contracts, in which the vendor agrees to provide specified goods and services over the term of the contract at the bid price or discount rate. A requirements contract is useful when the purchase of the goods or services is routine and repetitive. For example, school, office, custodial and facilities maintenance supplies are customarily purchased through requirements contracts.
- B. Requirements contracts are a common method of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, obtaining volume discounts, standardizing usage among schools and departments, and reducing lead time for ordering.

- C. The district establishes requirements contracts as a result of open competitive bidding or RFP processes, unless otherwise exempted.
- D. The district limits the term of requirements contracts, including all renewal options, to a maximum of five years before competitive rebidding must be done, unless otherwise exempted.
- E. The district may use the requirements contracts established by other public agencies, subject to certain conditions of state law, Board policy, and administrative regulation.

Conclusion of Compliance with Law

It is unlikely that this exemption will result in favoritism in the awarding of public contracts or diminish competition for such contracts, as required by ORS 279C.335 (2)(a). The district will only enter into requirements contracts ~~that~~ ~~which~~ result from open competitive bidding processes. This condition applies also to the use of requirements contracts established by other public contracting agencies.

The awarding of district requirements contracts will likely result in a substantial cost savings and other substantial benefits to the district, as required by ORS 279C.335 (2)(b). It would be costly and inefficient to make routine, repetitive purchases of goods and services through individual transactions. Also, the guaranteed volume of a requirements contract allows the district to get better prices from bidders.

IV. WAIVER OF BID SECURITY REQUIREMENTS (PUBLIC IMPROVEMENT CONTRACTS UNDER \$100,000)

The LCRB may, at its discretion, waive the bid security requirements of ORS 279C.390, if the amount of the contract for the public improvement is less than \$100,000. Although the bid security requirements of ORS 279C.390 are waived for public improvement contracts under \$100,000, the district may impose a bid or quote security requirements for projects under \$100,000, when deemed to be in the best interest of the district.

Findings of Fact/Conclusion of Compliance with Law

This rule allows the LCRB to waive bid security requirements for certain public improvement contracts. Waiver of the bid security is provided for by statute without a requirement for findings.

VI. WAIVER OF PERFORMANCE AND PAYMENT SECURITY REQUIREMENTS (PUBLIC IMPROVEMENT CONTRACTS UNDER ~~\$25,000~~ \$100,000)

The LCRB may, at its discretion, waive the performance/payment security requirements of ORS 279C.390 if the amount of the contract for the public improvement is less than ~~\$25,000~~ \$100,000. Although the performance/payment security requirements of 279C.390 are waived for public improvement contracts less than ~~\$25,000~~ \$100,000, the district may impose a performance/payment security requirement for projects less than ~~\$25,000~~ \$100,000 when deemed to be in the best interest of the district.

Findings of Fact/Conclusion of Compliance with Law

This rule allows the LCRB to waive performance/payment security requirements for certain public improvement contracts. Waiver of the performance/payment security is provided for by statute without a requirement for findings.

VII. PROJECTS WITH COMPLEX SYSTEMS OR COMPONENTS

- A. For contracts for public improvements with significant components that are inherently complex and are also complex to procure through competitive bid, the district may, at its discretion, use RFP competitive procurement methods subject to the conditions described in ORS 279C.400 and conditions enumerated in this exemption.

~~B. The Board, acting as the LCRB for the district, has made the findings required by ORS 279C.330 and determined that awarding a contract under this exemption is unlikely to encourage favoritism or substantially diminish competition and will result in a cost savings to the district. The findings required to justify each exemption include information regarding: (1) operational, budget and financial data; (2) public benefits; (3) value engineering; (4) specialized expertise required; (5) public safety; (6) market conditions; (7) technical complexity; and (8) funding sources. Only these findings are required for each class or individual contract exemption, unless the LCRB specifically excludes a finding or includes an additional finding.~~

- BC.** Definitions. For purposes of this exemption only: “Complex Systems” are defined as those systems ~~that which~~ incorporate the procurement of materials or other components ~~that which~~ are difficult, if not impossible, to create in an “equal” specifications basis for competitive bid. Examples of such systems include but are not limited to, contracts for supplying and installing computerized controls for building heating, venting, air conditioning systems; and contracts for artificial surface outdoor multipurpose athletic fields. “Significant” is intended to mean something more than de minimus, but not necessarily the majority of the project as determined by cost.

Finding of Fact/Conclusion of Compliance with the Law

It is unlikely that this exemption will encourage favoritism in the awarding of the public contracts or substantially diminish competition for such contracts as required by ORS 279C.335 (2)(a). Contracts for public improvements occasionally incorporate the procurement of systems,

materials, or other components (complex systems) for which it is extremely difficult to design bid specifications. In these situations, utilization of an RFP process where each of the systems can be evaluated utilizing a number of factors, in addition to price, will likely result in substantial cost savings and other substantial benefits to the district as required by ORS 279C.335 (2)(b).

ORS 279C.400 enumerates how RFP's are to be used if authorized by the LCRB. This criteria, ensures that competitive means will be used and selection will be fair and impartial. As a result, it is unlikely that this process will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279C.335 (2)(a). The awarding of contracts pursuant to this process will result in optimal value to the district based on selection by the district of the best competitive proposal that meets the stated evaluative criteria.

This class exemption is intended to be used for the types of procurements describe in the findings, where the specific system, materials or components represent a significant portion of the project. This class exemption **is not** intended to be used for construction manager/general contractor (CM/GC) projects or other methods of alternative procurement unless these projects meet the requirements of this class exemption. The CM/GC and others, not meeting the requirements of this class exemption, may still be procured by RFP, provided that a project or contract specific exemption is promulgated by the LCRB.



Corvallis

SCHOOL DISTRICT

XII.C. Board Policy DJ—District Purchasing (nka Purchasing Standards)—
Revised—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 11, 2016

FOR INFORMATION

SUBJECT:

Board Policy DJ—District Purchasing (nka Purchasing Standards)—Revised—First Reading
Administrative Regulation DJ-AR—Purchasing Standards—Revised—For Information
Board Policy DN—Disposal of District Property—Revised—First Reading

Issue: With the guidance of the Oregon School Boards Association (OSBA), district staff have reviewed fiscal management policies and made a number of changes to outdated policies and administrative regulations. They were pulled from the last Board meeting on March 7 and minor changes made to clarify language.

- Board Policy DJ—finance and operations director will review bills due for supplies and services to determine if they are within budget amounts.
- Administrative Regulation DJ-AR—Designated staff may authorize purchases up to \$749.99.
- Board Policy DN—Any disposal of district property purchased with state, federal, or private grant funds shall be made as outlined in the grant or by state or federal regulations.

Options Considered: Not revising and adopting the policies and administrative regulation.

Involvement: District office staff.

Consequences: Policies would remain outdated.

Cost Impact: Unknown.

ACTION REQUESTED: Adoption of the revised policies.

CONTACT PERSON(S): Olivia Meyers Buch, Debbie Bell, Kerry Richey

CORVALLIS SCHOOL DISTRICT 509J

Code: DJ
Adopted: 6/1/99
Revised/Readopted: 1/31/94, 1/9/95, 5/12/97
8/1/02, 4/4/05
Original Code: 6610

District Purchasing Standards

The function of district purchasing is to serve the educational program by providing the necessary supplies, equipment, and services. Items commonly used in the various schools and their subdivisions will be standardized whenever consistent with educational goals and in the interest of efficiency or economy.

The ~~finance and operations director~~ ~~business manager~~ is appointed by the Board to serve as purchasing agent. He/she will be responsible for developing and administering the district's purchasing program.

No obligation may be incurred by any officer or employee of the Board unless that expenditure has been authorized in the budget or by Board action and/or Board policy. In all cases calling for the expenditure of district money, except payrolls, a requisition and purchase order system must be used unless an alternative purchasing method is authorized by the ~~finance and operations director~~ ~~business manager~~. This policy extends to and includes all district-controlled funds.

No purchase with the exception of a petty cash purchase will be authorized unless covered by an approved purchase order. No bills will be approved for payment unless purchases were made with an approved purchase order or alternative purchasing method as approved by the ~~finance and operations director~~ ~~business manager~~.

The superintendent or designee is authorized to enter into and approve payment on contracts obligating district funds not to exceed \$150,000 for products, materials, supplies, capital outlay, and services that are within current budget appropriations. The Board shall approve all contracts that are collective bargaining agreements or service contracts that include the provision of labor performed by district employees, such as custodial, food service, and transportation services.

The finance and operations director will review bills due and payable for the purchase of supplies and services to determine if they are within budget amounts. After appropriate administrative review, the finance and operations director will direct payment of the just claims against the district. The superintendent and finance and operations director are responsible for the accuracy of all bills and vouchers.

No Board member, officer, employee, or agent of this district shall use or attempt to use his/her official position to obtain financial gain or for avoidance of financial detriment for himself/herself, a relative, or for any business with which the Board member or a relative is associated. Acceptance of any gratuities, gifts, items of value, financial or otherwise, totaling over ~~\$100~~ ~~\$50~~ in a fiscal year, from any supplier of materials or services to the district by any

Board member, officer, or employee of the district is prohibited.

It is recognized that district staff members and their immediate families may operate private businesses that offer goods and services which the district may require. In order to avoid violations of conflict of interest, appearance of favoritism, or unethical procedures the following policy applies to these purchases:

- a. A purchase of any amount from a district employee must be approved by the ~~finance and operations director~~ ~~business manager~~ or designee. Purchases exceeding \$200 per fiscal year must be made based on a minimum of three written competitive quotations received before the purchase is made and attached to the purchase order forwarded to the business services office. If three quotations are not available, a written request to make the purchase must be submitted to and approved by the ~~finance and operations director~~ ~~business manager~~ or designee.
- b. Further, employees shall not conduct any private business activity while on duty or otherwise use district property for personal gain.

END OF POLICY

Legal Reference(s):

[ORS 244.040](#)
[ORS Chapters 279, 279A, 279B and 279C](#)
[ORS 294.311](#)
[ORS 328.441—328.470](#)
[ORS 332.075](#)
[OAR 125-025-0040](#)



Corvallis
SCHOOL DISTRICT

XII.D. Administrative Regulation DJ-AR—Purchasing Standards—Revised—For
Information

Purchasing Standards

The following procedures shall be followed in making purchases:

1. Appropriate authorization must be obtained and documented prior to purchase;
2. ~~Designated Support staff~~ employees may authorize purchases of ~~\$749.99~~ \$499.99 or less;
3. Principals, managers, and supervisors may authorize purchase of \$2,499.99 or less;
4. Any purchases of \$2,500 or more shall require authorization from either the superintendent, assistant superintendent, or ~~finance and operations director~~ business manager.



Corvallis

SCHOOL DISTRICT

XII.E. Board Policy DN—Disposal of District Property—Revised—First
Reading

Disposal of District Property

The Board may, at any time, declare district property as surplus and authorize its disposal when such property is no longer useful to the district, unsuitable for use, too costly to repair, or obsolete.

If reasonable attempts to dispose of surplus property ~~ies~~ fails to produce a monetary return to the district, the Board may dispose of ~~it them~~ in another manner.

If the district property was purchased with state, federal, or private grant funds, disposal of the property shall be made as outlined in the grant or by state or federal regulations.

END OF POLICY

Legal Reference(s):

~~ORS 279.015~~

~~ORS 279.025~~

[ORS 279B.055](#)

[ORS Chapters 279A, 279B and 279C](#)

[ORS 332.155](#)

EDUCATION, TITLE 34 C.F.R. PART 80 § 80.32(e)

Cross Reference(s):

Policy DID—Property Inventories



Corvallis
SCHOOL DISTRICT

XII.F. Board Policy DBE—Budget Preparation—Revised—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 11, 2016

FOR INFORMATION

SUBJECT:

Board Policy DBE—Budget Preparation—Revised—First Reading
Administrative Regulation DBE-AR(1)—Budget Preparation Procedures—Revised—For Information
Administrative Regulation DBE-AR(2) fka DBE-AR(3)—Budget Presentation—Revised—For Information
Board Policy DBEA fka Administrative Regulation DBE-AR(2)—Budget Review Committee—Revised—First Reading

Issue: With the guidance of the Oregon School Boards Association (OSBA), district staff have reviewed fiscal management policies and made a number of updates to policies and administrative regulations. These policies and administrative regulations were last updated in 1999. They were pulled from the last Board meeting on March 7 and minor changes made to clarify language.

- DBE—replaced with OSBA language.
- DBE-AR(1)—replaced with OSBA language.
- DBE-AR(2)—renamed as policy DBEA and replaced with OSBA language.
- DBE-AR(3)—renamed as DBE-AR(2).

Options Considered: Not revising and adopting policies and administrative regulations.

Involvement: District office staff.

Consequences: Policies and administrative regulations would remain outdated.

Cost Impact: Unknown.

CONTACT PERSON(S): Olivia Meyers Buch, Debbie Bell, Kerry Richey

Budget Preparation

The superintendent has the overall responsibility for budget preparation and will develop such procedures necessary to ensure the proposed budget reflects all areas of district operation taking into account Board priorities.

The superintendent and administrative staff will propose budget priorities for the district and will make appropriate recommendations related to those priorities to the Board and budget committee.

The superintendent will deliver the completed budget message and actual budget document to the budget committee when they are ready for presentation.

It is the Board's position that the annual preparation of the district's budget will adhere to the following principles:

1. To establish standard procedures for the preparation, presentation, administration and appraisal of budgets of municipal corporations;
2. To provide for outlining of the programs and the fiscal policy which is to accomplish these programs;
3. To provide for estimation of revenues, expenditures and proposed property tax amount or rate;
4. To provide specific methods for obtaining public views in the preparation of fiscal policy;
5. To provide for the control of revenues and expenditures to promote efficiency and economy in expenditure of public funds; and
6. To enable the public, taxpayers and investors to be apprised of the financial policies and administration of the district.

END OF POLICY

Legal References:

[ORS 294.305](#)—294.565

[ORS 328.542](#)—328.565

OR. DEP'T OF EDUC, PROGRAM BUDGET AND ACCOUNTING MANUAL (2006).

OR DEP'T OF REVENUE, LOCAL BUDGETING MANUAL (2002).

— [ORS 294.305](#)—294.565 [Local Budget Law]

— [ORS 328.542](#)—328.745

— "Budget Manual for Municipal Corporations," Oregon Department of Revenue



Corvallis
SCHOOL DISTRICT

XII.G. Administrative Regulation DBE-AR(1)—Budget Preparation
Procedures—Revised—For Information

Budget Preparation Procedures

The following steps will be followed in preparing the budget:

1. In developing the proposed budget, building administrators will solicit participation by teachers and other building staff in determining the budget requirements necessary to meet identified student needs;
2. Building principals will evaluate proposed staff budget requests to ensure compatibility with district goals, curriculum goals and fiscal guidelines;
3. After screening requests, principals will submit their proposed building budgets to the management team for discussion and possible modification before presentation to the budget committee;
4. The superintendent will work with the management team and other supervisory staff to develop proposed budgets for the various administrative units of the district;
5. The superintendent will compile the proposed budget and will present it to the budget committee. The superintendent will see that committee members have detailed as well as summary information early enough to allow time for adequate study before decisions are made.

Background and Philosophy

~~The essence of successful budgeting is the wholehearted involvement of all managers. Managers in this context are the building principals and central office administrators.~~

~~Budgeting involves planning, implementation, monitoring and feedback to enable managers to carry out their individual responsibilities. Budgeting is a cooperative venture between the principals and directors as facility and program managers and the business department as fiscal specialists who enable others to carry out their educational mission. The accuracy and usefulness of the budget document developed through this process is related directly to the readability of the document and the level of commitment and cooperation of all people charged with the responsibility of developing a budget.~~

~~This budget process involves principals, teachers, students, other school employees, parents and patrons at the individual school level. Budget proposals at this level are consolidated into one district budget.~~

~~The factors which influence the budgeting process are these:~~

- ~~1. The educational program which is the end product of the collaboration of staff, community and administration;~~
- ~~2. Student enrollment as forecast for the ensuing and subsequent years;~~
- ~~3. The general state of the economy.~~

~~While theoretically a general fund budget could be developed to support the educational program as conceived, this must be tempered with an assessment of the economy and an educated estimate of resources that will be available.~~

~~If within a period specified in the budget calendar, the principal/director has not submitted a detailed budget, then the director of business services will generate the detailed budget with no reduction in funds assigned to the facility.~~

Structure

The overall budget of the district consists of a group of funds. Most of these are categorical in that they are devoted to recording the receipt and expenditure of specific money such as a bond issue for new construction or federal grants. However, the district's routine operating budget is known as the general fund and usually this is the largest of the various funds included in the budget document.

Most of the budgeting process is devoted to developing the operating budget for the general fund. It consists of these major components:

1. Personnel
 - a. Licensed personnel;
 - b. Classified personnel.
2. Operating requirements
 - a. Instructional goods and services needed to carry out the education program;
 - b. Support required to operate and maintain the plant at its designed capacity.
3. Capital items
 - a. New equipment;
 - b. Replacement equipment;
 - c. Remodeling projects;
 - d. Site improvement projects.

The official budget document which is adopted by the Board is detailed into computer printouts which are the working document for directors and principals. The former:

- a. Is district wide;
- b. Differentiates by grade level and not by facility;
- c. Contains relatively little detail by object class;
- d. Does not show complete account numbers;
- e. Supports broad appropriations adopted by the Board under local budget law:
 - 1000 Instruction
 - 2000 Support Services (student services, curriculum development, resource personnel, superintendent's staff, business services)
 - 3000 Community Services
 - 4000 Contingency

The latter is a detailed compilation of account numbers under which all expenditures must be made.

Budget Procedures

1. Budgeting for licensed staffing is done by the superintendent, the director of human resources and principals based on the education program, enrollment projections, student/teacher ratios as set by Board policy and the availability of qualified teachers.
2. Classified staff budgeting is oriented more to tasks than to student enrollment. Schools will need some classified staff in supporting roles regardless of the number of students in the building.
 - a. Administrative support people such as secretaries, instructional assistants and resource aides will be budgeted by the superintendent, director of human resources and principals.
 - b. Food service people will be budgeted for by the food service manager.
 - c. Custodians will be budgeted for by the operations manager and principals.
 - d. Maintenance people will be budgeted for by the director of business services and operations manager.
3. Operating requirements
 - a. Early in the budget cycle the director of business services will provide appropriate information and data to principals and directors. Included will be the computation for a lump sum allocation.
4. Capital outlay
 - a. Allocations for capital outlay will be made to all buildings based on historical record of expenditures by grade level. This will apply to equipment as opposed to building or ground modifications. Detailed equipment purchase plans will be submitted by each department or building and approved by the director of business services. Any requests for capital in excess of the building's allocation will be reviewed in the same manner as requests to fund new or expanded programs.
 - b. The following long term schedules will be distributed as information relevant to directors' and principals' capital budgeting:
 - (1) Painting;
 - (2) Relighting;

- _____ (3) _____ Roofing;
- _____ (4) _____ Asphalt maintenance;
- _____ (5) _____ Floor covering.
- 5. _____ Development steps
 - _____ a. _____ Director of business services distributes to administrators:
 - _____ (1) _____ Analysis of prior year's budget;
 - _____ (2) _____ Enrollment projections for next five years by building;
 - _____ (3) _____ Allocations;
 - _____ (4) _____ Instructions for budgeting or requesting capital outlay items.
 - _____ b. _____ Superintendent, director of human resources and director of business services develop proposed personnel budget based on enrollment forecast and educational plan.
 - _____ c. _____ Director of business services acting as budget officer receives input from all administrators relevant to particular budget, reviews for completeness of submission and assembles into tentative budget.
- 6. _____ Review
 - _____ a. _____ As an essential first step in the process of developing and reviewing a program budget, meetings among administrators, the superintendent's budget advisory committee, the steering committee, the budget review committee and finally the Board will establish and review those programs for which the budget is to be developed.
 - _____ b. _____ Upon development and review of the budget it will then be reviewed by the superintendent and submitted to the budget review committee.
 - _____ c. _____ The budget review committee will review the budget in public hearings as required by local budget law.
 - _____ d. _____ The Board will conduct public hearings on the budget as approved by the budget review committee and will determine a levy to be submitted to the voters.
 - _____ e. _____ Prior to the start of the new fiscal year, the Board adopts a budget. If approved prior to successful levy election, the budget may be amended when the levy passes.

Budget Implementation

The budget as adopted by the Board becomes the fiscal basis for operating the district. Administrators are provided monthly reports, comparing budgeted and actual expenditures and encumbrances.

1. _____ Feedback and control

An essential part of any management system is the feedback by which actual operations are compared with the management plan. In this case expenditures and encumbrances are compared with the budget itself. To this end, the steering committee is constituted as an ongoing body which will review the budget at specified intervals, either quarterly or on a half-year basis to ensure that funds as budgeted are spent for those purposes intended or are not spent at all.



Corvallis

SCHOOL DISTRICT

XII.H. Administrative Regulation DBE-AR(2) [formerly
called Administrative Regulation DBE-AR(3)] —Budget Presentation—
Revised—For Information

CORVALLIS SCHOOL DISTRICT 509J

Code: DBE-AR(3)(2)
Adopted: 6/1/88
Revised/Readopted: 2/10/97, 1/11/99
Original Code: 6230

Budget Presentation

Budget Message and Document

At ~~its~~ the organizational meeting, the budget ~~review~~ committee will receive the budget message from the superintendent and the budget document from the budget officer.

The ~~budget~~ document ~~as presented at this meeting,~~ shall serve as ~~the~~ a base from which the budget shall be developed. This meeting is open to the public and members of the audience should be encouraged to express their views.

Hearing and Review

The budget ~~review~~ committee will meet on dates established to systematically review items in the budget document. During this review, opportunity will be provided for comments from district citizens.

Approve Budget Document

After the hearing and review process, the committee will approve the budget document as submitted or revised and forward the approved document to the Board.



Corvallis
SCHOOL DISTRICT

XII.I. Board Policy DBEA [formerly called Administrative Regulation DBE-AR(2)] —Budget Review Committee—Revised—First Reading

Budget ~~Review~~ Committee

By law, the budget committee is charged with making recommendations concerning financial priorities. The budget committee is responsible for reviewing the district's financial program and proposed district budget as presented by the superintendent, and recommending an annual district budget in keeping with the provisions of applicable state laws.

Educational policy decisions, however, are the responsibility of the Board, not the budget committee. The committee does not have the authority to add programs or to approve additional personnel or increase salaries. While the committee may, in effect, delete programs because of a fund decrease in arriving at a levy figure, the committee is charged primarily with a fiscal evaluation of programs. The committee may, alternatively, set an amount that changes the recommended budget and may request the administration make such changes in accordance with priorities set by the Board.

The budget committee consists of seven members appointed by the Board plus the elected Board members. To be eligible for appointment, the appointive member must:

1. Live and be registered to vote in the district;
2. Not be an officer, agent, or employee of the district.

No budget committee member may receive any type of compensation from the district.

By October 1, the Board will identify vacant budget committee positions that must be filled by appointment of the Board. The Board will announce the vacancies and receive applications from interested persons during the month of October. Such applications will include a signed statement that the applicant is willing to serve as a member of the budget committee and to adhere to the policies of the district. The Board may appoint budget committee members to as many consecutive terms as deemed appropriate.

At the first regular Board meeting in November, after review of the names of persons filing applications and names of those persons who have served previously and are willing to be reappointed, the Board will appoint persons to fill the vacant positions.

The appointive committee members will be appointed for three-year terms. The terms will be staggered so that, as near as practicable, one-third of the appointive members' terms end each year. If any appointive member is unable to complete the term for which he/she was appointed, the Board will announce the vacancy at the first regular Board meeting following the committee member's resignation or removal. An appointment to fill the position for its unexpired term will be made at the next regular Board meeting if practicable.

At its first meeting after appointment, the budget committee will elect a presiding officer from among its members. It may also establish other ground rules as necessary for successful operation of the committee.

A quorum is required for the budget committee to conduct any business; however, a majority of the constituted committee is required for passing an action item. Majority for a 14-member budget committee is 8. Therefore, if only 8 members are present, a unanimous vote is needed for passing an action.

The budget committee shall hold one or more meetings to receive the budget message, receive the budget document, and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget officer shall announce the time and place for all meetings, as provided by law. All meetings of the budget committee are open to the public.

The budget committee may request from the superintendent or finance and operations director any information used in the preparation of or for revising the budget document. The committee may request the attendance of any district employee at its meetings. The budget committee will approve the budget document as submitted by the superintendent or as subsequently revised by the committee.

After approval of the original or revised budget document, the budget committee's duties cease. The hearing on the approved budget is held by the Board.

Membership

The district budget review committee shall consist of the seven members of the Board and seven qualified electors appointed by the Board as required by law.

Terms of Office

Terms of the appointed members shall be three years each, staggered so approximately one-third of the terms end each year.

Function

The Board and the administrative staff have the responsibility for preparing an educational plan and an itemized list of estimated costs for accomplishing such a plan.

The educational plan and itemized list of estimated costs prepared for the following fiscal year shall be submitted to the budget review committee for review and approval of estimated costs. The budget review committee also sets the maximum amount of the tax levy.

The budget estimate and recommended tax levy as provided by the budget review committee must be acted on by the Board. The Board is the levying body for the district, as established by ORS 294.391.

Organization

The first regular meeting of the budget review committee shall be its organizational meeting and shall be held on a date established by the Board.

At this meeting, a chairman, vice chairman and secretary shall be elected from the membership of the committee.

Background Information

The budget review committee members shall be provided with copies of the budget document and such other pertinent materials as members may request to assist them in estimating budgetary needs.

END OF POLICY

Legal References:

[ORS 174.130](#)

[ORS 192.610](#)—192.710

[ORS 294.305](#)—294.565



Corvallis

SCHOOL DISTRICT

XII.J. Board Policy DBG/DBH [formerly called Administrative Regulation DBE-AR(4)]—Budget Hearing and Adoption Procedures—Revised—First Reading

Corvallis School District 509J
Board of Directors

BOARD MEETING DATE: April 11, 2016

FOR ACTION

SUBJECT:

Board Policy DBG/DBH—formerly known as Administrative Regulation DBE-AR(4)—Budget Hearing and Adoption Procedures—Revised—Second Reading

Issue: With the guidance of the Oregon School Boards Association (OSBA), district staff have reviewed fiscal management policies and made a number of updates. Administrative regulation DBE-AR(4)—has been renamed as policy DBG/DBH and replaced with OSBA language.

Options Considered: Not revising the AR/policy.

Involvement: District office staff.

Consequences: AR/policy would remain outdated.

Cost Impact: Unknown.

CONTACT PERSON(S): Olivia Meyers Buch, Debbie Bell, Kerry Richey

Budget Hearing and Adoption Procedures

After the budget document is approved by the budget committee, a public hearing will be held regarding the recommended budget document. The date, time, and place will be determined by the Board. At the hearing, any person may speak for or against items in the budget document,

After the public hearing is completed and any budget modifications deemed necessary as a result of that hearing are made, the Board will approve the proper resolutions to adopt and appropriate the budget. The Board will further determine, make and declare the ad valorem property tax amount or rate to be certified to the assessor for the ensuing year or for each of the years of the ensuing budget period, and itemize and categorize the ad valorem property tax amount or rate, as provided in ORS 310.060.

The superintendent will ensure all necessary documentation is submitted to the county assessor's office as required by the Local Budget Law.

~~The Board will conduct a public hearing on the budget document as approved by the budget review committee. At the meeting, any person may appear for or against any item in the budget document. After the public hearing the Board shall enact the proper resolutions to adopt the budget to determine, make and declare the ad valorem property tax amount or rate to be certified to the assessor for the ensuing year; and itemize and categorize the ad valorem property tax amount or rate.~~

END OF POLICY

Legal Reference(s):

[ORS 192.610 - 192.710](#)

[ORS 294.305 - 294.565](#)

[ORS Chapter 255](#)

[ORS 310.060](#)

[ORS 328.542](#)

[OAR 150-310.060-\(A\)](#)



Corvallis
SCHOOL DISTRICT

XIII. ADJOURNMENT

*All times are approximate.

Note: The Chair of the Board may alter the order of business as they deem proper and necessary.



Corvallis

SCHOOL DISTRICT

Agendas – Agendas and supporting materials are available online at <https://v3.boardbook.org/Public/PublicHome.aspx?ak=1000829> a few days before each School Board meeting. For more information, please contact Kim Nelson at kimberly.nelson@corvallis.k12.or.us.

Communication With The School Board – Communication with the Board can be made by telephone, letter, e-mail and public testimony. Letters may be addressed to individual Board members or the Board as a whole and sent to 1555 SW 35th Street, Corvallis, OR 97333. E-mail may be sent to schoolboard@corvallis.k12.or.us and will be sent to all board members simultaneously as well as to key District Office staff. For more information, please contact Kim Nelson at kimberly.nelson@corvallis.k12.or.us.

Consolidated Action Agenda – The purpose of the consolidated action agenda is to expedite action on routine agenda items. All agenda items that are not held for discussion at the request of a Board member or staff member will be approved/accepted as written as part of the consolidated motion. Items designated or held for discussion will be acted upon individually.

Public Comment –

Guidelines are at: <https://www.csd509j.net/about-us/school-board/provide-input-and-be-informed/>

Executive Session – Permissible purposes of Executive Sessions include: ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents; ORS 192.660(2)(b) – Discipline of Public Officers and Employees; ORS 192.660(2)(d) – Labor Negotiator Consultations; ORS 192.660(2)(e) – Real Property Transactions; ORS 192.660(2)(f) – Exempt Public Records; ORS 192.660(2)(h) – Legal Counsel; ORS 192.660(2)(i) – Performance Evaluations of Public Officers and Employees; ORS 192.660(2)(j) – Public Investments.

Grievance Process - ORS 192.705

Grievances alleging a violation by a governing body of provisions in Public Meetings Law may be submitted in writing to Kim Nelson at kim.nelson@corvallis.k12.or.us or submitted between 8:00 am – 5:00 pm Monday through Friday at 1555 SW 35th Street, Corvallis, OR 97333. Additional information is available on the district website.

SCHOOL BOARD MEMBERS			
Judah Largent	541-231-8415	Terese Jones, Co-Vice Chair	541-230-1673
Sami Al-Abdrabbuh	541-283-6611	Shauna Tominey, Co-Vice Chair	541-829-8411
Chris Hawkins	541-602-2045	Luhui Whitebear, Chair	541-714.3305
Bernie Wang	541-704-7298		

EXECUTIVE STAFF MEMBERS	
Ryan Noss, Superintendent	541-757-5841
Melissa Harder, Assistant Superintendent / Human Resources Director	541-766-4857
Lauren Wolfe, Finance Director	541-757-5874
Byron Bethards, Student Growth & Experience Director	541-757-5470
Kim Patten, Operations Director	541-757-3849
Kim Nelson, Executive Assistant to the Superintendent; Board Secretary	541-757-5841