

Facilities and Operations Committee
Meeting
Wednesday, December 8, 2021 4:00 PM

Dr. Matthew Prophet Education Center -
Wy'East Conference Room (Floor L1)
501 N. Dixon St.
Portland, OR 97227

Agenda

1. Americans with Disabilities Act (ADA) Transition Plan
2. Update: Portland Parks and Recreation Intergovernmental Agreement
3. Update: West Sylvan
4. Public Comment - 5 two-minute spots, limited to topics relating to items on the agenda. *To sign-up for public comment email PublicComment@pps.net or call Kara Bradshaw at 971-678-9660
5. Adjourn



Americans with Disabilities Act Transition Plan

Board of Education Review Draft

Updated: 2021/11/22
pps.net/accessibility

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AVAILABLE UNDER A SEPARATE COVER:¹

[Appendix A: Cost Estimates by Configuration & Building System](#)

[Appendix B: Cost Estimates by Building Code Category](#)

[Appendix C: Site Selection Tool](#)

[Appendix D: Transition Plan Workbook](#)

¹ Underlined text throughout this document is hyperlinked.

PLAN INTRODUCTION

Portland Public Schools is committed to equitable access to all programs, for all students, regardless of ability. To quote the District's Racial Equity and Social Justice Lens, "... We must ensure that all students are guaranteed a comprehensive, rigorous, equitable, and inclusive education. Universal access to quality education not only benefits students from all backgrounds but strengthens our communities and promotes societal prosperity." Yet, most of the District's buildings and grounds subvert this goal for individuals experiencing disability. Prior to 1973² – when 89 of the District's 99 buildings were constructed, protections for individuals experiencing disability did not exist. Students, staff, and community members continue to face obstacles from the pernicious architecture of this time.

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

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

ADA Title II Overview

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

The ADA is divided into five topic areas:

Title I: EMPLOYMENT

² The Rehabilitation Act of 1973 became law.

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

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

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

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

Purpose

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

Collective Access

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

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

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

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

Resolving Grievances

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

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

Rebecca Winn
Code Compliance Manager
accessibility@pps.net

John Lyons
Sr. Program Manager
ADA Transition Plan Liaison
accessibility@pps.net

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

PLAN DEVELOPMENT

Self-Assessment

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

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

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

Programs can be made accessible in three ways:

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

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

Accessibility Criteria

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

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

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

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

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

Prioritization

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

Broadly, two types of prioritizations must take place:

1. Prioritization of facilities

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

2. Prioritization of barriers within each facility

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

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

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

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

Engagement: Introduction

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

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

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

Transition Plan Development Timeline

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

Engagement: District Stakeholders

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

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

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

Members included:

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

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

Engagement: District Stakeholder Summary

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

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

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

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

Stakeholder Framework One

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

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

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

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

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

Stakeholder Framework Two

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

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

Stakeholder Framework Three

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

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

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

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

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

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

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

Stakeholder Framework Four

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

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

Stakeholder Framework Five

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

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

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

2020 Bond Development

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

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

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

Engagement: Community

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

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

Engagement: Virtual Town Halls

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

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

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

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

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

Beyond Federal Requirements

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

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

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

Universal Design and Trauma-Informed Design are practical guidelines to protect the physical and emotional health of our community. These guidelines are broader than those of accessible design and barrier-free design. While the orientation of this transition plan is toward barrier removal, the District’s forthcoming Ed Specification⁶ will outline specific requirements for the built environment rooted in Universal and Trauma-Informed Design principles.

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

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

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

IMPLEMENTATION OVERVIEW

Plan Timeline and Phases

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

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

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

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

Overall Phasing

FY 2021 - 2023 **Phase I**

FY 2024 - 2026 **Phase II**

FY 2027 - 2033 **Phase III**

FY 2034 - 2041 **Phase IV**

Phase I

Main-level Accessibility: Title I, CSI/TSI⁷, and Focus Option

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

Phase II

Main-level Accessibility: District-wide

Phase III

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

Phase IV

Multi-level access: District-wide

Barrier Removal Schedule

[Appendix D](#) is the framework for the continuous improvement of District facilities and the ongoing record of barrier removal for the District's facilities. It details the physical barriers documented through the Self-Assessment described above. The *phase* tab associated with each barrier identified corresponds with the phased implementation schedule outlined above.

The District's ADA Coordinator will update [Appendix D](#) as the District either removes barriers or finds programmatic solutions to eliminate or mitigate barriers. Contact the ADA Coordinator for the most current status of barrier remediation (accessibility@pps.net).

Implementation

Successful implementation of this transition plan requires many people across several departments within Portland Public Schools. The District's ADA Coordinators will develop a work plan coordinated with the funding amount allocated in the 2020 Bond. The amount designated in this Bond is committed to phase I and II frameworks, i.e., main-level accessibility District-wide.

Further alignment with the District's future capital plan will follow Phase II implementation. The District's ADA Coordinators will maintain the phased structure above but seek meaningful overlap with other capital improvements. Modernization is one example of such an overlap. When a school is fully modernized, all barriers are mitigated, and universal design is practiced where ever possible.



STAFF REPORT

Date: November 22, 2021

To: School Board

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

Subject: Americans with Disabilities Act Transition Plan

BACKGROUND

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

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

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

RELATED POLICIES/BEST PRACTICES

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

ANALYSIS OF SITUATION

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

FISCAL IMPACT

There are no immediate fiscal impacts to approving the new Americans with Disabilities Act Transition Plan. The implementation of the work plan identified in the New Plan is estimated to be over one hundred million dollars. The 2020 Bond funded over thirty-three million dollars of this amount. The remaining improvements will be funded by future Bonds.

COMMUNITY ENGAGEMENT (IF APPLICABLE)

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

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

TIMELINE FOR IMPLEMENTATION / EVALUATION

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

BOARD OPTIONS WITH ANALYSIS

1. Approve the new Americans with Disabilities Act Transition Plan.
2. Reject the new Americans with Disabilities Act Transition Plan.

CONNECTION TO BOARD GOALS

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

STAFF RECOMMENDATION

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

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

_____ (Initials)

ATTACHMENTS

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



MEMO

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

Overview

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

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

DATE	TOWN HALL	NOTES
2020-07-30	Virtual Town Hall - 1	LINK
2020-08-11	Virtual Town Hall - 2	LINK
2020-08-13	Virtual Town Hall - 3	LINK

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

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

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

Outcomes

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

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

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

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

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

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

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

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



MEMO

Date: March 5, 2021
To: Board of Education, Portland Public Schools
From: Dan Jung, Chief Operating Officer
Subject: ADA Transition Plan - Timeline

BACKGROUND

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

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

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

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

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

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

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

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

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

2020 BOND: ACCESSIBILITY

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

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

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

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

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

PROJECT CONSTRAINTS: ELEVATORS

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

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

To draw a comparison to roof replacements, PPS completes approximately 4-5 roofs each year. This is a targeted number due to the fact of the limited number of vendors in the region that can design and construct this work—attempting to complete more work than the market can result in higher cost of the work (higher bid amounts due to less competition). The work exceeds market capacity, and no

contractors are available to complete the work. We saw an example of this recently when multiple roof replacement bids received only one bid, and another project received no bids, causing the project to be delayed an entire year.

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

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

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

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

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

OPTIONS & RECOMMENDATION

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

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

Focusing on Prioritizing High Impact Accessibility Improvements.

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

A Systems Approach Toward a Modernized Building Portfolio.

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

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

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

Leading with Steadfast Determination and Pragmatism

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

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

Americans with Disabilities Act Transition Plan

December 8, 2021





pps.net/accessibility



PORTLAND PUBLIC SCHOOLS Portland, Oregon

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CALENDAR



ENROLL



CONTACT

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Facilities & Asset Management

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

Department Main Page

+ Building Use (Civic Use of Buildings)

Building Use Guidelines-Compliance

Custodial Services

Design Guidelines & Standards

Education Specifications

+ Energy & Sustainability

Furniture & Moves

Real Estate

Keep Your Buildings Safe

Long-Range Facility Plan

+ Maintenance Services

PPS Site Maps and Data

Accessibility at Portland Public Schools

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

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

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

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

Virtual Town Halls

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

Contact

John Lyons
Sr. Program Manager
accessibility@pps.net

ADA Transition Plan Documents

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



Outline for Today

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

ADA
≠
ACCESSIBILITY



Accessibility at Portland Public Schools

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



Accessibility at Portland Public Schools

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CONSTRUCTED AFTER 1990	9	9%





Accessibility at Portland Public Schools

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

ADA



Purpose

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



ADA Compliance

Programs can be made accessible in three ways:

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



Requirements of the Transition Plan

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



Community Engagement





Community Engagement

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





Transition Plan Phasing

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



Beyond the ADA

- Playgrounds
- Restrooms
- Acoustics
- Access





ACCESSIBILITY

ADA

INCLUSIVE PLAY SPACES



ADA Requirements: Play Spaces



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



This play space meets the guidelines of the ADA



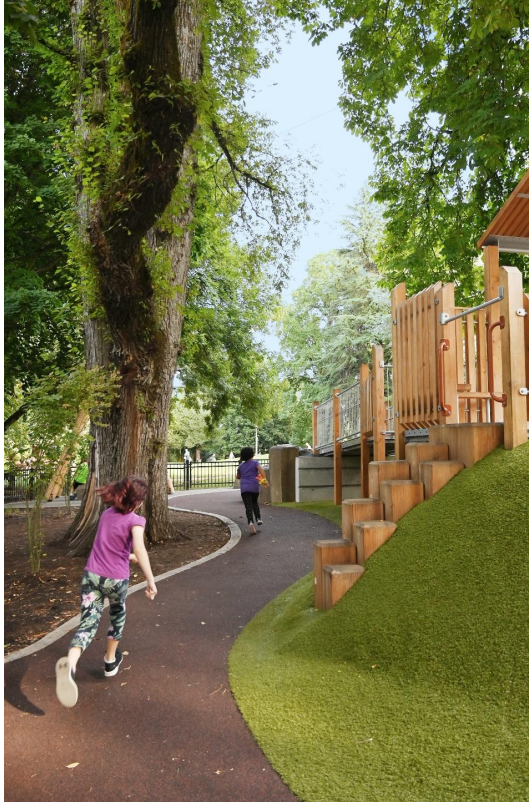


This play space meets the guidelines of the ADA









Couch Park



Accessible Play



Accessible Play



Beyond the ADA: Playgrounds



- All playgrounds to be inclusive moving forward

***def.* Inclusive playground:**

- The coolest thing on the playground is accessible by everyone



Accessible Play: Woodmere





Accessible Play: Woodmere





LEGEND

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



Beyond Federal Requirements: Playgrounds

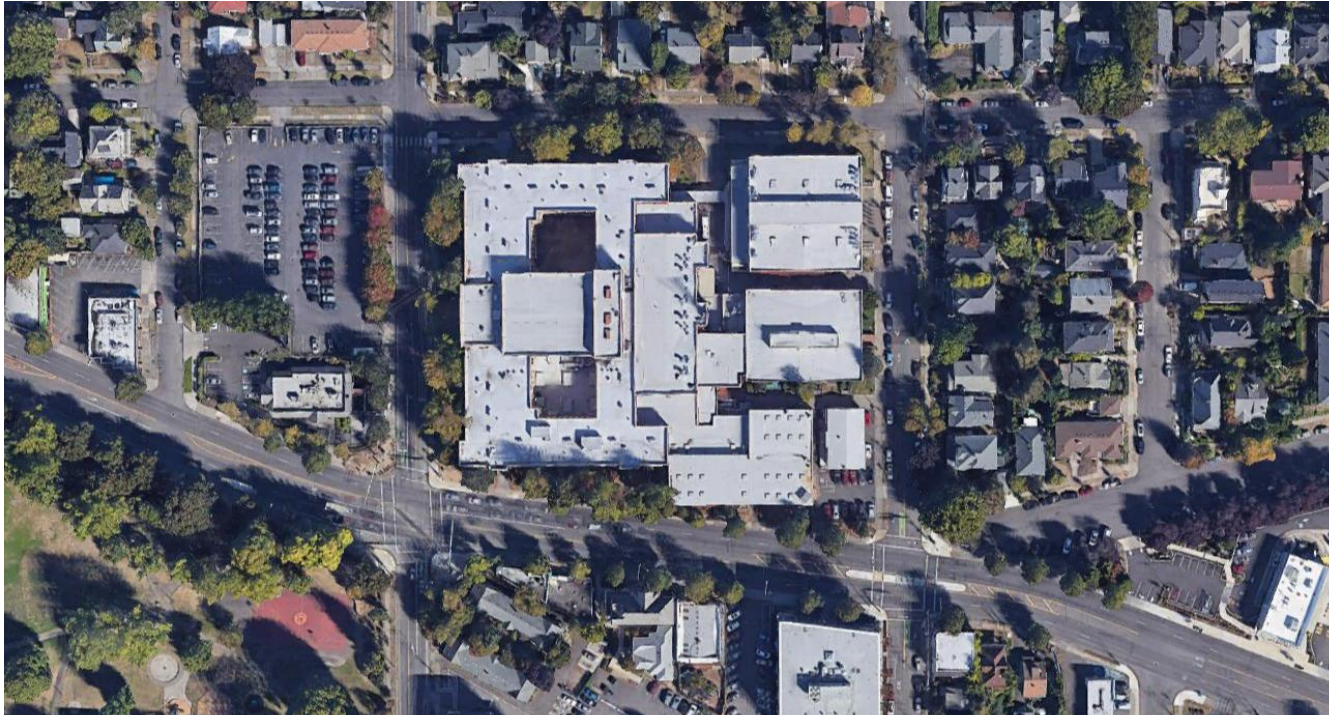


- Carry social meaning
- Ideal setting for social-learning
- Public statement about accessibility

**LEGAL
BUT NOT
ACCESSIBLE**

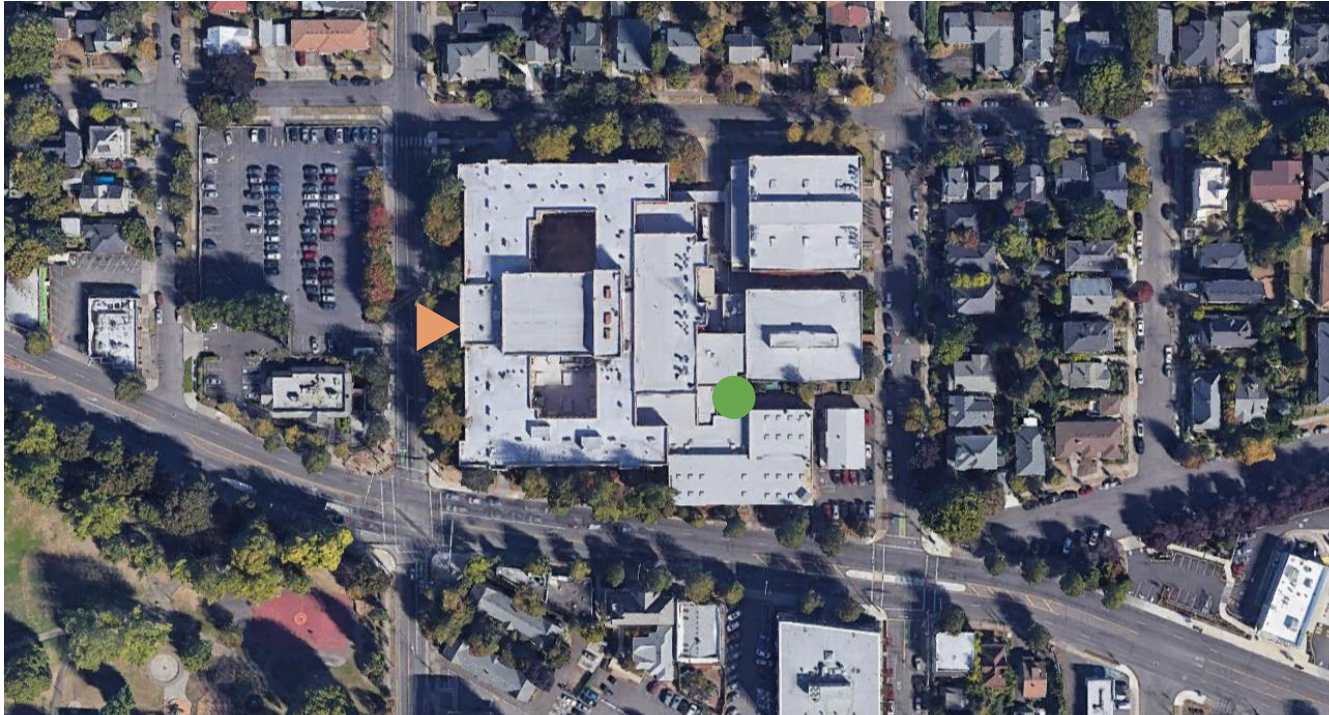


Legal but not accessible





Legal but not accessible



Legal but not accessible



TRANSITION PLAN



Transition Plan Phasing

2020 BOND



Phase I

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

Phase II

Main-level Accessibility: District-wide

Phase III

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

Phase IV

Multi-level access: District-wide



**FUTURE
BONDS**



Transition Plan Phasing

2020 BOND



Phase I

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

Phase II

2024 - 2026 Main-level Accessibility: District-wide

Phase III

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

Phase IV

2034 - 2041 Multi-level access: District-wide



**FUTURE
BONDS**



Transition Plan Timeline

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

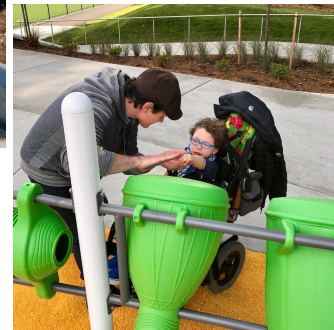
NEXT STEPS



Next Steps

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

APPENDIX



Mountain View Champions Park



Harper's Playground



ACCESSIBILITY MEANS **MORE** THAN ADA



Beyond Federal Requirements

- Playgrounds
- Restrooms
- Acoustics
- Access

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



Beyond Federal Requirements: Restrooms



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



Beyond Federal Requirements: Restrooms



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



Beyond Federal Requirements: Restrooms



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



Beyond Federal Requirements: Acoustics



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



Beyond Federal Requirements: Acoustics



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



Beyond Federal Requirements: Acoustics



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



Beyond Federal Requirements: Acoustics

Kellogg Middle School





Beyond Federal Requirements: Access



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



Beyond Federal Requirements: Access



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



Beyond Federal Requirements: Access



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



Beyond Federal Requirements: Access



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



Universal Design: Principles

Universal Design

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



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



Universal Design: Implementation

Universal Design is Good Design
Good Design is Universal Design





Project Update Athletic Facility Agreement with Portland Parks and Recreation

Facilities and Operations Committee Meeting
December 8, 2021





Athletic Facility Agreement

Purpose:

- Provides a framework for managing shared use of facilities to greatly enhance the programs and services available to PPS students and athletes and the Portland community at large.
 - The 2010 Agreement includes various old site-specific real estate agreements which will be bifurcated from the Athletic Facility Agreement.
 - Identifies the annual exchange of athletic facilities (i.e. golf courses, tennis courts, swimming pools, fields, and gyms).

Primary Benefit of the Athletic Facility Agreement to the District:

- Provides athletic facilities for District athletics which cannot be provided for within the District's real estate portfolio (i.e. golf courses, tennis courts, swimming pools, and fields), generally at no cost.
- Provides use of District facilities to our partner and ultimately the general public.



What changed?

2021-27 Agreement

- **PPS slightly reduced use of Parks facilities and the hours of use moved from 3pm - 6pm to 4pm - 7pm.**
- **PP&R was provided use of PPS gyms for both its Goldenball and Volleyball programs, including weekend use.**
- PP&R reduced the hours reserved on PPS fields by nearly two-thirds.
- Parties will pay for use not included in the Agreement, including custodial fees associated with weekend gym use.
- PPS and Parks athletic staff felt the use exchange was generally equitable.
- Real estate uses (i.e. City Parks and Community Gardens) will be bifurcated into separate agreements.
- The Agreement will cover a base term of three years. Facility needs will be reviewed after second year of a base term with the anticipation of additional three year renewals.



Next Steps

1. Draft Athletic Facility Agreement
2. Approval of the Athletic Facility Agreement (TBD Regular Board Meeting and City Council Meeting).
3. Internal communications about athletic uses.
4. Negotiate real estate agreements.



MEMO

Date: December 8, 2021

To: Facilities and Operations Committee

From: Dan Jung, Chief Operating Officer

Subject: West Sylvan Athletics Use

There have been numerous recent questions regarding athletic improvements at West Sylvan Middle School. This memo is intended to provide informational background on the topic.

In 2019 Staff began reviewing locations to host Lincoln High School athletic activities that would be displaced when the LHS **track and field** were removed for construction of the new LHS building, beginning in summer 2020. PPS Athletics, the LHS Modernization Project Team and LHS school staff worked closely together and considered dozens of potential relocation options, prioritizing student health and safety as part of a review that looked at such criteria as distance from LHS, program capacity, and schedule availability. A summary of the LHS athletics construction plan was provided to the Bond Subcommittee on Nov 7, 2019 (reference attached summary).

Due to its proximity to LHS, and relatively minor use by other athletic programs, West Sylvan was considered a potential option for relocation of practices by sports that used LHS' field such as football and soccer. However to be a viable option additional improvements would be required, namely **lights to extend hours of use and some minor fencing** to protect the adjacent playground. No additional improvements beyond lights and fencing were necessary to support the temporary activities.

Installation of new lights required approval from the City of Beaverton prior to any construction, and a conditional use application was submitted to the City of Beaverton in February 2020. The planned installation of lighting and fencing was scheduled to begin construction in June, 2020.

The funding for the lights and fencing were to be funded as part of the LHS Modernization Project budget.

Separate from the LHS Modernization Project, discussion was happening regarding LHS' lack of permanent facilities for some outdoor athletic programs including softball and baseball and West Sylvan (along with other sites including East Sylvan) was identified as a potential

permanent location for these athletic programs. In an effort to provide additional information regarding the validity of utilizing West Sylvan as a permanent home for LHS softball and baseball, the land use application submitted to the City of Beaverton included improvements (such as a synthetic turf field and softball and baseball field equipment) for potential future softball and baseball fields **not associated** with the LHS Modernization Project.

Funding for the additional improvements (including installation of a synthetic turf field) is not included in the LHS Modernization Project.

The conditional use application was approved on March 27, 2020, by City of Beaverton Planning Staff. This approval would have allowed the lighting and fencing needed to support temporary athletic improvements to move forward on schedule, but the land-use approval was appealed to the Beaverton City Council. The City Council ultimately approved the conditional use application on June 17, 2020. This delay in the approval meant the construction schedule could not be met. Additionally, the City Council added several conditions of approval that significantly limit the use of West Sylvan for high school athletics (including restricting the field lighting and weekend activities that would allow viable athletic scheduling). This effectively eliminated West Sylvan as an adequate temporary facility for LHS field athletics during construction. After the final decision was issued, staff turned their efforts to other locations for field sports such as Rieke Elementary's existing turf field.

Though not included in the LHS Modernization Project, staff continues to explore options for expanded athletic facilities for LHS student athletes. The LHS modernization project team has been asked to determine if LHS Modernization Project budget savings could be sufficient to support the softball and baseball improvements at West Sylvan (either in part or in whole). The project team will be reviewing these costs over the course of the remainder of the project and anticipate being able to make a determination on project funding near the end of construction of the LHS primary school building (approximately Summer 2022), though this date could change depending on construction progress. In the event LHS Modernization Project budget savings are sufficient to cover a portion or all of the intended improvements at West Sylvan, the LHS Project Steering Committee will convene to review potential uses of the budget savings and make a recommendation to the Board. If the recommendation is to utilize LHS Modernization Project budget savings for West Sylvan improvements, the Board will make the final decision on allocation of funds.