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
Thursday, October 10, 2024 5:15 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

Thursday, October 10, 2024
5:15 PM

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

Meeting Details: Thursday, October 10, 2024, 5:15 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 (5:15 p.m.)*

II. ACKNOWLEDGEMENT OF INDIGENOUS PEOPLES DAY

Corvallis School District 509J

Resolution Number 20-1002

ACKNOWLEDGEMENT OF INDIGENOUS PEOPLES' DAY

WHEREAS, Christopher Columbus, a man who is inaccurately described as having "discovered" the Americas, came upon land that was already inhabited by Indigenous Peoples; and

WHEREAS, Columbus' voyage to the Americas led to the introduction of transatlantic slavery, land dispossession, and genocidal acts against Indigenous Peoples; and

WHEREAS, The City of Corvallis and current day Benton County are on lands fully inhabited by the Kalapuya people before removal for settlers; and

WHEREAS, education is a necessary component for creating a more equitable and anti-racist community, nation, and world; and

WHEREAS, The Corvallis School District has made a commitment to equity and anti-racism; and

WHEREAS, The Corvallis School District has an opportunity to uniquely reach and educate children as touchstone in the community; and

WHEREAS, The Corvallis School District has a responsibility to honor and respect the diverse histories of our community; and

WHEREAS, The Corvallis School District recognizes and acknowledges the significant contributions made in our community by Indigenous People and commits to ensure greater understanding of these contributions by all students through Oregon SB-13 curriculum; and

WHEREAS, The idea of Indigenous Peoples' Day was first proposed in 1977 by a delegation of Native Nations to the United Nations; and

WHEREAS, The State of Oregon does not formally recognize Columbus Day; and

WHEREAS, The City of Corvallis has proclaimed the second day of October as Indigenous Peoples' Day in Corvallis since 2015; and

WHEREAS, The State of Oregon has proclaimed the second day of October as Indigenous Peoples' Day in Oregon since 2017;

WHEREAS, This day should be recognized for the Indigenous peoples of the Americas.

Therefore, let it be resolved by the Board of Education of the Corvallis School District:

do hereby proclaim **Monday, October 12, 2020** as well as the second Monday of October annually, as **Indigenous Peoples' Day** in the District and strongly encourage families, staff, and community members to join in existing local Indigenous Peoples' Day celebrations;

and encourage all schools in the district to help highlight this day in grade appropriate ways as well as highlight the contributions of Indigenous peoples to the local community, nation, and beyond both historically and in current times.

Adopted this day October 8, 2020

Signed:

8 Oct, 2020

Sami Al-Abdrabbuh
Board Chair

Attested:

Ryan Noss
Superintendent

Corvallis
SCHOOL DISTRICT

III. BOARD MEMBER REPORTS

IV. OREGON SCHOOL BOARDS ASSOCIATION (OSBA) AND NATIONAL SCHOOL BOARDS ASSOCIATION (NSBA) UPDATES

Corvallis SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Sami Al-Abdrabbuh, Board Position #1.

Meeting Date: October 10th, 2024

Oregon School Board Association and National School Board Association Updates

NO ACTION REQUIRED

Background

This report provides recent updates from the Oregon School Board Association and the National School Board Association. These reports will summarize highlights from both associations about professional development, advocacy, and leadership opportunities in public education and school boardsmanship across the state and nation.

Involvement

Director Sami Al-Abdrabbuh, Corvallis School Board Member, OSBA President, and NSBA Director representing the Pacific Region.
OSBA and NSBA staff.

OSBA Updates

Resolution to ensure OSBA continue to support its members

Dear Corvallis school board members, your support is crucial in ensuring that OSBA can continue to be a strong advocate for education and support our members into the future, and stable revenue is key to its ability to do that.

OSBA Board passed a resolution to ask members to approve a new dues schedule that will ensure the longevity and sustainability of the crucial services and benefits its members receive. Here is a link to the resolution and proposed dues schedule that OSBA Board is asking its members to approve. The resolution lays the case and provides the rationale to the need to vote for the resolution. You will find following this update the latest OSBA Impact Report, the PACE Annual Report, and a one-pager document emphasizing the value and return over investment that OSBA provides to its members.

ODE Releases It's Agency Budget

ODE recently released its agency budget that helps inform the Governor's recommended budget that is expected to be released in December. It is encouraging to see close alignment with OSBA's funding priorities. Some high level highlights include:

- State School Fund- $11.6B
- Lifting the SPED Cap- $295.5M
- Early Literacy- $286.895M
- School District Grants: $106M
- Community and Tribal Grants: $52.195M
- Professional Learning Grants: $11.2M
- Researched Aligned Curriculum: $7.3M
- OSCIM Program-$168M

OSBA is hiring - Director of Government Relations and Communications Position

OSBA is hiring for a new position focused on Government Relations and Communications. The new Director of Government Relations and Communications position is posted. share with your networks and encourage anyone who might be a good fit to apply.

Mark your calendar and register for OSBA

OSBA Annual Convention Registration is open. Please an email about attending the meeting. I will have the honor of presiding at this convention as OSBA's President and having Dr. Ryan Noss recognized as Oregon's 2024 Superintendent of the Year. Please consider joining for the pre-conference as well.

Legislative update from OSBA's Legislative Services team to OSBA Legislative Policy Committee and OSBA members:

We are in the midst of September Legislative Days, where the Legislature convenes to hear interim updates. It's also reporting season for the Legislature. This past year, we have shared some of the workgroups your OSBA legislative team participates in to steer and shape policy ideas before they come to the legislature.

Many task forces and workgroups have September 15th deadlines for their legislative reports, but not all of them. I do have a few I wanted to share with you today in case they are of interest to you and will be sharing more as they are released. Please let us know if you have questions.

Summer Learning – HB 4082 Workgroup

Summer learning is a top OSBA priority. While this workgroup was by application only, we did have a few board members attend the workgroup, and I joined a few at the Summer Learning Summit in August. There, we provided feedback that shaped this interim report. Another one will be released, with greater detail, at the end of the year. This is a top priority OSBA, Governor Kotek, and we have heard support from legislators in committee and in meetings. Let's hope we finally make this program predictable and sustainable in 2025.

Link:
https://www.oregon.gov/ode/schools-and-districts/grants/Documents/Summer%20Learning/2024%20Summer%20Learning%20Grants/Interim%20Report%20on%20HB%204082%20(2024)%209.15.24.pdf

Substitute Teachers Taskforce

In SB 283, an educator workforce bill, it directed the creation of a task force to examine substitute teacher issues in Oregon. It was a long, arduous process. We are grateful for Lori's participation in the workgroup. There were many disagreements and at times, the meetings devolved with the behavior of some advocates for substitute teachers. Even still, Senator Dembrow powered through and there was some consensus on shared

values. We will have to see if any recommendations gain steam. The report is in pieces, with various recommendations; you will find those documents linked in the slides below.

Link:
https://olis.oregonlegislature.gov/liz/2023I1/Downloads/CommitteeMeetingDocument/285675

Educator Salaries Task Force

We engaged with members during our 2023 roadshow to get input for this workgroup. It is comprised of advocates and other school personnel. Lori was officially appointed to the task force and was a strong advocate for us. It was co-chaired by the House and Senate education committee chairs. Jake has an article on this that ran in ORed news this morning. Overall, this task force didn't get far and legislators want more time to examine the issue---because over a dozen 3 hour meeting over a year was not enough! They do have some interim recommendations for 2025, with the support of Rep Neron.

Link:https://olis.oregonlegislature.gov/liz/2023I1/Downloads/CommitteeMeetingDocument/285365

OSBA shares on social media the announcement of Superintendent Dr. Ryan Noss as 2024-25 Oregon Superintendent of the year

[Corvallis Superintendent Ryan Noss was announced as the 2024-25 Oregon Superintendent of the Year at the district's Thursday night board meeting. "Ryan is a savvy and steady leader whose instructional lens consistently guides his decision-making," said Krista Parent, Coalition of Oregon School Administrators executive director, in a news release Friday.



OSBA Board President Dr. Sami Al-Abdrabbuh a Corvallis School Board member, was thrilled to see Noss honored for his commitment to student achievement and community engagement.

"Dr. Noss is a role model of service leadership and consideration for what's best for Corvallis' children," said Al-Abdrabbuh. "I hope this recognition puts a spotlight on the important work by him and his team."

OSBA will honor Noss for his exceptional leadership and commitment to excellence during the OSBA Annual Convention in Portland on Nov. 7-9.

The COSA news release: https://bit.ly/3XxhmHd

OSBA Annual Convention: https://bit.ly/4erHutY

Presenting at COSA 2024 Oregon Equity Summit

Sami Al-Abdrabbuh, OSBA Board president, and Sonja McKenzie, OSBA Board past president, led a presentation titled “All in for Students” on September 26th at the COSA 2024 Oregon Equity Summit. They shared OSBA’s latest efforts in advancing equity, from shaping policy in the Capitol to driving impactful change in the classroom and boardroom.



we're here for you

OREGON SCHOOL BOARDS ASSOCIATION

RESOLUTION | OSBA MEMBER DUES

OSBA HAS NOT RAISED ITS DUES FOR MEMBERSHIP SINCE 1998. In that quarter-century, school districts have become vastly more complicated, offering far more services and facing significantly more regulatory control. School districts have come to rely heavily on the Oregon School Boards Association for a wide range of expertise.

OSBA is dedicated to improving student success and education equity through advocacy, leadership and service to Oregon public school boards. To best support school board members, OSBA also provides phone, email and in-person advice to all the people around them, especially superintendents, administrators and board secretaries.

Here are some of the services included with YOUR OSBA MEMBERSHIP.

These services are provided by **education experts** with **collectively hundreds of years** of **specialized experience.**

POLICY SERVICES

OSBA staff, with expertise unparalleled in the state, help members prepare, implement and update their policies.

- OSBA provides 25 free model samples a year to members. Those model samples would likely cost thousands of dollars each from a legal firm.
- OSBA also maintains a library of 577 model sample policies and administrative regulations for districts, as well as manuals for education service districts, charter schools and community colleges. It is the only such library in the state.
- Policy Services provides two to four free webinars a year on current policy-related education issues as well as training for board secretaries.

LEGISLATIVE SERVICES

OSBA's lobbyists are school boards' representatives in the halls of power and behind-the-scenes discussions, serving on tasks forces and workgroups and meeting directly with policymakers. Many of OSBA's successes are never seen because the greatest victories often lie in heading off problematic bills.

- In addition to advocacy for an adequate State School Fund, OSBA's lobbyists work on dozens of bills that provide additional funding and grants as well as oppose bills that would raise schools' costs without additional funding.
- OSBA was a primary mover in the effort to pass the 2019 Student Success Act, a historic $1 billion-a-year investment in education. OSBA lobbyists remain constantly on guard to block legislative efforts to dip into that pot of money for other uses.
- In 2023, OSBA tracked more than 500 bills that dealt with issues such as staff health and benefits, transportation, facilities, and curriculum.
- OSBA lobbyists travel around the state to meet with members where they live and hear their concerns.

BOARD DEVELOPMENT

Helping school board members excel is at the heart of OSBA's mission, and that includes answering the questions of superintendents and administrative professionals so they can better support their boards.

- Board Development provides phone, email and in-person support for school board members all over the state, answering questions on issues such as school board-superintendent relationships, school board roles and responsibilities, and public comment. When a board is facing a unique situation, OSBA has experts that members can call on.
- OSBA holds a deep resource of free materials, including a superintendent evaluation handbook, board operating agreements, a board chair handbook, a boardsmanship handbook, a budget committee handbook and parliamentary procedures guidance.
- The team produces about one free webinar a month. These webinars often provide Leadership Institute credit to board members.
- Board Development coordinates and provides the coursework for the Leadership Institute, a public recognition of board members' dedication and investment in improving their skills.
- OSBA is unique in its ability to offer guidance and services to authorizers on charter school applications, renewals, evaluations and terminations.

LEGAL SERVICES

OSBA offers members the equivalent of a medium-sized law firm that specializes in education issues. OSBA's legal advice has prevented untold costs in litigation and lawsuits.

- With private Oregon lawyers billing on average more than $300 an hour, a single free call to OSBA's lawyers is worth more than some districts' annual dues.
- In 2023, OSBA lawyers responded to more than 5,400 legal inquiries and handled 63 litigated matters in Oregon courts and administrative agencies.

"OSBA has provided me with so much support and encouragement … I cannot imagine doing my job without their services. From conferences and webinars to the ability to receive prompt phone and email responses to policy support, OSBA has been invaluable to my growth and understanding of the unique position of board secretary."

VONNIE MCCLELLAN
Siuslaw School District executive assistant to the superintendent and board

COMMUNICATION SERVICES

Through the five-days-a-week OREdNews, Legislative Highlights during sessions and social media around the clock, OSBA keeps you informed on local, state and national issues while also telling your stories of success, innovation and perseverance to the state.

- OSBA provides crisis communications support for everything from legal issues to a tragedy on campus. In 2023, OSBA provided support to more than 50 members.
- OSBA supports the celebration of school board members during School Board Awareness Month, creating and sharing the popular superhero motif, and launched the Oregon School Board Member of the Year, now in its seventh year.

PACE

Property and Casualty Coverage for Education, administered by OSBA, provides stable and comprehensive insurance to more than 300 public education organizations.

- Risk consultants have more than 700 interactions a year with members.
- PACE legal services save members nearly $3 million annually when they use our services.
- In 2023, PACE facilitated approximately 717,000 online trainings to increase school safety, security and preparation.
- PACE conducts facility inspections, playground safety reviews, hazard checklists and safety recommendations and shares tools to help members manage risk, such as criminal background checks and property valuations.

IN ADDITION TO ITS FREE SERVICES, OSBA OFFERS AN ARRAY OF LOW-COST FEE-BASED SERVICES, including superintendent searches, policy updates and additional board training. Because of the pooled nature of membership, OSBA can offer its services at lower prices than might be found in the private sector with the added benefit of help from experts who only work in the education sector.

DISTRICT	24-25 DUES	25-26 DUES	26-27 DUES	27-28 DUES	28-29 DUES	29-30 DUES	30-31 DUES***
District Member 01 (under 100)*	$250.25	$500.25	$750.25	$1,000.25	$1,250.25	$1,500.00	$1,560.00
District Member 02 (100-249)*	$541.25	$791.25	$1,041.25	$1,291.25	$1,541.25	$1,772.44	$1,843.34
District Member 03 (250-499)*	$778.00	$1,028.00	$1,278.00	$1,528.00	$1,757.20	$2,020.78	$2,101.61
District Member 04 (500-999)	$1,420.50	$1,633.58	$1,878.61	$2,160.40	$2,484.46	$2,857.13	$2,971.42
District Member 05 (1000-1999)	$2,503.00	$2,878.45	$3,310.22	$3,806.75	$4,377.76	$5,034.43	$5,235.80
District Member 06 (2000-2499)	$3,450.00	$3,967.50	$4,562.63	$5,247.02	$6,034.07	$6,939.18	$7,216.75
District Member 07 (2500-3999)	$5,952.75	$6,845.66	$7,872.51	$9,053.39	$10,411.40	$11,973.11	$12,452.03
District Member 08 (4000-4999)	$7,035.00	$8,090.25	$9,303.79	$10,699.36	$12,304.26	$14,149.90	$14,715.89
District Member 09 (5000-9999)	$8,658.25	$9,956.99	$11,450.54	$13,168.12	$15,143.33	$17,414.83	$18,111.43
District Member 10 (10000-25000)	$10,823.00	$12,446.45	$14,313.42	$16,460.43	$18,929.49	$21,768.92	$22,639.68
District Member 11 (over 25000)***	$18,940.00	$21,781.00	$25,000.00	$25,000.00	$25,000.00	$25,000.00	$26,000.00
ESD Membership Dues 01 (under 1000)*	$473.75	$723.75	$973.75	$1,273.75	$1,473.75	$1,694.81	$1,762.61
ESD Membership Dues 02 (1000-2500)*	$710.50	$960.50	$1,2710.50	$1,460.50	$1,679.58	$1,931.51	$2,008.77
ESD Membership Dues 03 (2500-5000)*	$947.00	$1,197.00	$1,447.00	$1,664.05	$1,913.66	$2,200.71	$2,288.73
ESD Membership Dues 04 (5000-7500)*	$1,082.50	$1,332.50	$1,582.50	$1,819.88	$2,092.86	$2,406.78	$2,503.06
ESD Membership Dues 05 (7500-10000)	$1,556.00	$1,789.40	$2,057.81	$2,366.48	$2,721.45	$3,129.67	$3,254.86
ESD Membership Dues 06 (10000-15000)	$2,029.50	$2,333.93	$2,684.01	$3,086.62	$3,549.61	$4,082.05	$4,245.33
ESD Membership Dues 07 (15000-25000)	$2,367.75	$2,722.91	$3,131.35	$3,601.05	$4,141.21	$4,762.39	$4,952.89
ESD Membership Dues 08 (25000-50000)	$3,111.75	$3,578.51	$4,115.29	$4,732.58	$5,442.47	$6,258.84	$6,509.19
ESD Membership Dues 09 (above 50000)	$4,667.50	$5,367.63	$6,172.77	$7,098.68	$8,163.49	$9,388.01	$9,763.53
State Board of Education	$67.75	$77.91	$89.60	$103.04	$118.50	$136.27	$141.72
Community College Association****	$4,601.00	$8,851.00	$13,101.00	$17,351.00	$21,601.00	$25,500.00	$26,520.00

Add $250 annually until floor is reached, then increase 15% through year 5 | **Reflects an estimated CPI increase of 4% * $25,000 cap prior to CPI*
*****Reflects an increase of $250 per year, per community college (17) annually until the community colleges reach the $1,500 floor amount per college. ($25,500)*

Rev. 09/25/2024

we're here for you

OREGON SCHOOL BOARDS ASSOCIATION

2023 OSBA IMPACT REPORT

"We're here for you" is more than a slogan – it is at the center of what OSBA is. We are proud to share with you our team's work in meeting Board goals as we reflect on what we accomplished together in 2023.

"OSBA has provided me with so much support and encouragement … I cannot imagine doing my job without their services. From conferences and webinars to the ability to receive prompt phone and email responses to policy support, OSBA has been invaluable to my growth and understanding of the unique position of board secretary."

VONNIE MCCLELLAN
Siuslaw School District executive assistant to the superintendent and board

"The OSBA communications team is an outstanding resource for Oregon's school districts. We appreciate their help when we need to communicate to the public in a positive, consistent and credible manner."

KEVIN STRONG
Sweet Home School District business manager

MEMBER SERVICES ANNUALLY

BOARD DEVELOPMENT provides invaluable professional development and facilitation to boards in their roles and responsibilities, board self-evaluation, executive searches, strategic prioritization, charter authorizer services, and so much more. If a board needs it, we provide it. Conducted **6 executive searches** • tackled **23 projects** for charter authorizers • provided **216 trainings** and facilitations.

COMMUNICATIONS keeps members constantly informed and engaged through emails, news articles, our daily OREdNews email and social media posts. We also encourage board members to run for office and celebrate their service through the Oregon School Board Member of the Year Award. Wrote **more than 150 news articles** • created hundreds of social media engagements and recorded **more than 10,000 impressions** • provided crisis communications advice to more than **50 members**.

LEGAL delivers comprehensive legal advice, trainings, and litigation services to **over 300 PACE members**, including school districts, education service districts, charter schools, and community colleges. Our school law attorneys help our members navigate the complex and ever-changing legal landscape of public education by providing proactive and preventative legal assistance in areas of the law ranging from employment, public records, public meetings, and student discipline to civil rights, the Americans with Disabilities Act, and contracts. The Legal Department conducted **5 webinars** • **39 presentations** at **24 trainings/conferences statewide** • responded to **5,479 legal calls** and emails from members • **handled 63 litigated matters** in state and federal courts, and administrative agencies.

LEGISLATIVE advocates for and influences legislation and policymaking to strengthen public education in Oregon. Among our highest priorities is adequate education funding. In 2023, we secured a record $10.2 billion State School Fund, protected the Student Success Act, and defended state investments in grant programs that positively impact schools. The legislative team **tracked over 500 bills related to education** and the administration of schools, adapting to a session dominated by new leadership and partisan gridlock that led to a nearly month-long walkout. The legislative team continued advocating for OSBA priorities in over a dozen legislative task forces, committees, and workgroups throughout the year, protecting local decision-making and refining policies in areas like substitute teacher shortages, cybersecurity, and educator salaries. We concluded the year with our fall OSBA Legislative Roadshow, meeting with hundreds of school board members to provide updates on the 2023 session and the work ahead.

MEMBER SERVICES ANNUALLY continued

OPERATIONS AND FINANCE **oversees** association finances. **Provides** organizational IT support and website administration**. Coordinates association events:** Summer Board Conference (326 attendees) • Annual Convention (574 attendees) • Bonds, Ballots and Buildings Conference (Coming Feb. 16, 2024)

PACE ADMINISTRATION oversees a risk-sharing non-profit pool in which members collectively self-insure their exposures for general liability and property. PACE offers unequaled price and coverage options to its members. Unlike an insurance company whose profits are distributed to shareholders, PACE's main objectives are keeping students and staff safe and saving members money. Provides insurance services to **313 members** • risk consultants have over **2,660 interactions** per year • members save nearly $3 million annually in legal costs when they use PACE legal services. PACE insures over **$25 billion** in member property • facilitated **717,000 online trainings**.

POLICY provides constant policy support to many of our OSBA members. On any given day, we are updating online policies based on board decisions, researching the impact of recent legislation, meeting with members on policy manual rewrites and answering all sorts of policy-related questions. We also work closely with board secretaries. At any given time, staff members are working on **15 to 20 policy rewrites** • providing subscription policy services to more than **200 members** annually • maintaining about **180 policy manuals** online.

2023 MILESTONES



MAY

After intensive lobbying by OSBA and others, legislative leaders announce plans to increase the State School Fund by $300 million to $10.2 billion.

2023 SUMMER BOARD CONFERENCE
LEVEL UP YOUR LEADERSHIP FOR STUDENT SUCCESS

AUG.

OSBA Summer Board Conference in Salem.



SEPT.

OSBA staff initiate the first of 20 stops around the state as part of Legislative Roadshow.



NOV.

OSBA Annual Convention in Portland.

Emielle Nischik named OSBA's acting executive director.



DEC.

OSBA members approve a resolution for a new Oregon Rural School Board Members Caucus.

Co-sponsored Oregon School Law Conference.

LOOKING AHEAD IN 2024

COMMUNICATIONS
With continuing tensions expected around labor negotiations, our team stands ready to provide messaging to your communities from a board perspective. Our Bonds, Ballots and Buildings Conference is Feb. 16 in Salem.

LEGISLATIVE
The short legislative session in February will present opportunities (and challenges) around fine-tuning education bills. We are also closely monitoring plans announced by Gov. Tina Kotek to reconsider how the state should provide adequate school funding.

PACE
Our Annual PACE Day is coming up April 11 at Sunriver Resort.

POLICY
Our next policy update will address new laws taking effect in 2024, including SB 992 (alternative certificate), HB 2281 (civil rights coordinators), HB 2656 (surveys), HB 2805 (public meeting law training for board members) and HB 3584 (safety threat actions).

OREGON SCHOOL BOARDS ASSOCIATION

STAY CONNECTED!

Rev. 02/02/2024





PACE

2024 ANNUAL REPORT





Dear PACE Members,

As we conclude another successful year, I am pleased to present to you the annual report of our association's activities, financial status and achievements, with a special focus on our public insurance pooling initiatives.

Reflecting on Our Achievements

This year has been marked by significant progress and notable milestones. We continue to strengthen our pool and provide exceptional support and services to our members. Some of the highlights include:

- Enhanced Member Services: We introduced new resources and tools designed to help members navigate the complexities of public insurance pooling, including webinars, mitigation resources, and personalized consultation services.
- Financial Performance: Our association remains in strong financial health. Through prudent management and strategic investments, we have ensured the sustainability of our programs and initiatives. The detailed financial statements included in this report provide a comprehensive overview of our fiscal performance.
- Expanded Sex Abuse Prevention: Beyond investing in a full-time employee, McKenzie Nix, for sex abuse prevention, we offer a dedicated website page for prevention of sex abuse that is packed with resources for members to explore.

Public Insurance Pooling: Progress and Impact

Public insurance pooling continues to be a cornerstone of our efforts to provide stable and comprehensive insurance solutions to our members. Our Trust Board has four priorities:

1. sex abuse prevention through education
2. offer cyber coverage and education
3. maintain competent staff
4. fiscal solvency and management

Looking Ahead

As we move forward, our commitment to serving our members and enhancing our public insurance pooling program remains steadfast. We will continue to offer direct educational opportunities that help mitigate losses for members and the PACE Trust, strengthen relationships with PACE members and statewide associations that foster educational opportunities, and be fiscally responsible to ensure the Trust's longevity.

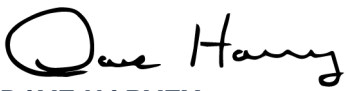
Your Continued Support

The PACE Trust's achievements this year would not have been possible without your active participation and support. We are deeply grateful for your commitment to the Trust and your use of our initiatives. Together, we have built a robust and resilient community that stands ready to face any challenges ahead.

We encourage you to review the detailed annual report enclosed with this letter, which provides a comprehensive overview of our activities, financial performance, and strategic initiatives. Should you have any questions or require further information, please do not hesitate to reach out to us.

Thank you once again for your continued support and engagement. We look forward to another year of progress and success.

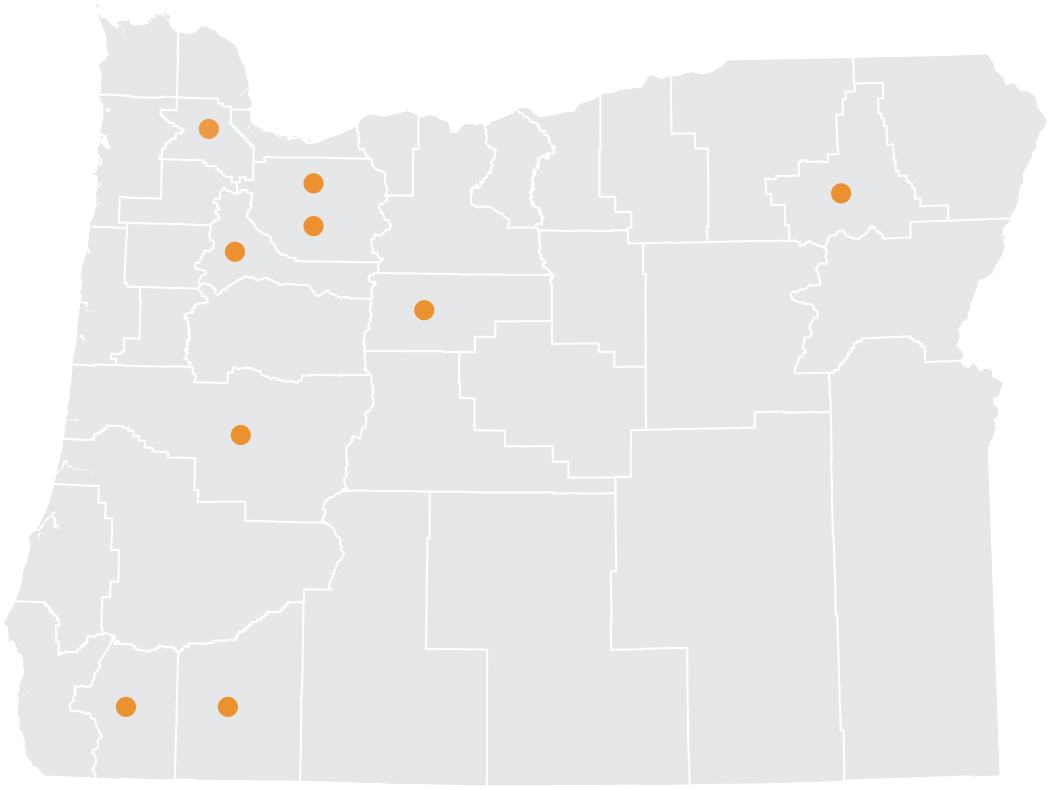
Warm regards,



DAVE HARVEY
Director of PACE Administration
dharvey@osba.org | 503-400-3046

BOARD OF TRUSTEES

The PACE Board is composed of nine trustees elected by a majority vote of the Board of Directors of OSBA. They govern the Trust and typically meet five times per year. Board members must either be employed by or serve on the board of an OSBA member district, ESD or community college. Their unpaid terms are for three years, with a maximum of three terms.



TIM BELANGER
(TERM 3, BOARD CHAIR)
Business Services Director,
Oregon Trail SD
July 1, 2024 – June 30, 2027

BRAD HENRY
(TERM 2)
Chief Financial Officer,
Jefferson County SD
July 1, 2024 – June 30, 2027

GEORGE MENDOZA
(TERM 1)
Superintendent,
La Grande SD
July 1, 2024 – June 30, 2027

DAWN MOOREFIELD
(TERM 2, VICE CHAIR)
Interim Superintendent,
Jefferson SD
July 1, 2022 – June 30, 2025

SEAN TAGGART
(TERM 1)
Director of Risk Management,
Rogue Community College
July 1, 2023 – June 30, 2026

OLIVIA MEYERS BUCH
(TERM 1)
Executive Dir. of Business Services,
Lane ESD
July 1, 2023 – June 30, 2026

DAVID KRUSE
(TERM 2)
Risk Manager,
North Clackamas SD
July 1, 2023 – June 30, 2026

JORDAN ELY
(TERM 1)
Chief Financial Officer,
Northwestern Regional ESD
July 1, 2023 – June 30, 2026

DAWN WATSON
OSBA Board of Directors PACE Rep.,
Phoenix-Talent SD
Trustee

STAFF CONTACT INFORMATION

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PACE Senior Administrative Assistant
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Director of Communications
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apulaski@osba.org

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claims@sdao.com

JENS JENSEN
Director of Property/Casualty Claims
971-223-6274
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THERESE HOLMSTROM
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TRAINING

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UNDERWRITING

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RISK MANAGEMENT

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MIKE JACOBS
Senior Risk Management Consultant
mjacobs@sdao.com

KEVIN JONES
Risk Management Consultant
kjones@sdao.com

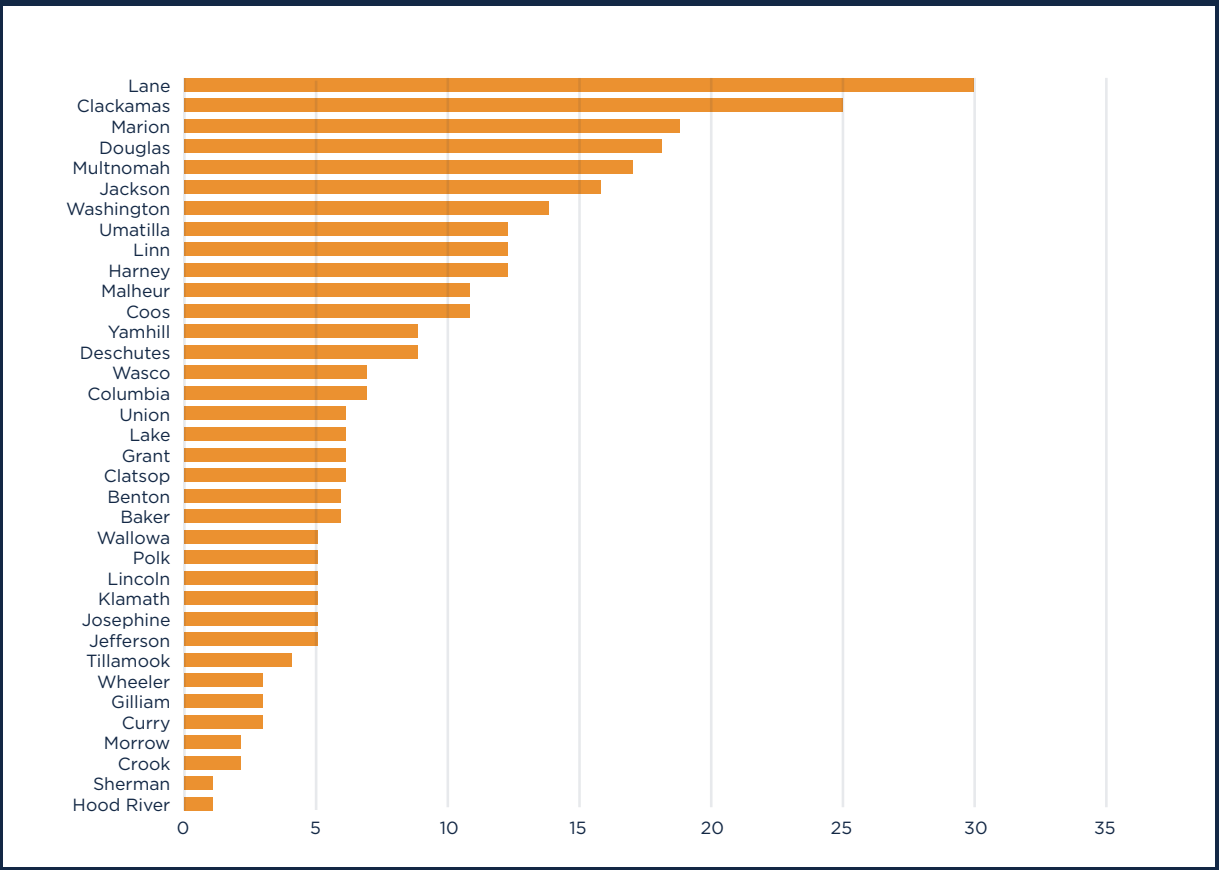
MCKENZIE NIX
Sexual Abuse
Prevention Consultant
mnix@sdao.com

MEGAN HOWK
Risk Management Consultant
– Community College
mhowk@sdao.com

GET TO KNOW PACE

The **Oregon School Boards Association** (OSBA) and the **Special Districts Association of Oregon** (SDAO) formed PACE in 2006 and are working together to keep Oregon students safe, reduce risks and conserve member resources. No one can match the expertise and decades of experience that OSBA and SDAO bring to property-casualty coverage for local public entities. OSBA formed the first property-casualty pool coverage for education in Oregon in 1985. SDAO has provided coverage for local governments since the mid-1980s and now provides coverage for more than 850 entities, adding schools in 2003. By merging programs, OSBA and SDAO formed the largest property and liability risk pool of school entities in the state, with more than 300 education organizations.

PACE'S 299 MEMBERS BY COUNTY



HIGHLIGHTS
THIS PAST YEAR



316	212	47	30	30
MESSAGES	ATTENDEES	COMMUNITY BOARD POSTS	SESSIONS	SPEAKERS

FACILITATED 810,246
ONLINE TRAININGS



"PACE has been a consistent and reliable legal support to our college. They are responsive and provide applicable feedback when we are seeking legal guidance. We have worked with a variety of PACE employees and every person we work with is attentive to our needs and puts the well-being of our college and employees at the forefront of their guidance. The services we receive are comprehensive and we are tremendously grateful for our partnership."

Laura Boehme, chief information/human resources officer,
Central Oregon Community College

KEEPING MEMBERS UP TO DATE ON SAFETY ISSUES

SEX ABUSE PREVENTION:

Through our biweekly member email, social media and events, we are promoting the important work of McKenzie Nix, PACE's sexual abuse prevention consultant. She continues to provide vital trainings to PACE members along with writing a bi-weekly article for PACE News.

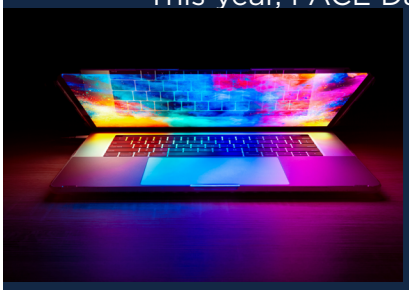
PACE continues to create and update SAP resources through Nix's work. PACE provides free mandatory reporting posters, SAP prevention posters, and SAP staff/student resource cards to our members. We also released our first PSA with a focus on sexual abuse prevention.



CYBER COVERAGE AND EDUCATION FOR MEMBERS:

The PACE Trust is highly aware of the current and future importance of cyber security, and the challenges school districts, ESDs, community colleges and charter schools face in maintaining secure systems.

This year, PACE Day's keynote speaker, FBI Agent Alayna Colburn, provided an overview of the FBI's capabilities before, during, and after a cyberattack. We will continue to partner with different cyber organizations to give resources and education to our members about this important topic.



Once again, we will have member cyber requirements to maintain coverage for the next year of coverage. This not only keeps our PACE members safer on a day-to-day operational basis, but also makes us much more likely to continue to find cyber reinsurers in the future as they know they can trust us to make forward-thinking policies. Measures don't just protect that individual entity, but also the pool as a whole. The stronger the individuals are, the stronger the pool is.

MITIGATIONMINUTE

MITIGATION MINUTE:

Through a series of online videos promoted through our PACE News and social media channels, we are keeping members educated on important topics ranging from playground safety to facilities to athletics.

PACE KEY SERVICES OFFERED

CRISIS COMMUNICATION SERVICES

CONTACT Alex Pulaski • apulaski@osba.org

When a crisis arises, one of the biggest challenges is often dealing with the media. With PACE, you won't face that alone. PACE crisis communication experts will help districts, ESDs and community colleges strategize a media response.

EXPERT CLAIMS MANAGEMENT

CONTACT Jens Jensen • claims@sdao.com

The PACE claims staff understand member needs and focus on finding appropriate coverage for PACE members, rather than looking for ways to avoid paying claims. The claims management office is in Oregon, allowing consultants to be anywhere in the state on short notice.

CLAIMS MANAGEMENT HIGHLIGHTS

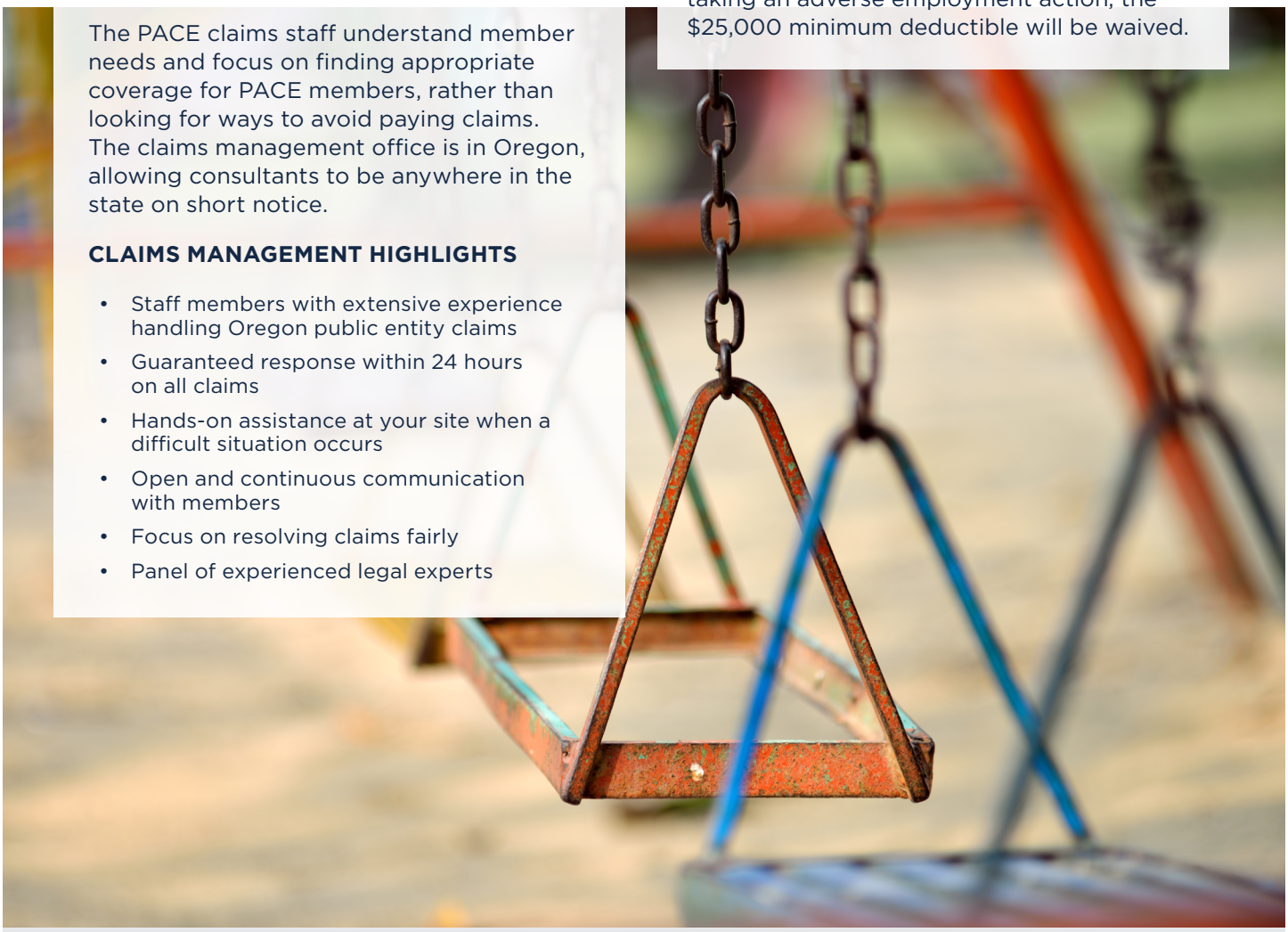
- Staff members with extensive experience handling Oregon public entity claims
- Guaranteed response within 24 hours on all claims
- Hands-on assistance at your site when a difficult situation occurs
- Open and continuous communication with members
- Focus on resolving claims fairly
- Panel of experienced legal experts

PACE LEGAL SERVICES

CONTACT pacelegal@osba.org

PACE's expert attorneys have experience in school issues and are ready to advise members on how to reduce their liability when faced with high-risk situations such as employee discipline or termination, investigations or injuries on member property.

Legal services sharply reduce the time members spend in legal disputes. If a member contacts legal services prior to taking an adverse employment action, the $25,000 minimum deductible will be waived.



PACE KEY SERVICES OFFERED

ONSITE EDUCATION AND TRAINING

CONTACT pacetraining@osba.org

PACE offers training and consultation services designed to make its members safer than ever. Training sessions are available regionally and onsite—most at no charge to members.

PACE consultants rely on national experts and actual claims experience to regularly update programs.

Members are encouraged to suggest training topics. Depending on the level of interest, PACE will develop a workshop to be held at your location or in your area.

FOR A FULL LIST OF TRAININGS, visit:
pace.osba.org/member-services/member-trainings

TRAINING TOPICS

- Sexual Abuse Prevention
- Employee discipline
- Employee leave laws
- Americans with Disabilities Act (ADA)
- Conducting internal investigations
- Title IX (K-12 and colleges)
- Bullying
- Student supervision
- Playground supervision
- Wildfire mitigation
- Playground hazard ID
- CPR
- Fire extinguisher use

RISK MANAGEMENT SERVICES

CONTACT Dan Davenport •
riskmanagement@sdao.com

Working with PACE risk management consultants can produce substantial savings for your organization.

Risk consultants have a broad range of experience with all types of education-related exposures. They are also able to assist you on location, with consultants in Eastern and Western Oregon. Better still, their services are free to members.

RISK MANAGEMENT SERVICES
free to members

- Physical inspection of facilities, with detailed safety recommendations
- Playground safety reviews by risk consultants
- Specialized safety checklists on potential hazards
- Specialized training on a wide range of topics
- Quick Reference Guides and Checklists available on our PACE website

PACE offers a variety of tools to help members manage risk:

- Drug and alcohol testing
- Criminal history background checks
- Property valuations and appraisals
- Potential litigation investigation
- Review of indemnification provisions
- Online claims, property and vehicle information
- Online reference library
- Regular updates on risk-management issues

FINANCIALS

HOW IS YOUR PACE INSURANCE PREMIUM $1 SPENT?

CLAIMS
= 32¢

GENERAL LIABILITY includes sexual abuse, employment liability (i.e., age, racial and gender discrimination; wrongful termination), special education and other employee and student issues. Although general liability accounts for just 20 cents of every premium dollar, generally liability claims account for 50 cents of every claim dollar PACE pays out.

PROPERTY CLAIMS include those for fire, flood and facility damage.

GENERAL LIABILITY = 16.5¢

PACE'S LARGEST LIABILITY CLAIMS (2015-2020):

- $3 million · Sexual abuse and molestation (SAM)
- $2.3 million · Employee/ student assault
- $1.56 million · SAM
- $1.55 million · Drowning
- $945,000 · SAM
- $571,000· EPL

NOTE: on each general liability claim, PACE pays up to $1 million in damages before its reinsurance policy kicks in. General liability claims are increasing at an alarming rate since 2013.

PROPERTY = 12.5¢

PACE'S LARGEST PROPERTY CLAIMS (2015-2023):

- $18 million · Statewide snowstorm
- $8.45 million · Wild Fire
- $5.27 million · Fire
- $3.2 million · Fire
- $2.3 million · Snow Collapse

NOTE: Under PACE's reinsurance policy, PACE is responsible for $250,000 per incident and $5 million total per policy year before its reinsurance policy kicks in.

AUTOMOBILE = 3¢

REINSURANCE
= 51¢

Each year PACE searches the global marketplace to find the best price and coverage for PACE members. In 2021, we requested quotes from most of the property and liability companies willing to insure schools and community colleges. As with the 2020 renewal, the market continued on the path of rate increases, lower available capacity and changes in the terms and conditions being provided. The feedback we received from the market related to the rate increase was due to: the state of the property market, 2020-2021 loss experience, and the overall account los activity over the past five years

AGENT COMMISSIONS/ BROKER SERVICES = 5¢

PROGRAM ADMINISTRATION = 9¢

OTHER OPERATING EXPENSES = 3¢

PACE BALANCE SHEET

	2023	2022
ASSETS		
CURRENT ASSETS		
Cash	$3,077,801	$2,547,594
Accounts receivable	399,706	476,232
Prepaid expenses	38,135	39,624
Total Current Assets	**3,515,642**	**3,063,450**
NONCURRENT ASSETS		
Investments	77,344,888	72,598,523
TOTAL ASSETS	**80,860,530**	**75,661,973**
LIABILITIES		
CURRENT LIABILITIES		
Accounts payable	836,693	1,168,905
Unearned revenue	-	149,256
Claims payable - current portion	14,487,880	8,713,067
Total Current Liability	**15,324,573**	**10,031,228**
NONCURRENT LIABILITIES		
Claims payable	22,706,230	25,838,448
TOTAL LIABILITIES	**38,030,803**	**35,869,676**
NET ASSETS		
Unrestricted net assets	35,374,236	32,675,073
Restricted net assets	7,455,491	7,117,224
TOTAL NET ASSETS	**$42,829,727**	**$39,792,297**

PACE INCOME STATEMENT

	2023	2022
REVENUES		
Member contributions	$54,318,435	$50,151,176
Miscellaneous/Other Income	7,750	6,000
TOTAL REVENUES	**54,326,185**	**50,157,176**
EXPENSES		
UNDERWRITING EXPENSES		
Claims expenses	20,991,974	19,735,326
Insurance premiums	24,496,471	21,682,28
Local agent commissions	2,836,397	2,690,016
Broker fees	170,000	160,000
OPERATING EXPENSES		
Contract fees - SDAO	3,230,500	2,966,400
Contract fees - OSBA	1,790,843	1,692,526
Operating Expenses	1,252,475	1,045,002
Member Dividends		64,209
TOTAL EXPENSES	**54,496,660**	**50,035,760**
Operating Income (Loss)	(442,475)	121,416
NON-OPERATING REVENUES (EXPENSES)		
Investment Income (Loss)	3,479,905	(11,175,145)
TOTAL CHANGE IN NET ASSETS	**3,037,430**	**(11,053,729)**
NET ASSETS, BEGINNING	**39,792,297**	**50,846,026**
NET ASSETS, ENDING	**$42,829,727**	**$39,792,297**

PACE BOARD GOVERNANCE

The PACE Board is comprised of nine appointed Trustees. The Trustees govern the Trust and typically meet five times per year. They can offer insurance programs to Association members, handle contributions and premiums, administer loss funds, and pay authorized losses. They are authorized to contract with insurance agents, brokers, and administrative services staff, and can contract various risk management and insurance-related services. Trustees review and approve policy forms and establish funding levels, procedures for financial management, and actions for delinquent accounts. They ensure complete accounting and auditing of Trust funds, maintain financial accounts, and contract for necessary services and facilities, with all expenses paid from Trust funds.

The Trustees can form committees, manage premiums, invest funds, and hire advisors as needed, with the power to terminate participation of non-paying members. They serve without remuneration but are reimbursed for reasonable expenses. They promulgate bylaws, make rules and regulations, and handle violations, including reinstatement of terminated members. Trustees maintain Trust bank accounts, hold cash without interest liability, and engage professional services as required, ensuring all committees and contractors follow the general policy for Trust operations.



"As an active small school district superintendent, and as the executive director of the Oregon Small Schools Association, I could not do my job without the various supports that PACE provides. When I'm mentoring new school administrators, the first contact/resource I provide is PACE. The various services that PACE provides are timely, relevant and essential to every school district in Oregon. Keep up the great work, PACE team, and thank you!"

Michael Carter, Lakeview School District superintendent



"As a director of human resources for a midsized school district, I have the opportunity to connect with PACE at times throughout each school year for legal consultation and support. All the staff members are knowledgeable and helpful with our questions. We recently resolved a longtime claim, and our team appreciated the tremendous time and care provided by Teri Dragoo at PACE. She kept us informed and educated on the entire process."

Shyla Waldern, West Linn-Wilsonville School District
director of human resources

PROPERTY AND CASUALTY COVERAGE FOR EDUCATION
1201 Court St NE, Suite 400 • Salem, OR 97301
800-578-6722 | 503-588-2800
PACE LEGAL SERVICES **503-485-4800**

CLAIMS OFFICE
PO Box 23879 • Tigard, OR 97281
800-305-1736 | 503-670-7066

PACE.OSBA.ORG

SPECIAL DISTRICTS ASSOCIATION OF OREGON
PO Box 12613 • Salem, OR 97309
800-285-5461 | 503-371-8667

rev. 07/17/2024

Corvallis
SCHOOL DISTRICT

V. SUPERINTENDENT'S REPORT

Corvallis
SCHOOL DISTRICT

Superintendent's Report

Shared with the Corvallis School Board during the October 10, 2024 meeting.

National School Lunch Week:
Next week is National School Lunch Week, a celebration of the benefits of healthy school meals. As a reminder, all students at all schools can have free school meals this year without requiring families to apply for free and reduced-price meals.

To celebrate, I will be eating lunch at Garfield Elementary, Corvallis High, and Cheldelin Middle Schools. I would encourage board members to sign-up and join me for lunch one day next week.

District Equity Committee and Senate Bill 732
Senate Bill 732 requires districts to establish equity committees. In CSD, we have several equity-focused groups. One of those groups is our District Equity Diversity and Inclusion (DEDI) convening. At our upcoming DEDI meeting, we will provide information on establishing a District Equity Committee in the hopes that members of this group will be interested in joining our District Equity Committee.

Under the Senate Bill, school districts with fewer than 10,000 students must have a committee in place for next school year. However, we are ahead of this timeline because we have teams that include students, staff, family, and community members who have been focused on equity for a number of years. The SB requires an application process and approval by the school board. I will keep you updated on our progress as we move through the fall and winter.

Osborne Aquatic Center
Recently, Osborne Aquatic Center was closed due to structural concerns. We are the owners of the building and the city provides maintenance and daily operations. We are currently working with the city of Corvallis and our insurance company as we wait for a structural analysis and mitigation plan. I wil keep the board informed as this situation plays out.

National Guidance on Integrated English Language Development
Recently, Marianne Rivero Koetje was a national panelist on a webinar titled Developing and Improving Integrated ELD Programs. She has been part of a statewide collaborative developing an integrated ELD guide for leaders. She was able to provide leaders from across the county with guidance on these practices. Marcianne is one example of a CSD staff member sharing their knowledge with other educators, making a difference for students.

AP Results

The college board just released results from last year's advanced placement (AP) testing. Corvallis High School and Crescent Valley High School both made the AP honor roll. One of the exciting pieces of information from the results was that more AP tests were taken last year at both high schools than any year in the past five. At CV 450 exams were taken and at CHS 520 exams were taken by students last year. In addition to more tests being taken, the number of students who scored a 3 or higher on an exam hit a five-year high at both high schools. Congratulations to both schools on this honor.

Corvallis
SCHOOL DISTRICT

VI. PUBLIC COMMENT

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

Virtual option: Please contact kimberly.nelson@corvallis.k12.or.us by noon on the day of the Board Meeting to schedule public comment. Please include your name, address, the phone number you will call in from, and the topic of your public comment.

Corvallis
SCHOOL DISTRICT

PROVIDING INPUT TO THE SCHOOL BOARD

(Revised 09-17-24)

The Corvallis School Board values the opinions and input of students, staff, parents, and community members. Comments may be provided during certain meetings, and via written correspondence, as outlined below.

Public Comment at School Board Meetings

This option is available when *Public Comment* is an item on the agenda. To offer comments:

A. Complete all of the requested information on a "Comment Request" card, which can be found on a table near the entrance to the meeting room, and give it to the Board Secretary at the head table **before** the meeting begins. Your testimony may be delayed until all of the information is provided.

B. When you provide public comment, your name, address, and comments are matters of public record; however, students and staff do not need to provide their addresses.

C. Keep your comments within the specified time allotted, usually three minutes, to allow time for others to comment. Please be respectful of those who wish to provide comments after you.

D. Direct your comments to the School Board. The Board Chair will refer questions or requests for action to staff for response at a later date.

E. If you read from a prepared statement, you may choose to leave your written comments with the Board Secretary to post online with the informational packet of the meeting and to file with the official minutes of the meeting. Handouts are not required but should you wish to provide them, please bring 13 copies and give them to the Board Secretary to distribute.

F. Speakers may offer objective criticism of District operations and programs but the Board will not hear complaints concerning individual District personnel.

- Complaints shall be handled following the steps outlined in Board Policy KL and Administrative Regulation KL-AR, copies of which are available at meetings and 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.

G. 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 a speaker's privilege of address if, after being called to order, the speaker persists in improper conduct or remarks.

Written Correspondence

Letters, emails, and other written materials submitted to the School Board are considered public record. They may be submitted via U.S. mail to: Corvallis School Board, 1555 SW 35th Street, Corvallis, OR 97333. Emails sent to: schoolboard@corvallis.k12.or.us, will reach all Board members as a group as well as the following District staff: Superintendent, Assistant Superintendent, Human Resources Director, Finance and Operations Director, Communications Coordinator, and Executive Assistant to the Superintendent and Board of Directors (also known as Board Secretary).

Telephone Calls

Luhui Whitebear	541-714-3305	Terese Jones	541-230-1673
Sami Al-Abdrabbuh	541-283-6611	Shauna Tominey	541-829-3411
Judah Largent	541-231-8415	Chris Hawkins	541-602-2045

District Administrative Office
1555 SW 35th Street | PO Box 3509J | Corvallis, Oregon 97339
541-757-5841 | www.csd509j.net

Corvallis
SCHOOL DISTRICT

VII. CORVALLIS PUBLIC SCHOOLS FOUNDATION - ANNUAL REPORT

Supporting Schools. Investing in Our Future.

2024 Annual Report











Corvallis Public Schools FOUNDATION

Corvallis Public Schools FOUNDATION

Highlights from ‘23/’24

- ★ Team Expansion
- ★ Updated MOU
- ★ 2024 Financials & Impact
- ★ Strategic Plan for the Future



Corvallis Public Schools FOUNDATION

Our Team

Staff



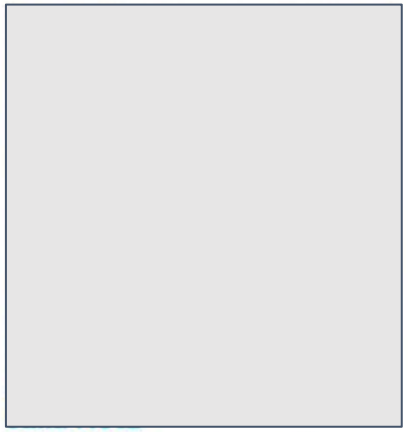
Angela Hibbard
Executive Director



Erika Seirup
Community Engagement Manager



Carla Callahan
Accounting Specialist



Administrative Assistant

Corvallis Public Schools FOUNDATION

Our Board



Leslie Hammond
Chair



Mindy Hamlin
Past Chair



Mark Goheen
Treasurer



Jehan Jabareen
Secretary



Wanda Arp



Mamta Chowdhury



Jason Dorsette



Kevin Dougherty



Scott Elmshaeuser



Nina Erlich-Williams



Susan Gardner-Dunlea



Elisia Harder



Amanda Henevoy



Michele Mincinski



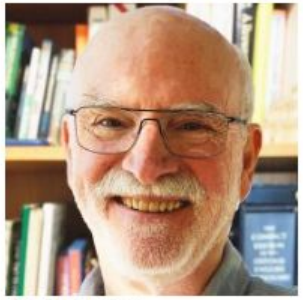
Julie Penry



Gwenda Rice



Monte Smith



Rick Wallace

Corvallis Public Schools FOUNDATION

Updated MOU

- ★ Committed to practices that ensure enduring partnership
- ★ Further defined CSD annual contribution to CPSF
- ★ Eliminated “agency fund” accounting model



Corvallis Public Schools FOUNDATION

Financials & Impact

Our Finances in 2024

Covering financials and activities from July 1, 2023 to June 30, 2024.

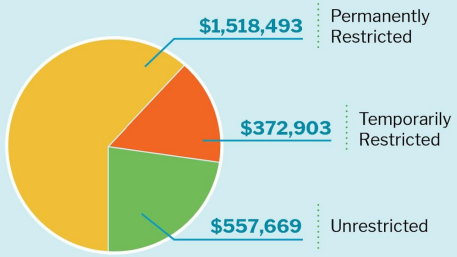
$2,449,065 Net Assets

$1,879,386 in Endowments

Contributions to CPSF $1,445,486

- Foundations and Other Nonprofits: $766,124
- Households and Individuals: $354,305
- Business and Government: $169,369
- Fundraising Event: $155,688

Distribution of Net Assets: $2,449,065



- $1,518,493 Permanently Restricted
- $372,903 Temporarily Restricted
- $557,669 Unrestricted

Net Assets

Cash and Cash Equivalents:	$482,418
Investments:	$1,966,647
Total Net Assets:	$2,449,065

For a full financial statement, please contact us at 541-757-5857.





Financials & Impact

Grants & Awards in 2024

Thanks to the generosity of our community, we awarded close to half a million dollars in Foundation-driven grants and awards that prioritize *educational access*, *learning enrichment*, and *academic support*.





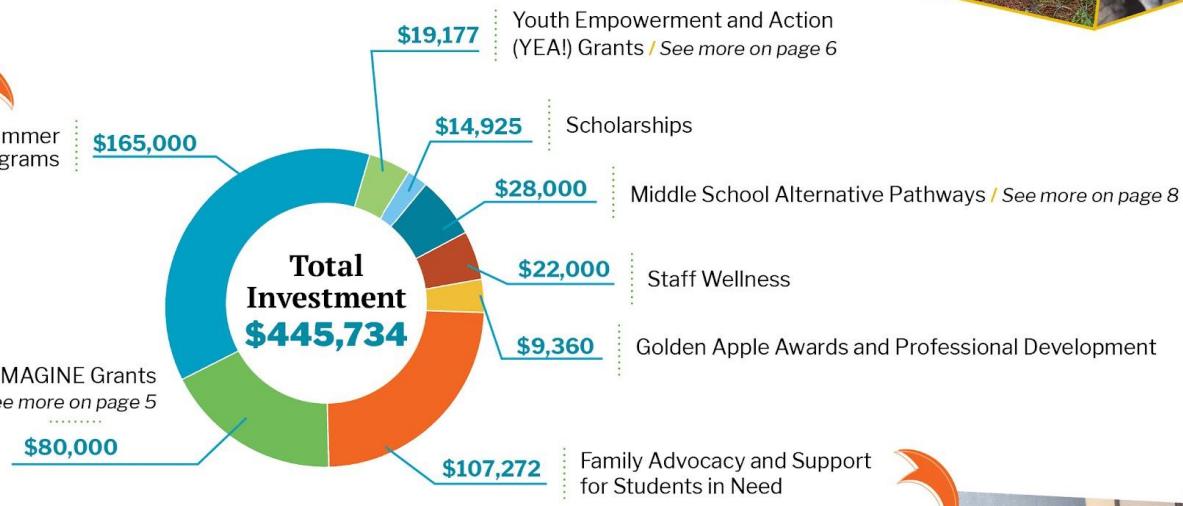


600 students from kindergarten to high school participated in Summer Programs.

96 high school credits earned

95% attendance rate

For greater details on these grants and awards visit: cpsfoundation.org





With your help, the Family Support Program served 380 Corvallis School District students identified as homeless, as well as many more who are navigating financial hardship and food insecurity. Your support provided vital resources so these students arrived at school ready to learn.

$30,000 in gift cards provided for food, gas, and laundry services, helping families meet essential needs and reduce transportation barriers.

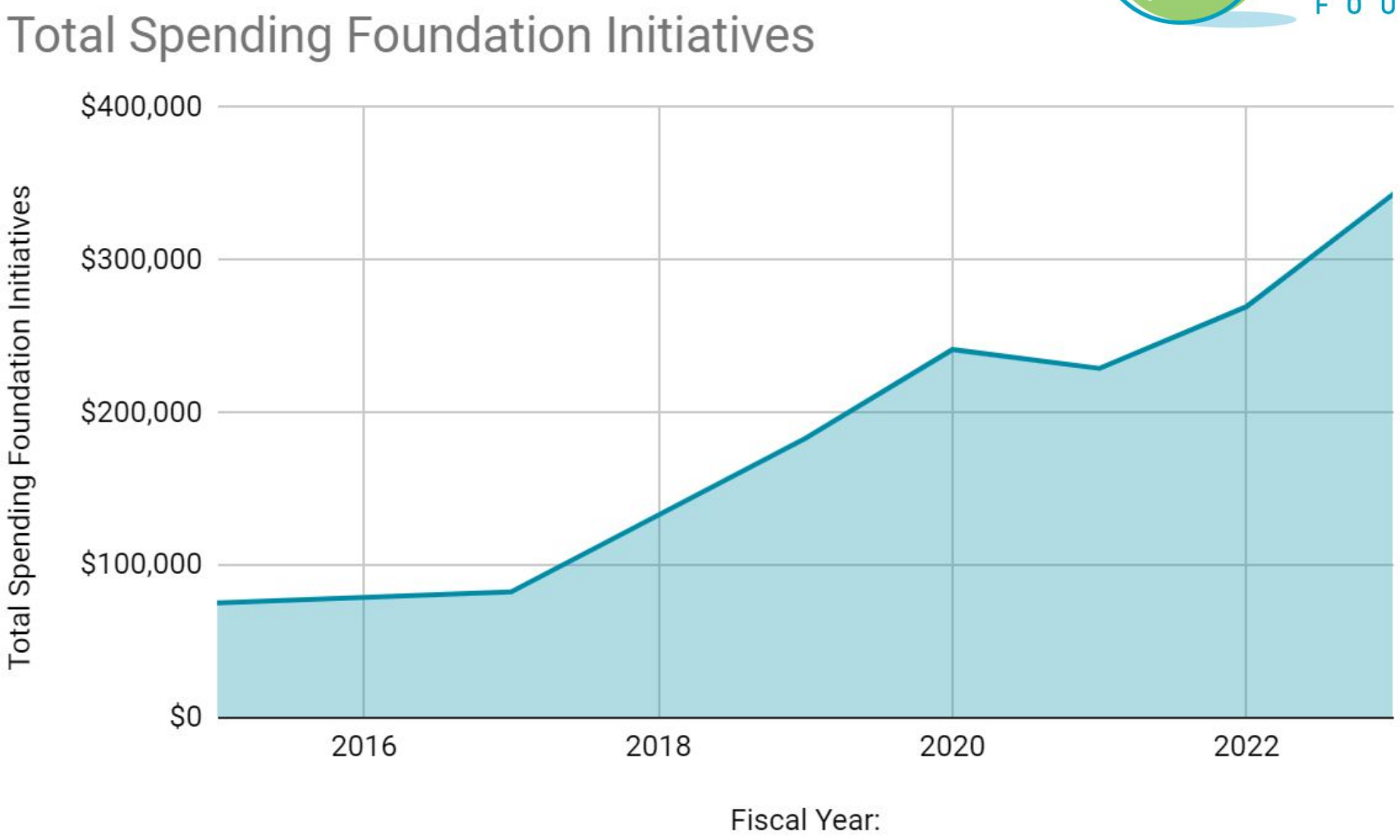
Over 300 emergency bill payments covered critical expenses like utilities, phone bills, car repairs, and more, ensuring stability for families in crisis.

$19,000 in emergency rental assistance helped prevent evictions for families when no other community resources were available, keeping families in their homes.

80 scholarships for after-school care enabled families to access safe, enriching, and reliable after-school programs.

Financials & Impact

Corvallis Public Schools FOUNDATION



Corvallis Public Schools FOUNDATION

Strategic Plan



The mission of the Corvallis Public Schools Foundation is to support Corvallis public schools by providing resources and opportunities that help *every student* succeed.

Our vision is that all students—of every race, culture, socioeconomic and family status, language, ability, gender, gender identity, gender expression, or sexual orientation—graduate as engaged community members, ready to contribute to their fullest potential and navigate the world's complexities.

Values

Belonging & Inclusion

We actively create an environment where every person feels valued, included, respected, honored, and empowered to participate fully.

Trust & Integrity

We act honestly, openly, and with integrity in all actions, resulting in the fostering of strong relationships and collaboration.

Creativity & Innovation

We support innovation, creativity, and self-expression, by providing resources and tools that unlock students' vision and imagination.

Equity & Excellence

We promote excellence by providing equitable access to resources and opportunities for all students.

Funding Priorities

Educational Access

Removing barriers to education by addressing pressing needs such as mental health support, and assistance for students navigating financial insecurity.

Learning Enrichment

Funding grants and programs that support educator and student creativity, advance equity, and inspire students—fueling their excitement for learning.

Academic Support

Providing real-world learning opportunities and academic interventions that help every student find success and stay on track to graduate.

We are committed to advancing equity, diversity and inclusion in our work to fulfill our mission and achieve our vision.

cpsfoundation.org | (541) 757-5857

Corvallis Public Schools FOUNDATION

Planning for the Future

- ★ **Build** infrastructure scaled for flexible and sustainable growth
- ★ **Engage** all community groups to support Corvallis schools
- ★ **Grow** our long-term, annual, and campaign giving



Corvallis Public Schools FOUNDATION

Questions & Discussion







Corvallis
SCHOOL DISTRICT

VIII. ENROLLMENT UPDATE

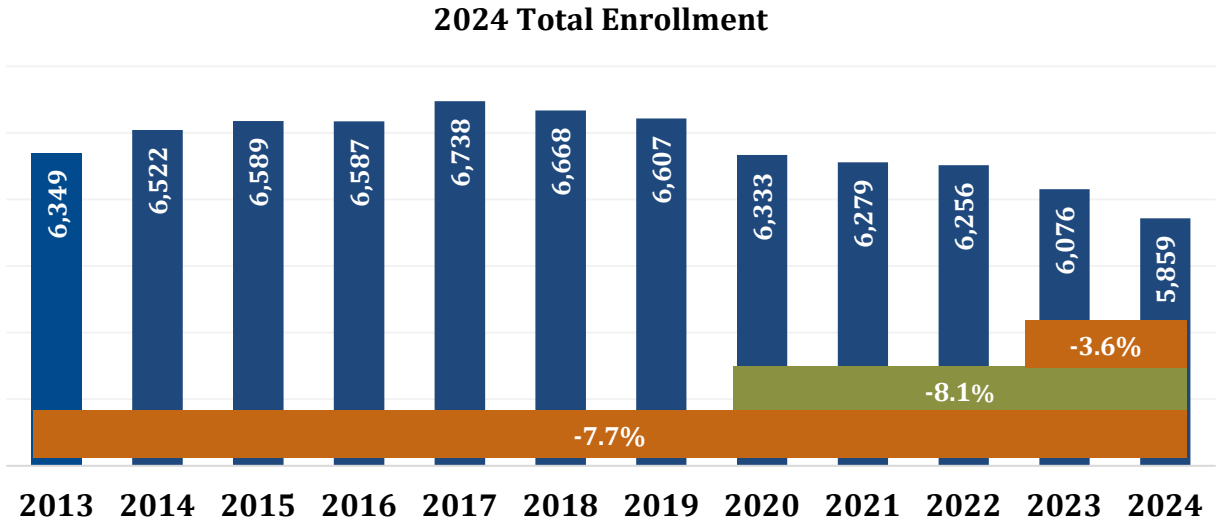
Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Lauren Wolfe, Finance Director
Meeting Date: October 10, 2024

Enrollment Update

NO ACTION REQUIRED

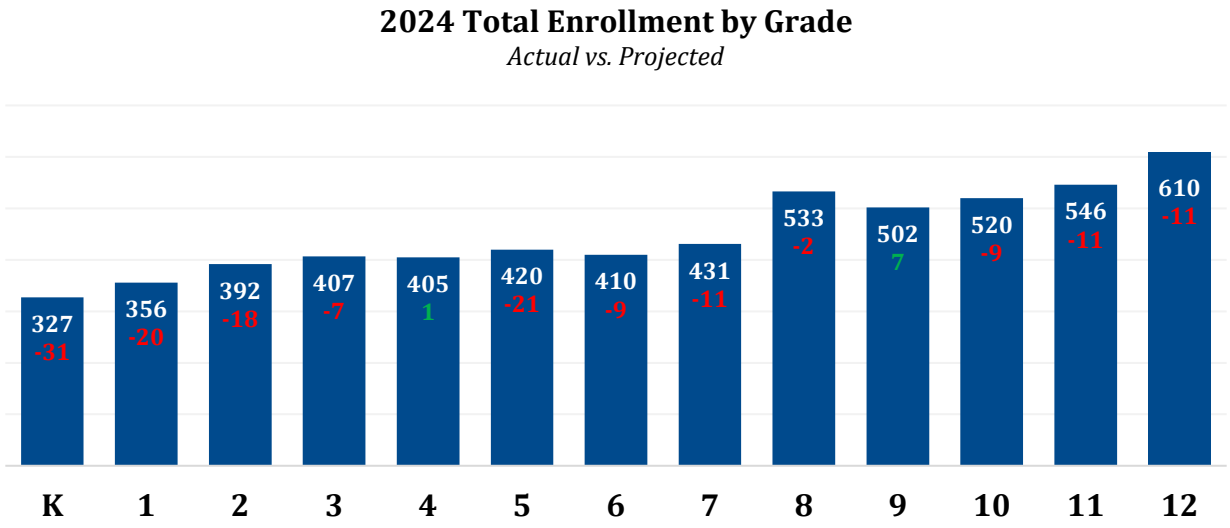
The fall enrollment update is a representation of the preliminary number of K-12 students enrolled on the first school day in October each year. On October 1, 2024 a total of 5,859 students were enrolled in the district's schools and programs.



Compared to last year, total enrollment has decreased by 217 students or 3.6%, which is primarily due to declining birth rates and students moving out of the district boundaries. Compared to five years ago, total enrollment has decreased by 474 students or 8.1%. Compared to ten years ago, total enrollment has decreased by 490 students or 7.7%.

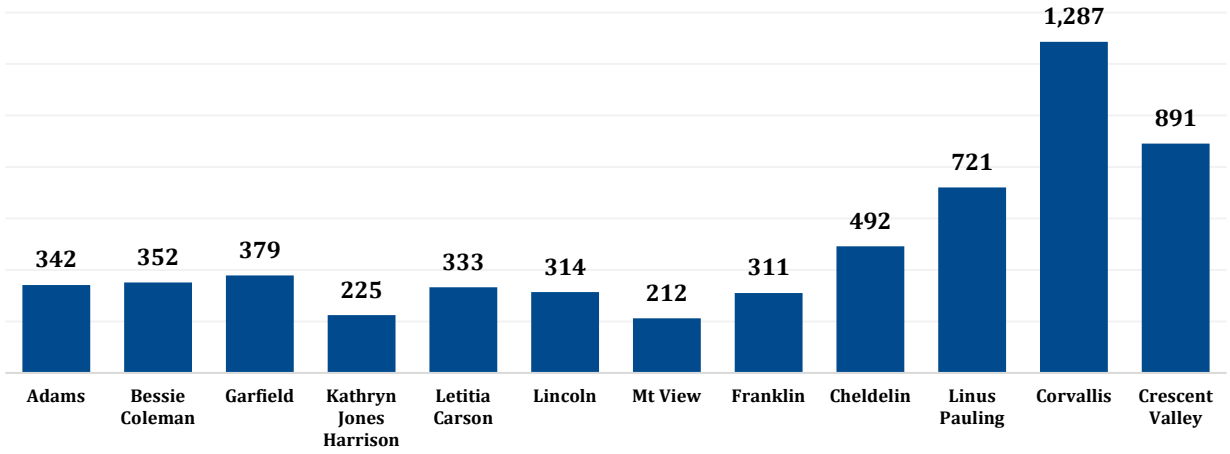
Actual vs. Projected

The total enrollment of 5,859 students is 142 students less than what was projected for this year. Actual elementary enrollment is lower than projected by 96 students, while actual secondary enrollment is lower than projected by 46 students.



School Enrollment

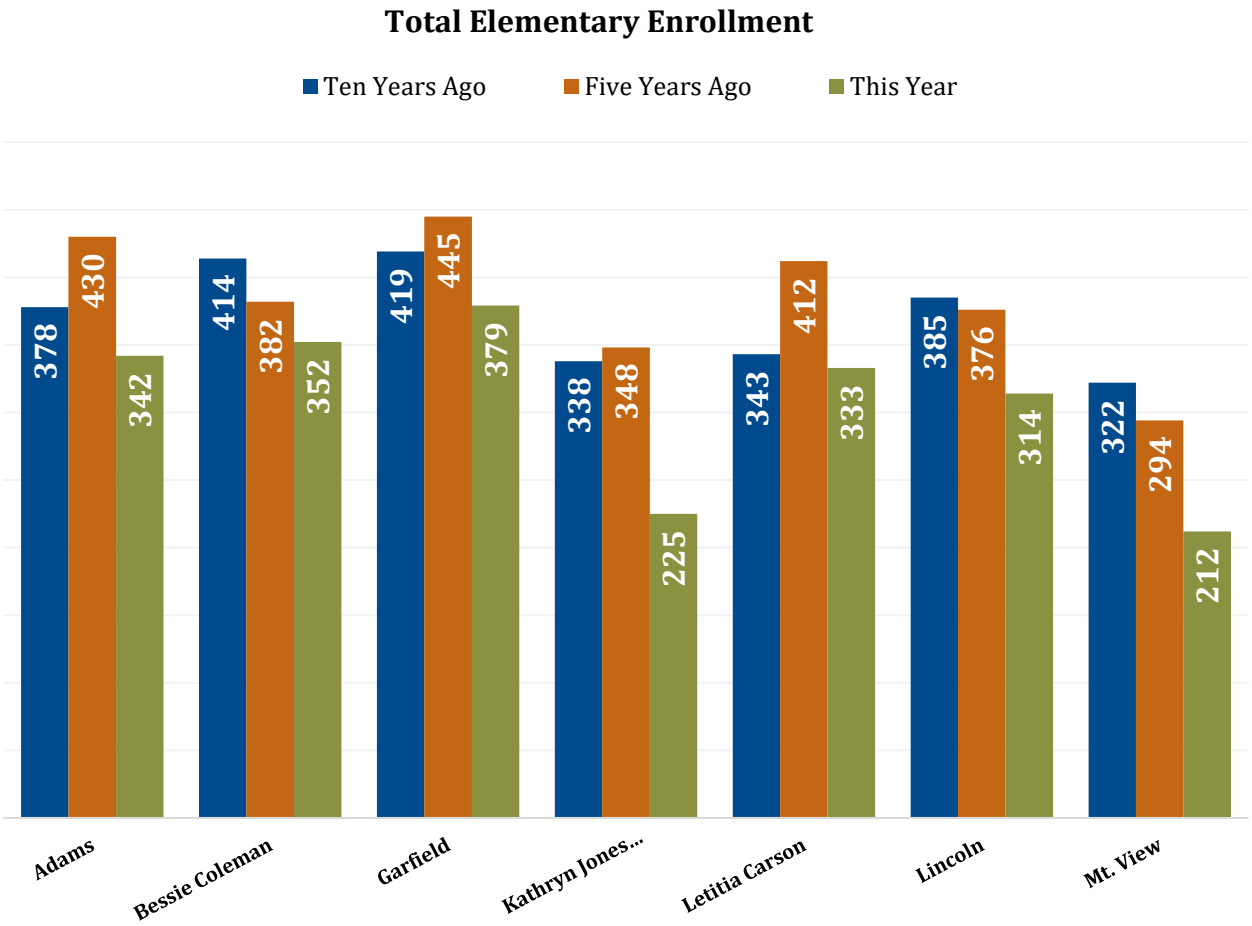
The average elementary school enrollment is 308 with a low of 212 (Mt View) and a high of 379 (Garfield). Middle school enrollment varies significantly between Cheldelin and Linus Pauling by a difference of 229 students (68%). High school enrollment also varies significantly between Corvallis High School and Crescent Valley High School by a difference of 396 students (69%).

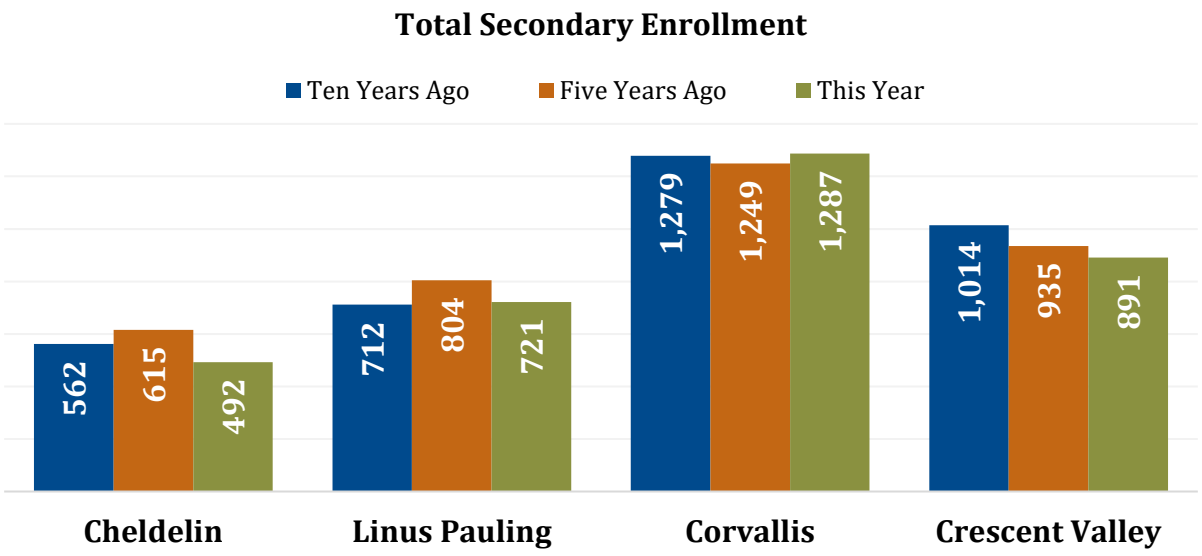


School Enrollment History

All schools, with the exception of Corvallis High School, have experienced enrollment fluctuations of more than 10% compared to five or ten years ago (as noted below in bold).

	10 Year Change	5 Year Change
Adams	**-10.5%**	**-20.5%**
Bessie Coleman	**-17.6%**	-7.9%
Garfield	**-10.6%**	**-14.8%**
Kathryn Jones Harrison	**-50.2%**	**-35.3%**
Letitia Carson	-3.0%	**-19.2%**
Lincoln	**-22.6%**	**-16.5%**
Mt. View	**-51.9%**	**-27.9%**
Franklin	**-14.5%**	1.9%
Cheldelin	**-14.2%**	**-20.0%**
Linus Pauling	-1.2%	**-10.3%**
Corvallis	-0.6%	-3.0%
Crescent Valley	**-10.2%**	**-11.3%**





Student-Teacher Ratios

The average student-teacher ratio for 2024 at district elementary schools is 23, while the average student-teacher ratio at district secondary schools is 25.

	Student Enrollment	Classroom Teachers (FTE)	Student-Teacher Ratio
Adams Elementary	342	14.00	24
Bessie Coleman Elementary	352	15.00	23
Garfield Elementary	379	16.00	24
Kathryn Jones Harrison Elementary	225	11.00	20
Letitia Carson Elementary	333	14.00	24
Lincoln Elementary	314	15.00	21
Mt. View Elementary	212	9.00	24
Franklin K-8	311	12.75	24
Cheldelin Middle School	492	22.20	22
Linus Pauling Middle School	721	31.20	23
Corvallis High School	1,189	46.00	26
Crescent Valley High School	837	30.50	27
College Hill High School	152	5.50	28
TOTAL	**5,859**	**242.15**	**24**

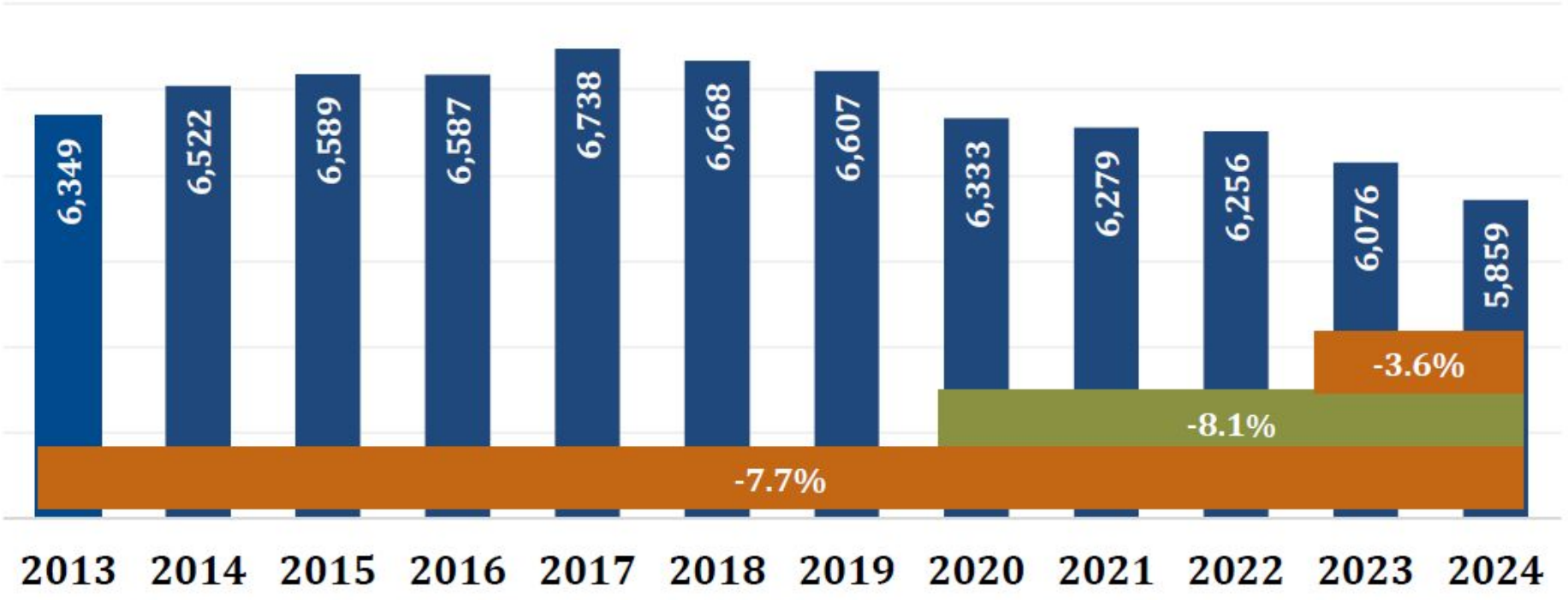


ENROLLMENT & BUDGET UPDATE

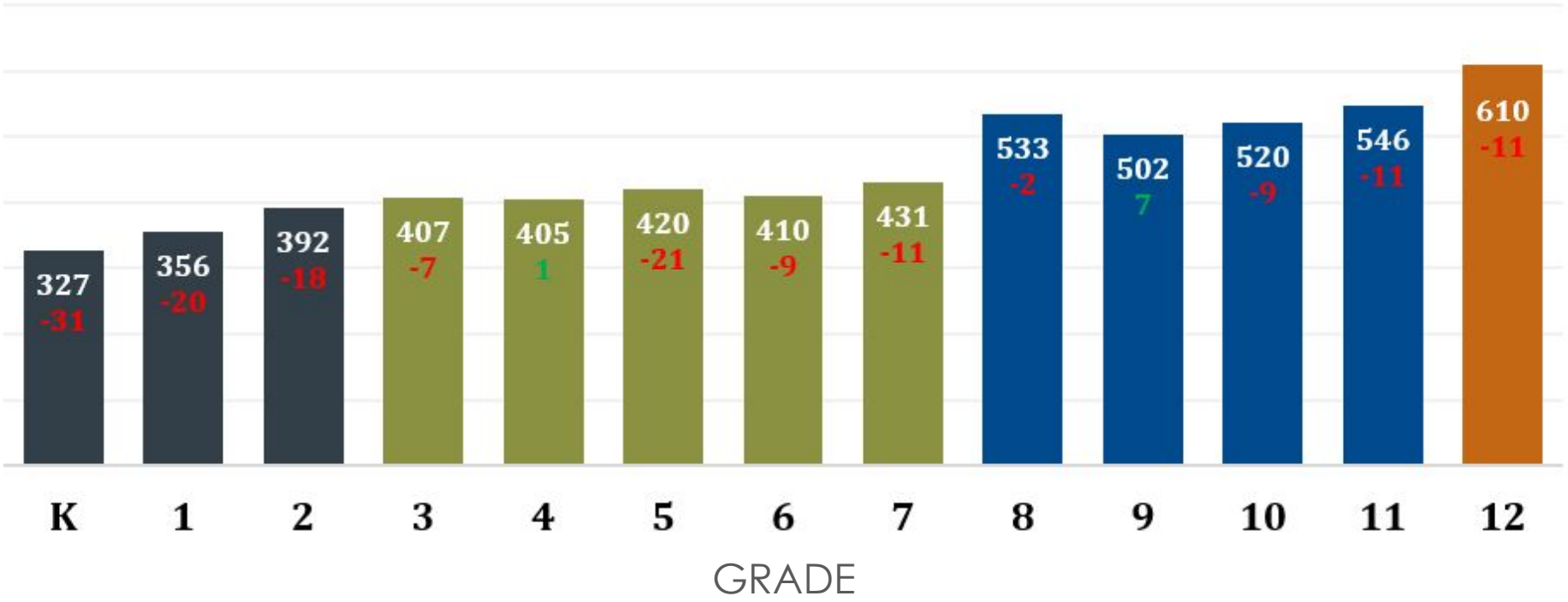
October 2024

CORVALLIS SCHOOL DISTRICT
OREGON

ENROLLMENT - HISTORICAL



ENROLLMENT - ACTUAL VS. PROJECTED

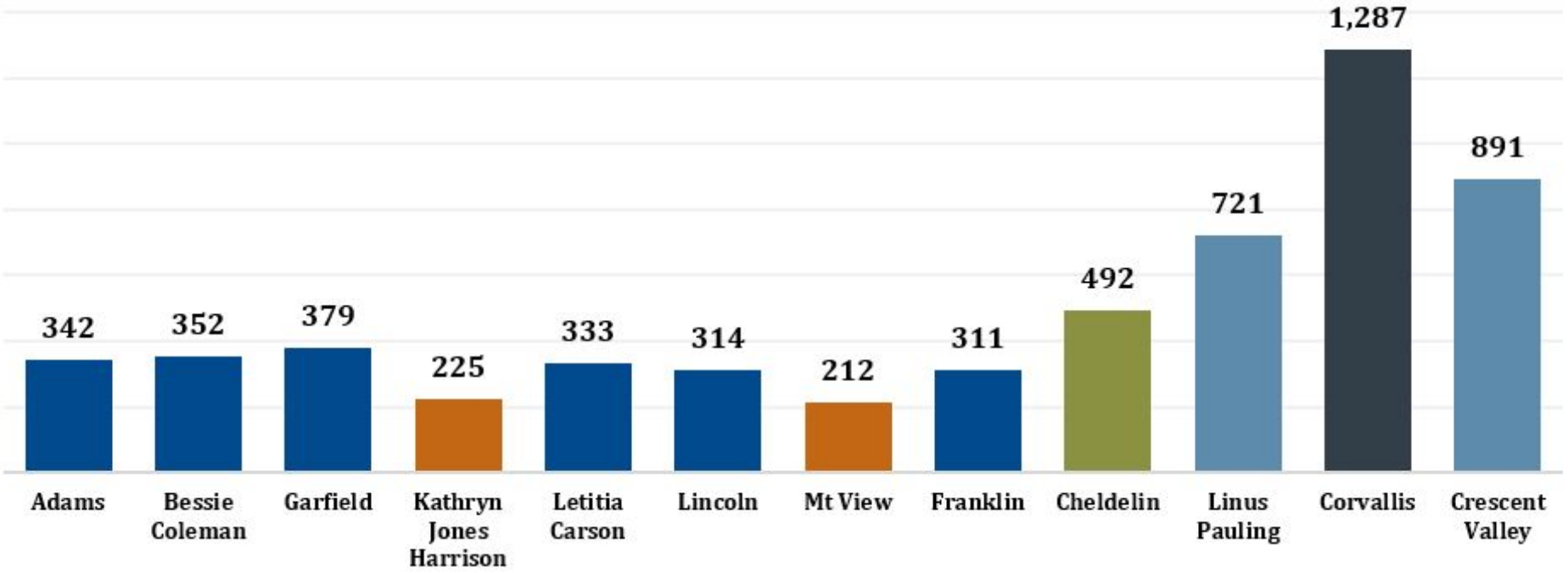


ENROLLMENT - ACTUAL VS. PROJECTED

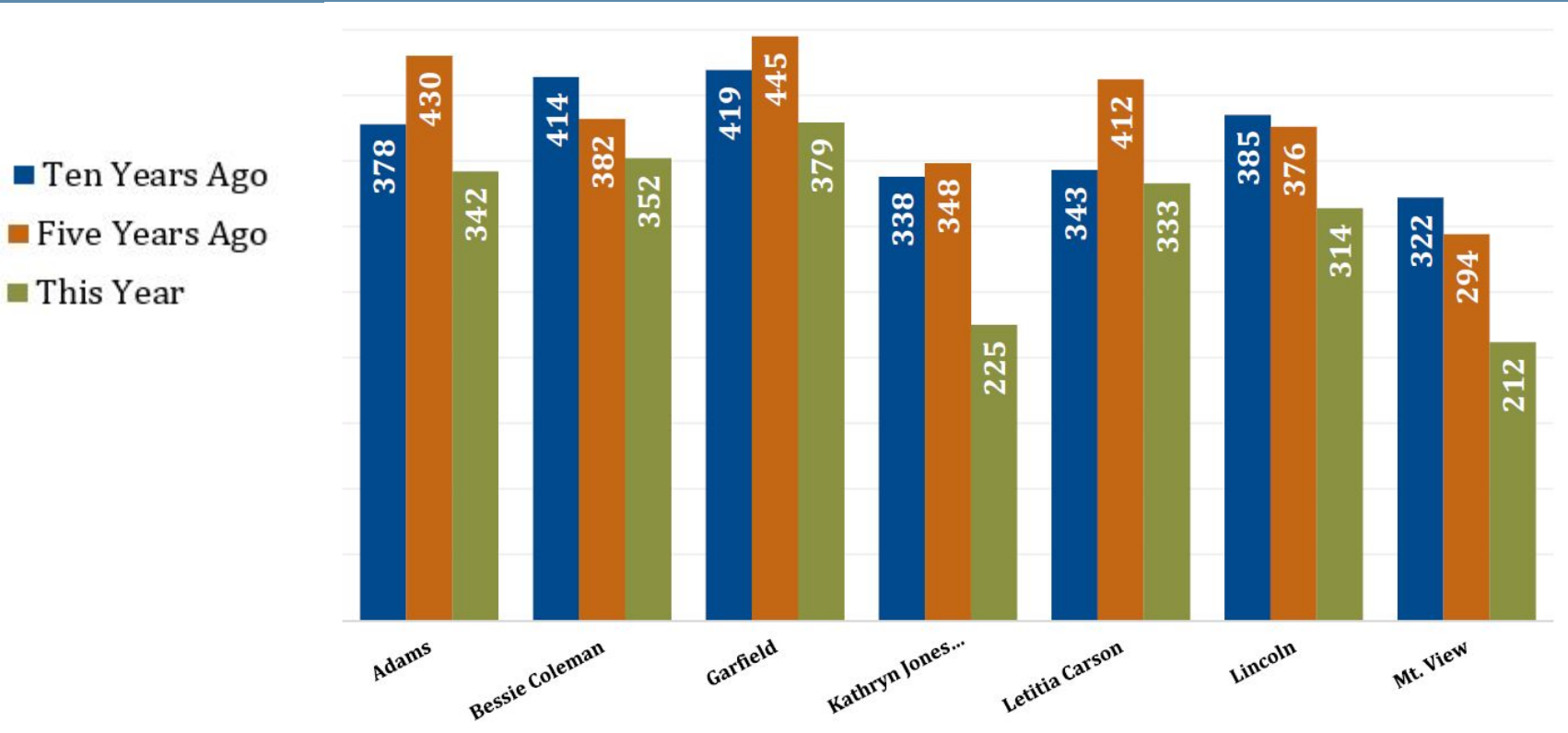
Difference by School & Grade

	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
Adams	(3)	2	(8)	1	4	(5)	-	-	-	-	-	-	-	**(9)**
Bessie Coleman	(3)	(7)	(3)	(4)	1	(5)	-	-	-	-	-	-	-	**(21)**
Garfield	1	(2)	(1)	-	6	1	-	-	-	-	-	-	-	**5**
Kathryn Jones Harrison	(12)	(1)	(6)	(1)	(7)	(13)	-	-	-	-	-	-	-	**(40)**
Letitia Carson	(7)	(4)	5	(9)	(4)	4	-	-	-	-	-	-	-	**(15)**
Lincoln	(4)	(7)	(1)	4	2	-	-	-	-	-	-	-	-	**(6)**
Mountain View	(3)	-	(5)	1	(2)	(6)	-	-	-	-	-	-	-	**(15)**
Franklin	-	(1)	1	1	1	3	6	2	(2)	-	-	-	-	**11**
Cheldelin	-	-	-	-	-	-	(3)	(10)	(10)	-	-	-	-	**(23)**
Linus Pauling	-	-	-	-	-	-	(12)	(3)	10	-	-	-	-	**(5)**
Corvallis	-	-	-	-	-	-	-	-	-	3	(4)	-	(21)	**(22)**
Crescent Valley	-	-	-	-	-	-	-	-	-	4	(5)	(11)	10	**(2)**
Total Non-Charter	**(31)**	**(20)**	**(18)**	**(7)**	**1**	**(21)**	**(9)**	**(11)**	**(2)**	**7**	**(9)**	**(11)**	**(11)**	**(142)**

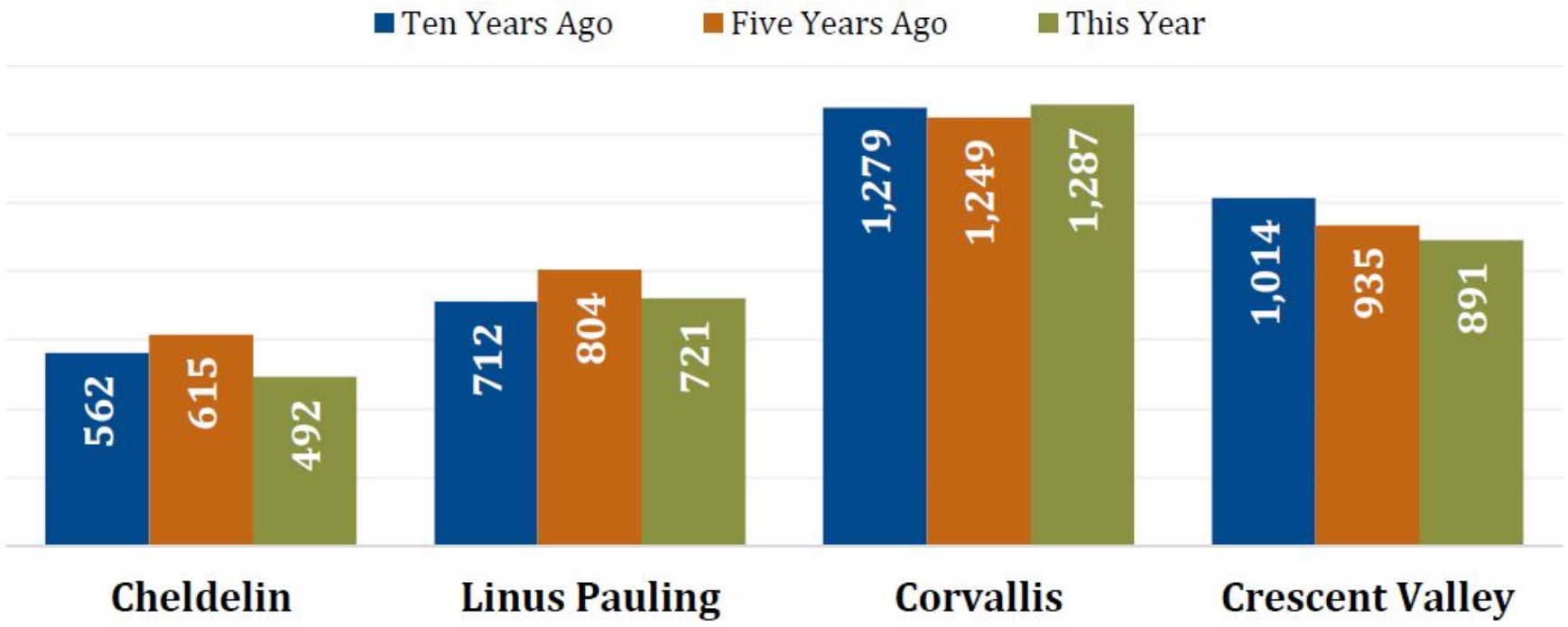
ENROLLMENT BY SCHOOL



ENROLLMENT TRENDS - ELEMENTARY



ENROLLMENT TRENDS - SECONDARY



BUDGET UPDATE



What is the impact of a lower enrollment than projected?



How are we trending budgetarily?



What are the next steps in regards to budget?



Corvallis
SCHOOL DISTRICT

IX. DIVISION 22 REPORT

Corvallis
SCHOOL DISTRICT

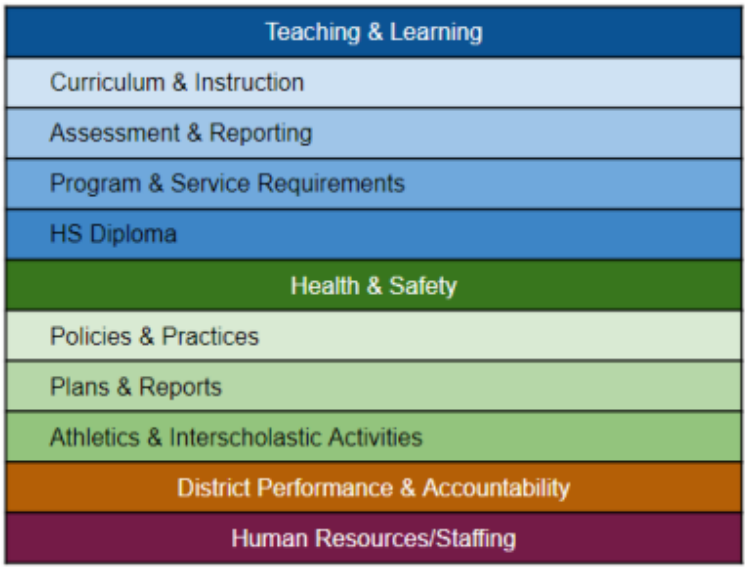
Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: October 10, 2024

Division 22 Standards for 2023-2024 School Year **ACTION REQUESTED**

Background

School district superintendents are required to provide a Division 22 Report to their local school board regarding the district's standing with respect to all Standards for Public Elementary and Secondary Schools as set forth in Oregon Administrative Rules 581-022-2305.

By November 1, 2023, school district superintendents are to report to their local School Board on the district's compliance with all Division 22 Standards in effect for the 2023-2024 school year and to post the Division 22 Community Report for the 2023-2024 school year on their district website. ODE also recommends that superintendents inform School Boards if there have been any recent changes in policy or practice that may take the district out of compliance with any of the Division 22 Standards during the current school year (2024-2025).



The Division 22 Compliance Report is formatted into categories described in the infographic here.

After completing the local reporting process, districts submit their report to ODE by November 15, 2024.

Division 22 Rule Updates for the 2023-2024 School Year

- **581-022-2220 Health Services** - The Health Services OAR requires school districts, education service districts, and public charter schools to develop, implement, and annually update a written prevention-oriented health services plan for all students. This plan was completed in collaboration with our district nursing team.

Compliance Overview

Corvallis School District is implementing approved corrective action in the following areas.

Physical Education for Grades K-5

Division 22 requires students in grades K-5 to participate in 150 minutes of physical education each week. That instruction must be aligned to Oregon state PE standards and taught by either a licensed PE teacher and/or a licensed Elementary classroom teacher to their own class.

CSD reported "out of compliance" in our 2022-2023 Division 22 Report presented in October 2023 because our elementary students were only receiving 60 minutes of PE instruction per week.

Our team began preparing a Corrective Action plan in January 2024 and ODE approved the second version of that plan on April 4, 2024. The plan has two parts:

- Beginning September 2024, all elementary schools will shift instruction in PE from 30 minutes, twice a week to 40 minutes, twice a week. This is already in place.
- During the 2024-2025 school year, teachers in grades K-5, PE teachers, and the Elementary Schools Coordinator will collaborate to build a K-5 framework aligning movement to our SEL curriculum, Caring Schools Community.
    - Portland Public Schools has a similar framework and has shared its model with our team.
    - Classrooms already have 15 minutes per day in their schedule dedicated to Caring Schools Community. By adding intentional movement to this time, our total PE instructional minutes will increase to 155 per week and bring us into compliance for the 2025-2026 school year.

Physical Education for Grades 6-8

Division 22 requires students in grades 6-8 to participate in 150 minutes of physical education per week, on average over the school year. That instruction must be aligned to Oregon state PE standards and taught by a licensed PE teacher.

CSD reported "out of compliance" in our 2022-2023 Division 22 Report presented in October 2023 because our middle school students were only receiving 83 minutes per week, on average over the school year.

Our team began preparing a Corrective Action plan in January 2024 and ODE approved the second version of that plan on April 4, 2024. The plan involves changing requirements for students.

- Beginning September 2025, middle school students will be required to take two trimesters of PE taught by a licensed Physical Education teacher.
    - This change for 2025-2026 could have serious implications for the school experience of our focal group students, particularly students in special education and emerging bilinguals because adding one more required course may reduce their ability to participate in STEM, CTE, and Arts courses.
    - This will bring our total of PE instructional minutes to 166 per week and bring us into compliance for the 2025-2026 school year.

Changes Coming for 2024-2025 Reporting

- Senate Bill 238 required the development and implementation of Opioid Prevention lessons. ODE is in the process of developing lessons that school districts will be required to implement this school year. The lessons are specific to raising awareness of synthetic opioids with an emphasis on fentanyl, how to recognize an overdose, and the Good Samaritan Law. All Oregon schools are required to implement one ODE-developed Opioid Prevention lesson in 6th, 7th, and 8th grades and at least once in high school. The lessons are meant to be a part of a comprehensive substance use prevention unit covered in health education classes, and may also be covered in other classes. All lessons are aligned to the 2023 Oregon Health Education Standards and include teacher guidance to support implementation.

ACTION REQUESTED

Approve the Division 22 report for submission to ODE and to be published on the District website. Authorize the district to include up to 30 hours of professional development time, up to 30 hours for parent-teacher conferences, and up to 60 hours of recess for students in grades kindergarten through grade 3 for calculation of instructional hours.

MOTION REQUESTED

"I move to approve the Division 22 report for submission to ODE and to be published on the District website and authorize the district to include up to 30 hours of professional development time, up to 30 hours for parent-teacher conferences, and up to 60 hours of recess for students in grades kindergarten through grade 3 for calculation of instructional hours."

Corvallis School District 509J

Report on Compliance with Public School Standards

2023-24 School Year

By November 1 of each year, school district superintendents are required by OAR 581-022-2305: District Assurances of Compliance with Public School Standards to report to their community on the district's status with respect to all of the Standards for Public Elementary and Secondary Schools. The Standards are adopted by the State Board of Education and set out in Oregon Administrative Rules Chapter 581, Division 22.

The table below contains a summary of Corvallis School District's compliance with each of the requirements of Oregon's administrative rules found in DIVISION 22 - STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS during the 2023-24 school year. For each rule reported as out of compliance, Corvallis School District has provided an explanation of why the school district was out of compliance and the school district's proposed corrective action plan to come into compliance. The corrective action must be approved by ODE and completed by the district by the beginning of the 2025-26 school year.

What are the requirements of the standards? For a general overview of what each rule/standard requires, consult this high-level Rules at a Glance summary. For specific, comprehensive requirements, use the links below for each individual rule.

Category: Teaching & Learning

Subcategory: Curriculum & Instruction

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2030 District Curriculum	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2045 Substance Use Prevention and Intervention Plan	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2050 Human Sexuality Education	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2055 Career Education	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2060 Comprehensive School Counseling	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2263 Physical Education Requirements *Elementary Grades	**Implementing approved corrective action**	The district corrective action plan was approved in April 2024 and we are in the process of implementing those actions.	Corrective Action Update: All elementary schools have shifted instruction in PE from 30 minutes, twice a week to 40 minutes, twice a week. Next Steps: Building a K-5 framework aligning movement to our SEL curriculum, Caring School Community. This work must involve teachers at all grade levels, PE teachers, and the Elementary Schools Coordinator. The framework will be modeled after Portland Public Schools' classroom-based structured movement program that aligns PE standards and opportunities for movement with their SEL curriculum, Caring Schools Community.
581-022-2263 Physical Education Requirements *Middle Grades	**Implementing approved corrective action**	The district corrective action plan was approved in April 2024 and we are in the process of implementing those actions.	Corrective Action Update: Middle school administrators are aware that we must add one more required trimester of PE for all middle school students beginning fall 2025.

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
			Next steps: Move into budget and staffing season knowing that students will have an additional PE class.
581-022-2320 Required Instructional Time	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2340 Media Programs	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2500 Programs and Services for TAG Students	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2350 Independent Adoptions of Instructional Materials	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2355 Instructional Materials Adoption	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2360 Postponement of Purchase of State-Adopted Instructional Materials	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Assessment & Reporting

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2100 Administration of State Assessments	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2110 Exception of Students with Disabilities from State Assessments	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2115 Assessment of Essential Skills: Diploma Requirements	**Waived through the end of 2027-28 school year**	Not applicable	Not applicable
581-022-2115(2) Assessment of Essential Skills: Local Performance Assessment Requirement	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2120 Essential Skill Assessments for English Language Learners	**Waived through the end of 2027-28 school year**	Not applicable	Not applicable
581-022-2270 Individual Student Assessment, Recordkeeping and Reporting	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2445 Universal Screenings for Risk Factors of Dyslexia	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Program & Service Requirements

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2315 Special Education for Children with Disabilities	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2325 Identification of Academically Talented and Intellectually Gifted Students	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2330 Rights of Parents of TAG Students	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2505 Alternative Education Programs	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2515 Menstrual Dignity for Students	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Subcategory: High School Diploma

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2000 Diploma Requirements	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2005 Veterans Diploma	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2010 Modified Diploma	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2015 Extended Diploma	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2020 Certificate of Attendance	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2025 Credit Options	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Category: Health & Safety

Subcategory: Policies & Practices

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2205 Policies on Reporting of Child Abuse	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2220 Health Services	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2310 Equal Education Opportunities	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2312 Every Student Belongs	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2345 Auxiliary Services	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Plans & Reports

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2223 Healthy and Safe Schools Plan	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2225 Emergency Plans and Safety Programs	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2230 Asbestos Management Plans	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2267 Annual Report on Restraint and Seclusion	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2510 Suicide Prevention Plan	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Subcategory: Athletics & Interscholastic Activities

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2210 Anabolic Steroids and Performance Enhancing Substances	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2215 Safety of School Sports – Concussions	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2308 Agreements Entered Into with Voluntary Organizations	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Category: District Performance & Accountability

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2250 District Improvement Plan	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2255 School and District Performance Report Criteria	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2260 Records and Reports	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2265 Report on PE Data	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2300 Standardization	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2305 District Assurances of Compliance with Public School Standards	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2370 Complaint Procedures	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Category: Human Resources/Staffing

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
581-022-2335 Daily Class Size	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2400 Personnel	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2405 Personnel Policies	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2410 Teacher and Administrator Evaluation and Support	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2415 Core Teaching Standards	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2420 Educational Leadership - Administrator Standards	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2430 Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses	**In compliance**	The district has met all of the requirements for this rule.	Not applicable
581-022-2440 Teacher Training Related to Dyslexia	**In compliance**	The district has met all of the requirements for this rule.	Not applicable

Corvallis
SCHOOL DISTRICT

X. CONSOLIDATED ACTION

X.A. Declaration of Budget Committee Vacancies

Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Lauren Wolfe, Finance Director
Meeting Date: October 10, 2024

Budget Committee Vacancies — ACTION REQUESTED

Background

Pursuant to board policy DBEA, "Budget Committee," and prior to October 1 each year, the board will identify vacant budget committee positions that must be filled by board appointment.

The budget committee has 14 members: seven elected school board members and seven citizens appointed to three-year terms by the board. The citizen members are appointed by an open vote of the school board, as openings occur. At the September 5, 2024 meeting, staff identified the following committee vacancies:

- Two (2) three-year term appointments, due to the completion of a three-year term by Bill Dougherty and Penny York.

At this time, we have the need to declare additional vacancies:

- Two (2) one-year term appointments, due to the resignation of Aaron Rivers and a missed identification of a position vacated by Courtney Holgate in June 2023.
- One (1) two-year appointment, due to the resignation of Patricia Morrell.

In total, the budget committee has five (5) open citizen positions:

- Two (2) three-year term appointments.
- One (1) two-year appointment.
- Two (2) one-year appointments.

Openings on the Budget Committee will be advertised through customary district communication channels; committee members completing terms are eligible for re-appointment should they apply.

ACTION REQUESTED:

Identify these vacancies.

MOTION REQUESTED:

"I move that the Board declares three vacancies on the 2025 Budget Committee in addition to the two positions declared vacant on September 5, 2025, as presented by staff."

Corvallis
SCHOOL DISTRICT

X.B. Minutes

X.B.1. September 5, 2024

Corvallis SCHOOL DISTRICT

September 5, 2024

MINUTES

Business Meeting of the
BOARD OF DIRECTORS
Corvallis School District 509J
DRAFT

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:34 PM in the Corvallis School District Board Room, 1555 SW 35th Street, Corvallis, OR 97333. The secretary recorded those present as listed below.

BOARD MEMBERS PRESENT	EXECUTIVE STAFF PRESENT
Luhui Whitebear, Ph.D., Chair	Ryan Noss, D.Ed., Superintendent
Sarah Finger McDonald, Ph.D.	Melissa Harder, Assistant Superintendent
Sami Al-Abdrabbuh, Ph.D.	Lauren Wolfe, Finance Director
Shauna Tominey, Ph.D., Co-Vice Chair	Jennifer Duvall, Human Resources Director
Chris Hawkins	Kim Patten, Operations Director
Judah Largent	
BOARD MEMBERS EXCUSED	
Terese Jones, Co-Vice Chair	

A quorum was present, and due notice had been published.

II. ACKNOWLEDGEMENT OF HISPANIC HERITAGE MONTH

Board members read aloud Resolution Number 21-0901, Acknowledgment of Hispanic Heritage Month, celebrated annually from September 15 through October 15. (The document is posted online with the information packet of this meeting and will be filed with the official 2024-25 board records.)

III. EXECUTIVE SESSION

The Board met in executive session at 5:15 p.m. under ORS 192-660 (2)(b) to hear complaints against staff members and ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection.

IV. ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

MOTION:
Director Largent moved, and Co-Vice Chair Tominey seconded, to hold a hearing on the matter discussed in executive session. The motion passed. Yea: 4, Nay 1, Absent: 1

V. BOARD MEMBER REPORTS

Director Al-Abdrabbuh

- Highlighted the success of the Back-to-School Rally, noting it provided a valuable opportunity for staff to connect and engage before the school year.

Director Hawkins

- Praised the organization of the Back-to-School Rally, which contributed to a positive and welcoming atmosphere.
- Reported the success of the kinder and new student orientation, characterized by high energy, supportive teachers, and productive discussions.
- Shared that over 300 families attended the resource fair, where they accessed a variety of available services.
- Expressed gratitude to the school district for providing school supplies and alleviating stress for many families.

Co-Vice Chair Tominey

- Described the Back-to-School Rally as energizing and full of the for the new academic year.
- Expressed excitement that meals will be free to all students.
- Shared that she attended the new educator orientation and facilitated a student panel with Students Advocating For Equity (SAFE).

Chair Whitebear

- Reflected on the Back-to-School Rally as a fun and engaging event; presented the land acknowledgment.
- Issued a reminder for the community with the start of school to be mindful of reduced speed limits in school zones.
- Attended the Corvallis Public Schools Foundation's start-of-year board gathering.
- Participated in an OSBA online training on legislative engagement, which she described as a valuable resource for upcoming advocacy initiatives.
- Echoed the appreciation expressed for the district's support in providing food and supplies and waiving athlete fees for students.

VI. OREGON SCHOOL BOARDS ASSOCIATION (OSBA) AND NATIONAL SCHOOL BOARDS ASSOCIATION (NSBA) UPDATES

Director Al-Abdrabbuh provided a written report before the meeting and shared highlights. (The report is available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records).

VII. SUPERINTENDENT'S REPORT

Superintendent Noss read from a written report and shared a slide presentation with highlights from the first few days of school. (The report and slides are available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records).

VIII. PUBLIC COMMENT

No comments were offered.

IX. SUMMER PROGRAM UPDATE

Sabrina Wood, Student Services Director, reported on summer programming. (The slides are available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records).

Some highlights from the report included:

- The Corvallis Public Schools Foundation contributed $165,000 to support summer programming.
- Summer programs focused on re-engaging marginalized students and credit recovery.
- Students may have participated in more than one program.
- Matt McDonough worked hard to foster a sense of belonging among students. One example of his initiative is the lunchtime weightlifting program.
- The high school summer program had a 95% attendance rate.

X. REVIEW BOARD NORMS

The Board reviewed the 2023-24 Board Norms and proposed revisions. The revisions will be presented to the Board for consideration at a future meeting. (The document is available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records).

MOTION:
Director Largent moved, and Director Hawkins seconded that the Board Norms be tabled for a future date. <u>The motion passed. Yea: 5, Nay: 0, Absent: 1</u>

XI. REVIEW BOARD & SUPERINTENDENT WORKING AGREEMENTS

The Board reviewed the 2023-24 Board and Superintendent Working Agreements and proposed revisions. The revisions will be presented to the Board for consideration at a future meeting. (The document is available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records).

MOTION:
Director Al-Abdrabbuh moved, and Director Largent seconded that the Board and Superintendent Working Agreements be tabled for a future date. The motion passed. Yea: 5, Nay: 0, Absent: 1

The board took a break and then resumed the meeting.

XII. NOMINATIONS FOR OREGON SCHOOL BOARDS ASSOCIATION (OSBA) BOARD OF DIRECTORS AND LEGISLATIVE POLICY COMMITTEE POSITIONS

MOTION:
Co-Vice Chair Tominey moved, and Director Hawkins seconded that the Corvallis School Board nominate Chair Whitebear for the Oregon School Boards Association Board of Director position #10. The motion passed. Yea: 5, Nay: 0, Absent:1

XIII. CONSOLIDATED ACTION

MOTION:
Co-Vice Chair Tominey moved, and Director Al-Abdrabbuh seconded to adopt the Consolidated Action items as submitted. The motion passed. Yea: 5, Nay: 0, Absent: 1

The Board approved the following items. (The documents are available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records.)

A. **Declaration of Budget Committee Vacancies**
B. **Resolution No. 24-0901 - Establish Enterprise Zone School Support Fee Rate**
C. **Minutes –** August 22, 2024
D. **Licensed Personnel Action**
E. **Board Policies**
    1. **Policy DJ - Purchasing Standards -- Second Reading**

XIV. CONSOLIDATED INFORMATION

The Board received the following information; items 2 and 6 were pulled for discussion.

A. **Pre-Audit Report: FY 2023-24 Financial Statements (Unaudited)** (The documents are available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records.)
B. **Board Policies**
    1. **Policy AC — Nondiscrimination — Revision -- First Reading**

2. **Policy GBEA-AR — Workplace Harassment Reporting and Procedure — Revised -- First Reading**
3. **Policy GBN/JBA-AR(1) — Sexual Harassment Complaint Procedure — Revised -- First Reading**
4. **Policy GBNAA-JHFF-AR — Suspected Sexual Conduct Report Procedures and Form — Revised -- First Reading**
5. **Policy JBA/GBN-AR(1) — Sexual Harassment Complaint Procedure — Revised -- First Reading**
6. **Policy JHFF-GBNAA-AR — Suspected Sexual Conduct Report Procedures and Form — Revised -- First Reading**

XV. BOARD MEMBER COMMENTS

Chair Whitebear thanked the board for nominating her to the Oregon School Boards Association position #10 seat. She also thanked community members and staff for their attendance at the meeting. Additionally, she reminded everyone to stay mindful in school zones.

XVI. ADJOURNMENT

There being no further business before the Board, Chair Whitebear adjourned the meeting at 8:23 PM.

_____

_____

Luhui Whitebear, Ph.D., Board Chair

Ryan Noss, D.Ed., Superintendent

Prepared By: Kim Nelson

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Corvallis
SCHOOL DISTRICT

X.B.2. September 19, 2024

Corvallis SCHOOL DISTRICT

September 19, 2024

MINUTES

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

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:31 PM in the Corvallis School District Board Room, 1555 SW 35th Street, Corvallis, OR 97333. The secretary recorded those present as listed below.

BOARD MEMBERS PRESENT	EXECUTIVE STAFF PRESENT
Luhui Whitebear, Ph.D., Chair	Ryan Noss, D.Ed., Superintendent
Sarah Finger McDonald, Ph.D.	Melissa Harder, Assistant Superintendent
Sami Al-Abdrabbuh, Ph.D.	Jennifer Duvall, Human Resources Director
Shauna Tominey, Ph.D., Co-Vice Chair	Kim Patten, Operations Director
Chris Hawkins	
Terese Jones, Co-Vice Chair	STUDENT REPRESENTATIVES PRESENT
	Reid Gold, CHS
BOARD MEMBERS EXCUSED	Claire Williams, CHS
Judah Largent	Laura Chen, CVHS
	Eileen Lewis, CHHS

A quorum was present, and due notice had been published.

Chair Whitebear removed Item VII from the agenda without objection.

II. ACKNOWLEDGMENT OF LGBTQI2S+ HISTORY MONTH

Board members and student representatives read aloud Resolution Number 21-1001, Acknowledgment of LGBTQI2S+ History Month, celebrated annually every October. (The document is available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records).

III. INTRODUCTION OF 2024-25 STUDENT REPRESENTATIVES

Superintendent Noss welcomed the 2024-25 student representatives to the Board.

IV. CIVIC CAMPUS COMMUNITY TASK FORCE

Steve Clark and Penny York Co-Vice Chairs, Corvallis Civic Campus Outreach Task Force presented a report and engaged the Board in discussion regarding their work in gathering

community input on the City Council's consideration of possible improvements of city buildings in downtown Corvallis. (The documents are available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records.)

V. SUSTAINABILITY UPDATE

Kathy Feser, Sustainability Coordinator, presented a report and slide presentation and shared highlights from the sustainability work in the district. (The documents are available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records.)

Coalition of Oregon School Administrators (COSA) Executive Director Krista Parent joined the meeting and surprised Superintendent Noss by announcing that he has been named Oregon's 2024-25 Superintendent of the Year. She shared that this annual award is given to a superintendent who demonstrates exceptional leadership and commitment to educational excellence.

The board took a break and then resumed the meeting.

VI. STUDENT AND FAMILY SERVICES UPDATE

Sabrina Wood, Student Services Director; Bryon Bethards, Student Services Coordinator; and Sarah Devine, Family Outreach shared a slide presentation and engaged the Board in discussion regarding district programs including Family Advocacy, Mental Health, School Counselors and Social Workers, and Special Education. (The slides are available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records.)

VII. SUSPEND POLICY BCBA - STUDENT REPRESENTATIVE TO THE BOARD TO ALLOW EXCEPTION

VIII. BOARD NORMS - SECOND READ

Superintendent Noss provided for review the 2024-25 Board Norms with board recommendations before the meeting. (The document is available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records.)

MOTION:
Co-Vice Chair Tominey moved and Co-Vice Chair Jones seconded to adopt the 2024-25 Board Norms as submitted. The motion passed. Yea: 5, Nay: 0 Absent: 1

IX. BOARD AND SUPERINTENDENT WORKING AGREEMENTS - SECOND READ

Superintendent Noss provided for review the 2024-25 Board and Superintendent Working Agreements with board recommendations before the meeting. (The document is available online as part of the information packet for this meeting and will be archived in the official 2024-25 board records.)

MOTION:
Co-Vice Chair Tominey moved and Director Al-Abdrabbuh seconded to adopt the 2024-25 Board and Superintendent Working Agreements as submitted.
The motion passed. Yea: 5, Nay: 0 Absent: 1

X. ADJOURNMENT

There being to further business before the Board, chair Whitebear adjourned the meeting at 9:15 PM.

_____ _____

Luhui Whitebear, Ph.D., Board Chair Ryan Noss, D.Ed., Superintendent

Prepared By: Kim Nelson
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Corvallis
SCHOOL DISTRICT

X.C. Licensed Personnel Action

Corvallis SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Jennifer Duvall, Human Resources Director
Meeting Date: October 2024

Licensed Personnel Action

ACTION REQUESTED

Recommendation to Hire

Name	Position	FTE	Building	Start Date	Contract Status
Caster, Trudi	German Teacher	1.0	Corvallis and Crescent Valley High	11/1/2024	Rehire, Temporary Teacher
Evans, Wendy	School Counselor	.5	College Hill	10/7/2024	Rehire, Temporary Teacher
Haberman, Annelie	Title 1 Reading Teacher	.1	District Office/Waldorf	9/24/2024	Temporary Teacher
Kiekel, Jane	TOSA/Student Success and Spanish Teacher	1.0	Corvallis High	11/1/2024	Rehire, Temporary Teacher
Rodriguez, Jennifer	Second Grade Teacher	1.0	Adams Elementary	10/1/2024	Rehire, Temporary Teacher

Termination/Resignation/Layoff/Retirement

Name	Position	FTE	Building	Effective	Notes
Caster, Trudi	German Teacher	1.0	Corvallis and Crescent Valley High	10/31/2024	Retirement
Kiekel, Jane	TOSA/Student Success and Spanish Teacher	1.0	Corvallis High	10/31/2024	Retirement
Rodriguez, Jennifer	Second Grade Teacher	1.0	Adams Elementary	9/30/2024	Retirement

MOTION REQUESTED:
"I move to approve the Licensed Personnel action as submitted."

Corvallis
SCHOOL DISTRICT

X.D. Board Policies -- **FOR ACTION**:

X.D.1. Policy AC - Nondiscrimination

Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder & Kristin Mahoney
Meeting Date: October 10, 2024

ACTION REQUESTED

Board Policy AC—Nondiscrimination—Revision—Second Read

Background

House Bill 2281 (2023), effective January 1, 2024, requires a district school board to designate one or more civil rights coordinators for the district. According to HB 2281, the civil rights coordinator may be an employee of the district or the district may contract with an ESD for the services of a civil rights coordinator.

The role of the civil rights coordinator is detailed in OAR 581-021-0660 and includes overseeing district compliance with state and federal laws prohibiting discrimination in public education and ensuring the resolution of district investigations of complaints alleging and substantiating discrimination.

Involvement

Staff members: Melissa Harder & Kristin Mahoney

Cost Impact

None.

Function

Adoption of revised version.

Corvallis
SCHOOL DISTRICT

Code: AC
Adopted: 8/96
Revised/Readopted: 1/11/99, 2/11/02, 9/12/05, 12/10/07, 5/4/09, 12/13/10, 8/18/14, 12/7/17, 12/19/19, 2/3/22

Nondiscrimination

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race[1], color, religion, sex, gender identity, gender expression, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veteran's status; or because of the perceived or actual race, color, religion, sex, gender identity, gender expression, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, familial status, economic status, or veteran's status of any other person with whom the individual associates.

The district prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The Board encourages staff to improve human relations within the schools, to respect all individuals and to establish channels through which patrons can communicate their concerns to the administration and the Board.

The Board directs the superintendent to designate the district's civil rights coordinator and make contact information available to staff, students, and families.

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act and Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Titles VI, and VII of the Civil Rights Act, Title IX of the Education Amendments, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees, and the public. Such procedures will be available at the district's administrative office and available on the home page of the district's website.

[1] Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

The district prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. The district further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

END OF POLICY

Legal References:

ORS 174.100	ORS 659A.001	ORS 659A.309
ORS 192.630	ORS 659A.003	ORS 659A.321
ORS 326.051(1)(e)	ORS 659A.006	ORS 659A.409
ORS 332.505	ORS 659A.009	OAR 581-002-0001 to 0005
ORS 408.230	ORS 659A.029	OAR 581-021-0045
ORS 659.805	ORS 659A.030	OAR 581-021-0046
ORS 659.815	ORS 659A.040	OAR 581-021-0047
ORS 659.850 to 860	ORS 659A.103 to 145	OAR 581-022-2310
ORS 659.865	ORS 659A.230 to 233	OAR 581-022-2370
ORS 659.870	ORS 659A.236	OAR 839-003

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R Part 1626 (2019).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

Corvallis
SCHOOL DISTRICT

XI. CONSOLIDATED INFORMATION

XI.A. Board Policies -- **FOR INFORMATION:**

XI.A.1. Policy BBF - Board Member Standards of Conduct

Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder & Kristin Mahoney
Meeting Date: October 10, 2024

NO ACTION REQUIRED

Board Policy BBF—Board Member Standards of Conduct—Revision—First Read

Background

The passage of Senate Bill 231 (2023) aligned state law with the Oregon Department of Human Services (DHS) current process for receiving child abuse reporting. Reports must still be submitted to DHS as directed or to a law enforcement agency. Reporting to DHS is completed through a centralized child abuse reporting system established by DHS. OSBA highly recommends this information be added to policy BBF.

Board members are mandatory reporters of child abuse, but our current Board Member Standards of Conduct policy does not reflect that. Additionally, this policy has not been reviewed since 2007. The model policy from OSBA included several more standards than our current policy and updated language. Those updates have been added to this revision.

Involvement

Staff members: Melissa Harder & Kristin Mahoney

Cost Impact

None.

Function

Review of revisions.

Corvallis SCHOOL DISTRICT

Code: BBF
Adopted: 9/10/07
Revised/Readopted:

Board Member Standards of Conduct

A Board member should:

1. ~~Comply with the Code of Ethics for public officials provided in state law;~~ Comply with ethics laws for public officials;

2. ~~Recognize that the Board must comply with the Public Meetings Law and only has authority to make decisions at official Board meetings;~~ Recognize that the Board must comply with the Public Meetings Law and only has authority to make decisions at properly noticed Board meetings;

3. Understand that the Board sets the standards for the district through Board policy. Board members do not manage the district on a day-to-day basis;

4. Understand that the Board makes decisions by a quorum vote of the Board. Individual Board members may not commit the Board to any action;

5. Respect the right of the public to attend and ~~be heard at~~ observe Board meetings;

6. Respect the right of the public to be informed about district decisions and district operations as allowed by law;

7. Recognize that the superintendent is the Board's advisor and should be present at all meetings, except when the Board is considering the superintendent's evaluation, contract, or salary;

8. Understand the chain of command and refer problems or complaints to the proper administrative office;

9. Work from open, agreed-upon agendas with time to gather information and reflect on issues;

10. Actively pursue opportunities to give and receive feedback regarding Board member performance as responsible communicators;

11. Communicate openly and honestly;

12. Respect the right of other Board members to have opinions and ideas which differ;

13. Resolve issues directly with one another;

14. ~~Listen well;~~ Respect differences and listen with positive intent;

15. ~~Support the will of the majority.~~ Recognize that decisions made by a quorum vote are the final decisions of the Board. Such decisions should be supported by all Board members;

16. Remember that content discussed in executive session is confidential~~.~~;

17. Use social media, websites, or other electronic communication judiciously, respectfully, and in a manner that does not violate Oregon's Public Meetings Laws;

18. When posting online or to social media, Board members will treat and refer to other Board members, staff, students and the public with respect, and will not post confidential information about students, staff or district business;

19. A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately make an oral report by telephone or otherwise to the local Department of Human Services (DHS)[1], to the designee of the department or to a local law enforcement within the county where the person making the report is located at the time of contact.

END OF POLICY

Legal Reference(s):

ORS 162.015 - 162.035
ORS 162.405 - 162.425
~~ORS 192.630~~
ORS 192.610 - 192.710
~~ORS 244.040~~
~~ORS 244.120~~
ORS Chapter 244
ORS 332.055
ORS 419B.005
ORS 419B.010
ORS 419B.015

Cross Reference(s):

BBFA - Board Member Ethics and Conflicts of Interest
GBI - Gifts and Solicitations

[1] How to report abuse or neglect: Oregon DHS. Call 855-503-SAFE (7233)

Corvallis
SCHOOL DISTRICT

XI.A.2. Policy CB - Superintendent

Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: October 10, 2024

NO ACTION REQUIRED

Board Policy CB—Superintendent—Revision—First Read

Background

Revision of this policy is highly recommended by OSBA. With the passage of Senate Bill 283 (2023), the law was revised regarding superintendent contracts to remove mention of laws relevant to education service district boards that were added by Senate Bill 1521 in 2022.

Additionally, Board Policy CB has not been updated since 1999 and does not include language preventing the Board from directing the superintendent to take any action that conflicts with local, state, or federal law.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review of revisions.

Corvallis SCHOOL DISTRICT

Code: CB
Adopted: 11/4/96
Revised/Readopted: 1/11/99

Superintendent

The superintendent[1] is designated as the district's chief executive officer. ~~and has, under the Board's direction, general supervision of all district schools, personnel and departments.~~ Under the Board's direction, the superintendent exercises general supervision of all district schools, personnel, and departments. The superintendent is responsible for managing the schools under the Board's policies and is accountable to the Board for that management. The Board may not direct the superintendent to take any action that conflicts with a local, state, or federal law[2] that applies to school districts.

The superintendent may delegate to other district personnel any powers and duties imposed upon the superintendent by Board policies or by vote of the Board. Delegation of power or duty, however, will not relieve the superintendent of responsibility for action taken under such delegation.

END OF POLICY

Legal Reference(s):

ORS 332.505
ORS 332.515
~~OAR 581-022-1720~~
OAR 581-022-2405
OAR 584-005-0005(51)

[1] The term "superintendent" includes an interim superintendent.

[2] "Local, state or federal law" means a local, state or federal directive having the force of law, including an ordinance, a city or county resolution, a statute, a court decision, an administrative rule or regulation, an order issued in compliance with ORS Chapter 183, an executive order or any other directive, declaration or statement that is issued in compliance with the law as having the force of law and that is issued by a local government as defined in ORS 174.116, the state government as defined in ORS 174.111 or the federal government.

Corvallis
SCHOOL DISTRICT

XI.A.3. Policy CBG - Evaluation of the Superintendent

Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: October 10, 2024

NO ACTION REQUIRED

Board Policy CBG—Evaluation of the Superintendent—New—First Read

Background

OAR 581-022-2405 requires districts to "adopt and implement personnel policies which address…evaluation procedures." Our board policies currently do not include a policy for the evaluation of the superintendent.

OSBA recommends a review of policy on evaluation of the superintendent to ensure current practice and contract language align, and for the superintendent to review administrator contract language with the same lens. This superintendent's contract has been reviewed to ensure there is no conflicting language in this policy.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review of revisions.

Corvallis SCHOOL DISTRICT

Code: CBG
Adopted:
Revised/Readopted:

Evaluation of the Superintendent

The Board will formally evaluate the superintendent's job performance at least once each year. The evaluation will be based on the superintendent's administrative job description, any applicable standards of performance, Board policy, and progress in attaining any goals for the year established by the superintendent and/or the Board.

Additional criteria for the evaluation, if any, will be developed at a public board meeting prior to conducting the evaluation. The superintendent will be notified of the additional criteria prior to the evaluation.

The Board's discussion and conferences with and about the superintendent and their performance will be conducted in an executive session unless the superintendent requests a session open to the public. Such an executive session will not include a general evaluation of any district goal, objective, or operation. Results of the evaluation will be written and placed in the superintendent's personnel file.

At the Board's discretion, it may notify the superintendent in writing of specific areas to be remedied, and the superintendent may be given an opportunity to correct the problem(s). Where the Board provided written notice pursuant to the prior sentence, if the Board determines the superintendent's performance remains unsatisfactory, the Board may dismiss or non-renew the superintendent pursuant to Board policy, the superintendent's employment contract, and state law and rules. In those situations where the superintendent's employment contract includes an evaluation, dismissal, or non-renewal provision, it shall take precedent over this policy.

END OF POLICY

Legal Reference(s):

ORS 192.660(2), (8)
ORS 332.107
ORS 332.505
OAR 581-022-2405

Hanson v. Culver Sch. Dist. (FDAB 1975).

Corvallis
SCHOOL DISTRICT

XI.A.4. Policy DJC - Bidding Requirements

Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder & Lauren Wolfe
Meeting Date: October 10, 2024

NO ACTION REQUIRED

Board Policy DJC—Bidding Requirements—Revision—First Read

Background

OSBA recommends deleting the current versions of DJC – Bidding Requirements, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, DJCA – Personal Service Contracts, and DJCA-AR – Personal Service Contracts, and replacing them with the new versions of DJC and DJC-AR.

The proposed DJC outlines the procurement requirements for Small Procurement, Intermediate Procurement, Regular Procurement, Emergency Procurement, Sole-Source Procurement, and Personal Services Contracts.

Additionally, the proposed policy DJC reflects the new amounts for the procurement levels passed in House Bill 1047 (2023) that went into effect on January 1, 2024. The policy also defines "public improvements" for purposes of the procurement levels, defines "community benefit contract" and the "Construction Manager/General Contractor procurement."

Involvement

Staff members: Melissa Harder & Lauren Wolfe

Cost Impact

None.

Function

Review of revisions.

Corvallis SCHOOL DISTRICT

Code: DJC
Adopted: 8/19/02
Revised/Readopted: 4/4/05; 4/11/16; 8/15/19

Bidding Requirements

The Board is the Local Contract Review Board (LCRB) for the district. The LCRB has not adopted its own rules of procurement. Consequently, the *Oregon Attorney General's Model Public Contracting Rules*[1] shall apply to the district.[2]

Additionally, the district may include as part of its procedures portions of the Oregon Department of Administrative Services administrative rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246 - 249.

The LCRB may make 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 may not artificially divide or fragment a procurement to reduce the procurement requirements.

The superintendent or their designee may develop administrative regulations or procedures to assist with the implementation of this policy and applicable procurement rules.

Goods and Services

The district will purchase goods and services through the following procedures unless an exception applies:

1. Small Procurement. For purchases of goods and services with a contract price not exceeding $25,000, the district can use any manner deemed practical or convenient, including direct selection or award. Amendments to a contract awarded through small procurement must be in accordance with OAR 137-047-0800.

2. Intermediate Procurement. For purchases of goods and services with a contract price exceeding $25,000, but not exceeding $250,000, the district shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective contractors. The district will keep record of the request and quotes. If three quotes are not reasonably available, fewer will suffice, but the district will make a written record of the effort made. The district may negotiate with a prospective contractor to clarify the quote or offer, or to effect modifications.

[1] Oregon Administrative Rules (OAR) 137-045 - 049

[2] See ORS 279A.065(5).

Amendments to a contract awarded through intermediate procurement must be in accordance with OAR 137-047-0800.

3. Regular Procurement. For purchases exceeding $250,000, the district will use competitive sealed bids (OAR 137-047-0255) or competitive sealed proposals (OAR 137-047-0260). Amendments to contracts awarded through regular procurement must be in accordance with OAR 137-047-0800.

4. Emergency Procurements. In situations of emergency[3], the LCRB or designee may authorize an emergency procurement. In an emergency procurement, the district is not required to follow general procurement requirements. The district must ensure competition for the contract that is reasonable and appropriate under the circumstances. The district must document the nature of the emergency and the method used for the selection of the contractor.

5. Sole-source Procurements. If the LCRB or designee determines that the goods or services are available from only one source, the district may award a contract without competition. To the extent reasonably practicable, the district shall negotiate with the sole source to obtain contract terms that are advantageous to the district. The determination of sole source must be based on written findings and may include:

a. That the efficient utilization of existing goods requires acquiring compatible goods or services;
b. That the goods or services required to exchange 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 experimental project; or
d. Other findings that support the conclusion that the goods or services are available from only one source.[4]

6. Special Procurements. "Special procurement" means a contract or class of contracts that use a contracting procedure other than competitive sealed proposals, competitive sealed bidding, small procurement or intermediate procurement. Special procurements require LCRB approval and will be conducted in accordance with ORS 279B.085, OAR 137-047-0285, this policy, and administrative regulation DJC-AR - Exemptions from Competitive Bidding and Special Procurement.

7. Personal Services Contracts. "Personal services contract," as used in this policy, means a contract whose primary purpose is to acquire specialized skills, knowledge and resources in the application of technical or scientific expertise, or the exercise of professional, artistic or

[3] "Emergency" means circumstances that:
1. Could not have been foreseen;
2. Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
3. Require prompt execution of a contract to remedy the condition.

[4] If the contract does not exceed $250,000, using intermediate procurement is likely less burdensome than sole source.

management discretion or judgment.[5] Unless otherwise designated by the LCRB, personal services contracts will be procured in accordance with applicable procurement laws. The LCRB may designate certain service contracts or classes of service contracts as personal services contracts and exempt them from competitive bidding. All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price. Personal service contractors may be required to qualify as independent contractors in accordance with applicable laws.[6]

Procurements for services estimated to be in excess of $250,000 shall go through the cost analysis and feasibility process in accordance with ORS 279B.030.

Public Improvements

"Public improvement" means a project for construction, reconstruction or major renovation on real property by or for the district.[7] The district will contract for public improvements using the following procedures, unless an exception applies.

1. Public improvements contracts with a value of less than $25,000 are exempt from competitive bidding.

2. Intermediate Procurements. For public improvement contracts not exceeding $100,000, the district may utilize three quotes[8]:

a. The request for the quotes shall be in writing (unless not reasonably practicable)[9];
b. The request for quotes shall include the selection criteria and if the criteria are not of equal value, their relative value or ranking.

The district shall award the contract to the prospective contractor whose quote will best serve the interest of the district, based on the selection criteria. If the award is not made to the offeror and

[5] This includes, but is not limited to, contracts for the services of an accountant, physician or dentist, educator, consultant (including a provider under an Architectural and Engineering Service Contract), broadcaster, or artist (including a photographer, filmmaker, painter, weaver or sculptor (OAR 137-045-0010(19)). Also includes architectural, engineering, photogrammatic mapping, transportation planning or land surveying services procured under ORS 279C.105 (ORS 279C.100) and related services procured under ORS 279C.120 (ORS 279C.100(5)).

[6] See ORS 670.600 and OAR 459-005-0020.

[7] Public improvement does not include:
1. Projects for which no funds of the district are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or
2. Emergency work, minor alternation, ordinary repair or maintenance necessary to preserve a public improvement.

[8] If three quotes are not reasonably available, the district shall make a written record of the effort made to obtain these quotes.

[9] For Public Works Contracts, oral quotations may only be utilized in the event that written copies of prevailing wage rates are not required by the Bureau of Labor and Industries.

quote with the lowest price, the district will make a written record of the basis for the award. Amendments to a contract awarded via intermediate procurement may be increased in accordance with OAR 137-049-0160(6)-(7).

3. Regular Procurements. For purchases exceeding $100,000, the district will use invitation to bid or request for proposals except as otherwise allowed by law. See OAR 137-049-0130 and OAR 137-049-0640. Amendments to contracts awarded through regular procurement must be in accordance with OAR 137-049-0910.

4. Emergency Procurements. Emergency contracts for construction services are not considered public improvement contracts and will be procured in accordance with OAR 137-049-0140 and OAR 137-049-0150.

5. Community Benefit Contracts. "Community benefit contract" means a public improvement contract that includes, but is not limited to, terms and conditions that require the contractor to:

a. Qualify as a training agent, as defined in ORS 660.010, or provide apprenticeship training that meets applicable federal and state standards for apprenticeship training;
b. Employ apprentices to perform a specified percentage of work hours that workers in apprenticeable occupations perform on the community benefit project;
c. Provide employer -paid family health insurance; and
d. Meet any other requirements that the LCRB sets forth.

Community benefits contracts may be procured in accordance with ORS 279C.308.

6. Construction Manager/General Contractor (CM/GC) Procurement. The district shall procure CM/GC services in accordance with model rules the Attorney General adopts under Oregon Revised Statute (ORS) 279A.065(3) and OAR 137-049-0690, which requires "the assistance of legal counsel with substantial experience and necessary expertise in using the CM/GC Method, as well as knowledgeable staff, consultants or both staff and consultants who have demonstrated capability of managing the CM/GC process in the necessary disciplines of engineering, construction scheduling and cost control, accounting, legal, Public Contracting and project management."

END OF POLICY

Legal Reference(s):

ORS Chapter 279
ORS Chapter 279A
ORS Chapter 279B
ORS Chapter 279C
ORS 670.600
OAR Chapter 125, Divisions 246 - 249
OAR Chapter 137, Divisions 045 - 049
OAR 459-005-0020

OREGON PROCUREMENT MANUAL, Oregon Department of Administrative Services.

Corvallis SCHOOL DISTRICT

Code: DJC
Adopted: 8/19/02
Revised/Readopted: 4/4/05; 4/11/16; 8/15/19

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[1] as provided for under state law;

3. Contracts for the procurement or distribution of textbooks or textbook equivalents;

4. Energy savings performance contracts;

5. Contracts made with qualified nonprofit agencies providing employment opportunities for disabled individuals;

6. 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 district;

7. 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 district;

8. Emergency contracts;

9. 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 rules[2].

[1] Attorney General rules may apply.
[2] The Board may contract with another public agency to serve as its LCRB.

Corvallis
SCHOOL DISTRICT

The Board acting as its own LCRB adopts[3] 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.

The Board, acting as the LCRB, may enact a resolution that authorizes the district to designate a public improvement as a community benefit contract per the requirements included in ORS 279C.300 to 279C.470.

The Board will make the written findings required by law for exemptions form 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.

Procurements for services 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*.

Contract Amendments

The superintendent or designee is authorized to execute amendments to public contracts that were previously subject to Board approval if all of the following apply:

[3]Purchases 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.

1. The original public contract was approved by the Board.

2. The change order is within the general scope of the public contract.

3. The change order is implemented in accordance with the change order provisions of the public contract.

4. Any increase in payments under the change order does not exceed $150,000.

If, in the opinion of the Superintendent or designee, not approving a change order would result in unreasonable delay or substantial cost to the district, the superintendent or designee may authorize a change order up to 25% of the total amount of payments scheduled to be made under the last approved contract, or $500,000, whichever is less. Such authorizations pertain only to capital improvement funds. The following must also apply:

1. The original public contract was approved by the Board,

2. The change order is within the general scope of the public contract,

3. The change order is implemented in accordance with the change order provisions of the public contract, and

4. The Board is presented with information regarding the change order at their next regularly scheduled meeting.

END OF POLICY

Legal References(s):

ORS Chapters 279A, 279B, and 279C
OAR Chapter 125, Divisions 246-249
OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES

Corvallis
SCHOOL DISTRICT

XI.A.5. Policy DJC-AR - Exemptions from Competitive Bidding and Special Procurements

Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder & Lauren Wolfe
Meeting Date: October 10, 2024

NO ACTION REQUIRED

Board Policy DJC-AR—Exemptions from Competitive Bidding and Special Procurements—Revision—First Read

Background

OSBA recommends deleting the current versions of DJC – Bidding Requirements, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, DJCA – Personal Service Contracts, and DJCA-AR – Personal Service Contracts, and replacing them with the new proposed versions of DJC and DJC-AR.

This administrative regulation is intended to provide guidance for the district in preparing a request for special procurement to the Local Contract Review Board (LCRB). This administrative regulation is not intended as procurement rules in place of the Attorney General's Model Public Contracting Rules or rules adopted by the LCRB

Involvement

Staff members: Melissa Harder & Lauren Wolfe

Cost Impact

None.

Function

Review of revisions.

Corvallis SCHOOL DISTRICT

Code: DJC-AR
Adopted: 8/19/02
Revised/Readopted: 4/4/05; 3/13/06; 4/11/16

Exemptions from Competitive Bidding and Special Procurements

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

1. Contracts below threshold levels in accordance with ORS 279B.065 (small procurements for goods and services), 279B.070 (intermediate procurements for goods and services) and 279C.412 (intermediate procurements for public improvements);

2. Special procurements for goods and services in accordance with ORS 279B.085 and OAR 137-047-0285;[1]

3. Contracts which have been exempted under ORS 279A.025 and 279C.335; and

4. Any other contract exempted by law.

SPECIAL PROCUREMENTS FOR GOODS AND SERVICES

To proceed with a special procurement, the district shall submit a written request to the Board, acting as the Local Contract Review Board (LCRB). This request shall describe the contracting procedure, the goods and services or class of goods and services that are the subject of the special procurement, and circumstances that justify the use of a special procurement.

The special procurement must be unlikely to encourage favoritism in the awarding of a public contract or to substantially diminish competition for public contracts; and (A) must be reasonably expected to result in substantial cost savings to the district or to the public; or (B) must 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 any related rules.

After LCRB approval, the district may proceed with a special procurement. 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

[1] Procurement law for goods and services uses the term "special procurement." Procurement law for public improvement contracts does not use the term "special procurement," but a comparable exemption is allowed under ORS 279C.335.

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 the approval without making a subsequent request for a special procurement.

The following are additional considerations and requirements for specific types of special procurements. The request submitted to the LCRB should address these provisions and satisfy any requirements.

Brand Names or Equal[2]

1. "Brand name or equal specification" means a specification that uses one or more manufacturers' names, makes, catalog numbers or similar identifying characteristics needed to meet the district's requirements and that authorizes bidders or proposers to offer goods or services that are equivalent or superior to those named or described in the specification.

2. "Brand name specification" means a specification limited to one or more products, brand names, makes, manufacturer's names, catalog numbers or similar identifying characteristics."

3. "Specification" means any description of the physical or functional characteristics of, or of the nature of, goods or services to be procured by a contracting agency.[3]

A brand name or equal specification may be used 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. 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. Nothing in the law or this administrative regulation may be construed as prohibiting the district from specifying one or more comparable products as examples of the quality, performance, functionality or other characteristics of the product needed by the contracting agency.

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:

1. That use of the brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts;

2. That use of a brand name specification would result in substantial cost savings to the contracting agency;

[2] For additional guidance, see OAR 125-247-0691.

[3] Specification may include a description of any requirement for inspecting, testing or preparing goods or services for delivery.

3. That there is only one manufacturer or seller of the product of the quality, performance or functionality required; or

4. That efficient utilization of existing goods requires the acquisition of compatible goods or services.

Advertising Contracts, Purchase of[4]

The district traditionally purchases advertising in newspapers, however, the district may also purchase advertising in other media, such as radio, television or the internet. Advertising contracts may be procured without competitive procurement based on findings of:

1. Advertisements are placed in a particular source because of the specific audience that source serves;

2. Competition to furnish advertising space in daily newspapers of general, trade or business circulation in the vicinity of the district is limited;

3. Cost savings are difficult to quantify where the sources are unique and not interchangeable;

4. Advertisements may be placed to satisfy legal notice or Board policy requirements;

5. 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;

6. 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; or

7. It is unknown whether contracts for advertisements placed with radio, television, the internet or other 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.

Advertising Contracts, Sale of

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

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 district itself would not achieve any increased revenue to the General Fund by seeking competitive bids or proposals

[4] See OAR 125-247-0288(5) for additional guidance.

for such advertising. This holds true for other student activities, such as athletics, drama or music events and the like.

Equipment Repair and Overhaul[5]

The district may enter into a public contract for equipment repair or overhaul without competitive bidding when competitive procurement is not practical. This may include when service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing, or service or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source. The district will use a competitive procedure to the extent practicable.

If the repair or overhaul qualifies as an emergency, the district may use emergency procurement procedures.

Copyrighted Materials

Contracts for the procurement or distribution of textbooks are exempt from public procurement requirements. Purchase of copyrighted materials available from only one source may be procured through the sole source procedures. Requests for special procurement approval for the purchase of other copyrighted materials may be submitted to the LCRB with supporting information.

Used Personal Property or Equipment, Purchase[6]

The district may purchase used property or equipment without obtaining competitive bids or quotes, if at the time of purchase, the LCRB has determined that the purchase will result in substantial cost savings to the district or promote the public interest and will unlikely diminish competition or encourage favoritism. "Used personal property or equipment" is property or equipment 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.

Information Technology and Telecommunication Contracts[7]

The district may enter into a contract to acquire information technology hardware and software and services (including telecommunications) without competitive bidding if, the LCRB has determined that the purchase will result in substantial cost savings to the district or promote the public interest and will unlikely diminish competition or encourage favoritism.

[5] For additional guidance, see OAR 127-247-0288(6).

[6] For additional guidance, see OAR 125-247-0288(10). When 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. For more information on this program, contact DAS at 503-378-4714.

[7] For additional guidance, see OAR 127-247-0185.

Renegotiation of Existing Contracts with Incumbent Contractors

The district may amend or renegotiate contracts with existing vendors, service providers or other parties in accordance with OAR 137-047-0800.

EXEMPTIONS FOR PUBLIC IMPROVEMENT CONTRACTS

Oregon law[8] allows for exceptions to competitive bidding for public improvement contracts or classes of contracts when the LCRB approves findings that:

1. The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts; and

2. Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the district.

In approving a finding, 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:

1. How many persons are available to bid;

2. The construction budget and the projected operating costs for the completed public improvement;

3. Public benefits that may result from granting the exemption;

4. Whether value engineering techniques may decrease the cost of the public improvement;

5. The cost and availability of specialized expertise that is necessary for the public improvement;

6. Any likely increases in public safety;

7. Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;

8. Whether granting the exemption will affect the sources of funding for the public improvement;

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

[8] See ORS 279C.335.

10. Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;

11. Whether the public improvement involves new construction or renovates or remodels an existing structure;

12. Whether the public improvement will be occupied or unoccupied during construction;

13. Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions; and

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

In granting this exemption, the LCRB shall:

1. If appropriate, direct the use of alternative contracting methods that take account of market realities and modern practices and are consistent with the public policy of encouraging competition;

2. Require and approve or disapprove written findings by the district that support awarding a particular public improvement contract or a class of public improvement contracts, without the competitive bidding requirements. The findings must show that the exemption complies with the requirements outlined in this administrative regulation; and

3. If the procurement involves construction manager/general contractor services, require the district conduct the procurement in accordance with OAR 137-049-0690.

Notification of a proposed exemption under this section must be published in at least one trade newspaper of general statewide circulation a minimum of 14 days before the date on which the LCRB intends to take action to approve or disapprove the exemption. The notice must state that in response to a written request, the district will hold a public hearing for the purpose of taking comments on the draft findings for an exemption from the competitive bidding requirement.[9] If a hearing is held, the district shall offer an opportunity for any interested party to appear and comments. If the district must act promptly because of circumstances beyond the district's control that do not constitute an emergency, notification of the proposed exemption may be published simultaneously with the district's solicitation of contractors, as long as responses to the solicitation are due at least five days after the agency intends to take action to approve or disapprove the proposed exemption.

[9] The district may hold a hearing even if there is no written request.

CORVALLIS SCHOOL DISTRICT 509J	Code:	DJC-AR
	Adopted:	8/19/02
	Revised/Readopted:	4/4/05, 3/13/06, 4/11/16

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.

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. 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.

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.

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.

E. 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 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.

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.

F. If the district intends to make several purchases of brand name-specific supplies and services from a particular manufacturer or seller for a period not to exceed five years, the district must so state this in the procurement file and in the solicitation document, if any, or a public notice of a solicitation. 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)

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.

C. If the anticipated purchase exceeds $10,000 and a competitive method is used, the district must post notice in a public manner.

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.

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 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 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 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 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 designated distributor.

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 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.

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. 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 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 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 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 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, 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.

[1]The Oregon Procurement Information Network (ORPIN) allows authorized members to utilize the state's price agreement/contracts to purchase goods and services. Authorized 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.

~~B. 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.~~

~~C. 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.~~

~~D. 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.~~

~~E. 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.~~

~~F. 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 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, PURCHASE[2]~~

~~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 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. 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. 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.~~

~~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 include information on whether a vendor provides used property or equipment. These lists are open to all vendors.~~

[2]When 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. For more information on this program, contact DAS at 503-378-4714.

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 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. 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. The district shall document the evaluation and award process, which will be part of the public record justifying the award.

C. 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 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. The district shall document the evaluation and award process, which will be part of the public record justifying the award.

B. 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 they feel limit competition.

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 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.

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. 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. 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.

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 district shall not contract pursuant to this special procurement in the absence of an order from the DEQ to clean up a site that 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 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.

The Board, acting as the 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.

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 district has determined that value engineering, specialized expertise required, and public safety, and technical complexity generally do not apply to this exemption.

C. 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. 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. Description of the brand name, mark, or product to be specified.

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.

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.

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, supplies, or services requires the acquisition of compatible equipment, supplies, 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. 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.

F. 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 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 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.

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

~~C. 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 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 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 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 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. REQUIREMENTS CONTRACTS (BLANKET PURCHASE ORDERS, PRICE)[3]

A. The finance and operations director, 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 district has determined that value engineering, specialized expertise required public safety, and technical complexity, generally, do not apply to this rule.

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 let by a competitive procurement process pursuant to the requirements of the public contracting code and these rules.

D. 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.

E. 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.

F. 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:

[3]The Oregon Procurement Information Network (ORPIN) allows authorized members to utilize the state's price agreement/contracts to purchase goods and services. Authorized 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.

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.

G. 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 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.~~

~~V. WAIVER OF PERFORMANCE AND PAYMENT SECURITY REQUIREMENTS (PUBLIC IMPROVEMENT CONTRACTS UNDER $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 $100,000. Although the performance/payment security requirements of 279C.390 are waived for public improvement contracts less than $100,000, the district may impose a performance/payment security requirement for projects less than $100,000when 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.~~

~~VI. 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. Definitions. For purposes of this exemption only: "Complex Systems" are defined as those systems that incorporate the procurement of materials or other components that 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

XI.A.6. Policy KBA-AR - Public Records Request

Corvallis
SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder & Kim Nelson
Meeting Date: October 10, 2024

NO ACTION REQUIRED

Board Policy KBA-AR—Public Records Request—Revised—First Read

Background

OSBA highly recommends updating this policy to ensure that the names of the person or persons who receive the public records requests are listed in the AR. Districts were also encouraged to describe their fees in the AR.

Additionally, this policy has not been reviewed since 2015 and several language changes have occurred that require extensive updating.

Involvement

Staff members: Melissa Harder & Kim Nelson

Cost Impact

None.

Function

Review of revisions.

Corvallis SCHOOL DISTRICT

Code: KBA-AR
Adopted: 4/12/99
Revised/Readopted: 12/13/10; 2/2/15

Public Records Request

In compliance with Oregon law the following guidelines apply to the dissemination, inspection, and examination of the public records of the district:

1. ~~All requests for information must be made through the superintendent's office located at 1555 SW 35th Street, Corvallis, Oregon, 97333;~~ A public records request shall be submitted in writing to the Corvallis School District at 1555 SW 35th Street, Corvallis, OR, 97333 or submitted through the Public Records request page of the district website to Kim Nelson (kim.nelson@corvallis.k12.or.us).

2. Upon receipt of a written request, the district shall respond within five business days[1] acknowledging receipt of the request or completing[2] the district's response to the request.

If the district provides an acknowledgment of the request, it must:

a. Confirm that the district is the custodian of the requested record;
b. Inform the requester that the district is not the custodian of the requested record; or
c. Notify the requester that the district is uncertain whether the district is the custodian of the requested record.

3. If the district is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date the district is required to acknowledge receipt of the request as described above, the district shall:

a. Complete its response to the public records request in accordance with ORS 192.329(2). If the district determines that a record is exempt from public disclosure, the district will include a statement to that effect and that the requester may appeal the decision pursuant to state law; or

[1] "Business day" means a day other than Saturday, Sunday or a legal holiday, and on which at least one paid employee of the district is scheduled to and does report to work. Business day does not include any day on which the central administration offices of the district are closed.

[2] The district response to a public records request will be considered complete when it complies with criteria in Oregon law (ORS 192.329).

b. Provide a written statement that the district is still processing the request and a reasonable estimated date by which the district expects to complete its response based on the information currently available.

4. The time periods, established by Oregon law and identified above in Section 2 or 3, will not apply to the district if compliance would be impracticable because:

a. The staff or volunteers[3] necessary to complete a response to the public records request are unavailable;
b. Compliance would demonstrably impede the district's ability to perform other necessary services; or
c. Of the volume of the public records request being simultaneously processed by the district.

In these situations, the district shall, as soon as practicable and without unreasonable delay, acknowledge a public records request and complete the response to the request.

5. The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request as permitted by law. If the district requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification. If the requester fails to respond within 60 days to a good faith request from the district for information or clarification, the district shall close the request.

6. If a copy of a public record is requested, the district will provide a single copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public record is not available in the form requested, it will be made available in the form the record is maintained.

7. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under Oregon Revised Statute (ORS) 30.275(5)(a) asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.

8. Information will be made available to individuals with disabilities in an ~~appropriate~~ accessible format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations;

[3] Staff member or volunteers who are on leave or are not scheduled to work are considered to be unavailable.

9. Where the labor effort exceeds 30 minutes, labor, material, and out-of-pocket charges will charged to the requester.

Costs will be as follows:

a. Clerical time: $50 per hour;
b. Administrator time: $100 per hour;
c. Attorney time: $350 per hour;
d. Printing or Scanning: $0.25 per page
e. Reviewing/Redacting Documents: $0.30 per page.

Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

If the district has informed the requester of a permitted fee, the obligation of the district to complete its response to the request is suspended until the fee has been received by the district. If the requester fails to pay the fee within 60 days of the date they were informed of the fee or fails to pay the fee within 60 days of the date on which the district informed them of the denial of the fee waiver, the district shall close the request.

~~10. Requests for information concerning sensitive, technical, or emotional issues may be required to be submitted in writing and the district will respond in writing within a time frame consistent with the request. Reasonable accommodations will be provided for persons with disabilities upon request and with appropriate advance notice;~~

~~11. Where the labor effort exceeds 30 minutes, fees will be charged that will reimburse the district for the actual cost of providing copies of public records. Labor and benefits will be calculated at the hourly rate of the employee affected. Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge;~~

~~12. The district reserves the right to restrict the inspection of some public records to the district's facilities;~~

~~13. Individuals may request a waiver or reduction in fees for public records.~~

Corvallis
SCHOOL DISTRICT

XII. BOARD MEMBER COMMENTS

XIII. EXECUTIVE SESSION (8:00 - 9:00 p.m.)* Note: this is not part of the public meeting. The Board will meet in Executive (closed) Session under ORS 192.660(2)(b) - Complaints against staff members and ORS 192.660(2)(f) - To consider information or records that are exempt by law from public inspection.

XIV. ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

XV. ADJOURNMENT (9:10 p.m.)*

*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