

**Bend-La Pine Schools**  
**Bend, OR 97703**  
**September 27, 2016**

Regular Meeting 5:15 p.m.

The Board of Directors of Bend-La Pine Schools will meet in a regular meeting on September 27, 2016 in room 314 of the Education Center, 520 NW Wall Street, Bend, OR.

**Agenda**

Call to Order	Chair Kinkade
Pledge of Allegiance	Andy High
Review of Agenda	Chair Kinkade
<i>Public Input</i> This is the time provided for individuals to address the Board. Visitors who wish to speak must sign up prior to the beginning of the meeting on the sign-up sheet provided. Please state your name and topic when you address the Board.	Chair Kinkade
Superintendent's Spotlight of Success : The Center Foundation	Superintendent Mikalson

**Charter School Hearing**

Desert Sky Montessori Charter School Introduction & Presentation	Superintendent Mikalson
Public Input	Chair Kinkade
Board Questions	Chair Kinkade

**Consent Agenda**

Approval of Minutes – September 13, 2016 Reference: ORS 192.650 and ORS 332.057	Chair Kinkade
Approval of Personnel Recommendations Reference: ORS 332.505	Deputy Superintendent Jay Mathisen

**Action Items**

Board Staff Linkage – Monitoring Superintendent Performance	Chair Kinkade
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**Discussion**

2016-17 Board Work Plan Goals	Chair Kinkade
Board Roles & Committees	Chair Kinkade
Board Staff Linkage – Expectations of District Staff & Expectations of the Board	Chair Kinkade

**Reports**

PlanB – Performance Review Report	Andy High
Enrollment Report	Brad Henry
Executive Limitation 3 – Treatment of Students, Parents/Guardians and the Public	Superintendent Mikalson

**Board Comments**  
**Adjourn**

Accessible Meeting / Alternate Format Notification

This meeting location is accessible. Please contact Bend-La Pine Schools at 541-355-1001 if you need accommodation to participate in the board meeting. Please call at least three days prior to the scheduled meeting date. Thank you.

**Bend-La Pine Schools  
Bend, OR 97703**

The Board of Directors for Bend-La Pine Schools met in a regular meeting on September 13, 2016 at the Education Center, 520 NW Wall Street, Bend, OR 97703.

**Board Members Present**

Peggy Kinkade  
Nori Juba  
Julie Craig  
Ron Gallinat  
Stuart Young  
Cheri Helt *arrived at 5:37 p.m.*

**Board Members Absent**

Andy High

**Call to Order**

The meeting was called to order at 5:16 p.m. by Chair Kinkade. The Pledge of Allegiance followed.

**Review of Agenda**

Chair Kinkade reviewed the agenda, there were no changes.

**Public Input**

Chair Kinkade welcomed Central Oregon Family School supporters and noted 10 people signed up for public comment. She asked comments be kept to two minutes and to please refrain from repeating one another.

Donese Pogue thanked the board for their time and shared her excitement about COFS, and as a founding member, she is hopeful the board will cast a vote of sponsorship tonight. Pogue shared about COFS board members and the role each of them will play. She added each of the five board members supports the COFS model and proposal and is hopeful for a yes vote as well.

Emily Gibson spoke about the revised COFS budget and a policy handbook established for internal fiscal controls. A certified accountant has worked through the proposed budget and is supportive of the application materials. Gibson addressed start-up costs and ways COFS supporters have offered to offset those expenses. She asked the board to vote in support of the application.

Jamie Folkins addressed the COFS opening timeline. With a yes vote, COFS plans to open in late October or at semester and would consider longer school days or a longer school year that would support the 900 hours of required instruction. First Presbyterian Church has agreed for COFS to use their facility and they have over 30 signed intent forms. Folkins asked the board to vote in support of the application.

Leanna Long spoke to the board about the qualifications and the experience of the educators who will be working at COFS. They are all familiar with educational best practices and will provide support for parents. She asked the board to vote in support of the application.

JoAnne Bowles addressed special education services, funding allocations for services and responsibilities of the sponsoring district to provide special education support services. She read a memo that further clarified responsibilities of the governing educational board of the charter school for special education services. Bowles said COFS fully plans to cooperate with the recommendations of the district and understands the district would keep a portion of ADM to help pay for the support services they provide to COFS. She asked the board for a vote of support.

Drinda Bell spoke about TSPC license requirements for staff and instructional hours. She explained that highly qualified teachers will be hired and the student teacher ratio will meet legal requirements. Teachers will oversee and develop core curriculum and delivery, monitor attendance, produce progress reports and adapt schedules, etc. as needed by the student. She noted there are at least five other charters operating successfully with a similar structure as the COFS proposal. She asked the board to vote in support of COFS.

Catherine Lieberknocht explained the differences between COFS and Bend-La Pine Online. She noted COFS students are part of a regular classroom that meets for one full community day, which is required. Progress monitoring occurs weekly, community service activities are required, there are text-based lesson plans which COFS teachers develop, direct and supervise. Regular classrooms are taught by highly qualified teachers and schedules are structured to support parents in a variety of ways. She ensured the board that attendance and progress would be monitored daily and tracked by COFS to meet legal compliance. Lieberknocht asked the board to vote yes tonight.

Anita Fairbanks spoke about the teaching and learning techniques that make COFS different from other programs in the district. She noted direct reading instruction, math labs, accessibility to teaching staff and administrators with same day response time for questions and support. She explained instruction happens in real time with no online requirements. The flexibility of COFS and specialized training teachers receive (i.e., dyslexia training) will be used to support parents. She commented on the effectiveness of homeschool options for students who struggle with reading and dyslexia and urged the board to vote yes.

Anna Kluckow addressed the concerns of expansion from the district. She feels COFS will enhance the options the district can offer to students without inhibiting enrollment. Nearly 1,200 students are currently enrolled in home school through the High Desert ESD and she anticipates some of those students will enroll with COFS. Kluckow said with the projected increase of enrollment in the district over the next years there will be an increased need for options for students and families. She asked the board to vote in support of the application.

Lori Bogen addressed the districts concerns of parents providing instruction and not meeting TSPC or ODE requirements for charter schools. Five COFS teachers will be providing direct instruction at a ratio of 1:18 and will oversee the instruction being delivered at home, preparation of curriculum materials and monitor progress and assessment. COFS teachers will provide counseling and guidance for parents and will be accessible each school day to ensure compliance with all state regulations. Bogen would like the boards support of the COFS application.

Chair Kinkade thanked all for their comments.

### **Action Items**

#### *Central Oregon Family Charter School Application*

Superintendent Mikalson expressed his appreciation for the efforts put forth by Central Oregon Family School (COFS) and reviewed the application, remediation recommendation, the work of the district review committee and process leading up to this point. He said while the application has improved based upon recommendations made by the district, he still has concerns. Mikalson said there is continuing concern related to budget, student discipline, similarities to the current Bend-La Pine Online program, meeting licensed teaching staff requirements and instructional time requirements set forth by the state of Oregon. Mikalson shared the district has researched instructional time laws with ODE through legal counsel and feels their understanding along with ODE interpretation lends to the charter application not meeting the requirements of the law.

Chair Kinkade asked for any board comments.

Ron Gallinat appreciates the work done by COFS and the time spent in their application. He agrees with the district recommendation and shares the same concerns. He is not in favor of supporting the application.

Cheri Helt thanked COFS for their desire to create an alternative option for students and families. She thanked district staff for the time invested in reviewing the application and noted she highly values their work and expertise and agrees with the district's recommendation to not support the application.

Stuart Young shared he has been on both sides of a charter application, as a former superintendent reviewing materials and as a part of an application group presenting a charter. He respects the mission of COFS and work they have done, however agrees with the district's recommendation to not support the application.

Julie Craig agreed, and said she too is not supportive of the application. She said it is difficult for her to vote no when so much time and passion have been invested into the process. She hopes that this decision does not discourage those who are educating their children at home.

Nori Juba said he is a big supporter of charter schools, adding his son attended a charter in Redmond that Mikalson helped found. He does not think COFS is a duplication of programs the district already offers, like Bend-La Pine Online, however, he agrees with the district's concerns around instructional time and at this time does not support the application.

**Stuart Young moved to deny sponsorship of the Central Oregon Family School charter application based upon reasoning provided from the district review committee and presented by Superintendent Mikalson. Ron Gallinat seconded the motion. The board unanimously agreed to deny sponsorship.**

Chair Kinkade expressed her sincere thanks to Central Oregon Family School for their efforts and wished them the best.

### **Consent Agenda**

Cheri Helt asked about the four-hour per day new hires and expressed her general concern of personnel cost due to those employees being benefit eligible. Jay Mathisen and Debbie Watkins shared the general reasons for these hires and noted that this is an unusual amount of these types of positions. Some are grant funded, some are split shift employees, like bus drivers and others were positions that were previously combined and now hired separately as building needs have changed. Kinkade thanked Watkins for the information.

**Ron Gallinat moved to approve the Consent Agenda. Julie Craig seconded the motion. Unanimous approval.**

### **Reports**

#### *High School Programming*

Superintendent Mikalson reviewed the district staff's comprehensive work plan in the board packet and noted one of the priorities this year is to continue to evaluate and refine high school programs.

Jay Mathisen said he is excited to think and plan high school programs. The first step in this process is to look at what is current in our high schools and feels the district has done a good job of putting different programs in schools that allow students to develop skills where they have aptitude. Last year, much emphasis was placed on school culture and the positive movement has been exciting to watch and the district wants that to continue as the visioning of high school includes a combination of culture, board vision, what is defined in the board ends all while working toward Student B.

Mathisen shared an overview of enrollment and growth in the district, noting today, there are 550 more students than last year at this time. Rapid growth was identified in Phase 1 of the Sites and Facilities Report which projected all of the district's high schools will be over capacity by 2018. Seven schools are needed in the next 20 years to keep up with initial projections of growth, and at this point the district is exceeding the growth rate factored in those projections. The Sites and Facilities Team is currently working to issue the second phase of their report and part of that is fine tuning just how much capacity the district needs at the high school level and possible solutions to meet need and goals of the district. The district is looking at how to better personalize education at the high school level by reflecting on current programs and researching what other districts are doing well.

Mathisen said a community group, Looking Forward, is very interested in thinking with the district on how high school can be done differently and making it a place to better prepare students for their futures and the 'new economy' and what skills they might need to have after they graduate; they are excited to partner with the district and do what is best for the whole student.

Mathisen reviewed the questions around planning principles for the district:

- Choice matters: choice for students and families is strong in grades K-5, how or in what ways can we offer more at the high school level?
- Personalization: how do we personalize instruction for all students?
- Space for innovation: it is the district's job to set the stage for educators to be innovative and think differently. Schools and principals who support teachers to think outside the box in how they teach curriculum are often very successful. How can we support innovation?
- Future ready, thriving citizen, academic excellence: all need to be kept in mind

Mathisen said as the district begins to rethink high school, and how to meet capacity needs while maximizing the impact and experience for all students, programming ideas that reflect the district's larger vision are important. He shared some potential high school models:

- REALMS Next: expeditionary learning for grades 9-12
- CTE Future Now: focuses on construction, programming, electrician skills, culinary, etc. These programs are currently successful in our high schools and how we can expand and integrate the CTE model into core academic subjects
- Innovation and Design School: Mathisen noted the work of Alice DeWittie and Project XQ work which resulted in a new high school model shared last Spring
- Health Sciences School: there is great potential to partner with facilities and physicians in Central Oregon, a similar model is very successful in Beaverton
- Arts and Communications School: fine arts, digital and digital communications

As the district continues to grow and have more high school students, the district would like to offer more options and Mathisen feels each of these models fit within the board goals and the vision of Superintendent Mikalson. The need for capacity provides a perfect opportunity to think about opportunities and creative options for students. He added, the district is in a unique position where we could test some prototypes over the next couple of years to see what is working well and what students are excited about.

Chair Kinkade asked if the district is talking with students about what they would like for their high school experience. Mathisen said DeWittie did work with students significantly in her design work and other principals are having conversations about what works well and makes for a well-rounded high school experience. Kinkade likes to hear what high school students think and what they are interested in.

Cheri Helt thanked Mathisen for his excitement and appreciates his efforts to look outside the box and offer options at the high school level. She likes that the business community and students are involved in the conversations and appreciates all the work being done.

Nori Juba asked about the timeline and what does testing these models look like. Mathisen said Summit High has done some experimenting with expeditionary learning and learning from student feedback if that is a desired program. Mt. View High is bringing in an advisory group to look at CTE and computer programming and ways to utilize people in the industry to help develop that program. Bend High's current CTE program is very popular with students and expanding to include Rec Tech. He gave credit to Sal Cassaro who continues to work with students and teachers to develop the program. Juba likes the design process and would like to see this move as quickly as possible. He commented on how impressed he was with Principal Brian Crook's presentation at High Desert Middle School when Governor Brown visited. Crook spoke about relationships and supporting students who are willing to take risks in their education. Mikalson agreed and shared his appreciation for Mathisen's leadership as the district continues to look forward.

Kinkade thanked Mathisen for his presentation and looks forward to hearing more about options that could provide a great menu for many students, helping them be connected and stay engaged at school.

### **Board Retreat Continuation**

#### *Board Staff Linkage – Monitoring Superintendent Performance*

Chair Kinkade referenced the first draft on page 18 in the board packet and reviewed the content and plans to continue forward with the executive limitation policy monitoring, governance policy, board ends, and contract that was set in place for Superintendent Mikalson this year.

Cheri Helt said this draft reads well and Mikalson agreed, noting he feels this clearly articulates what the board has expressed in a more formalized model. Kinkade said a final version will be part of the September 27 meeting for board action.

#### *2016-17 Board Work Plan*

Kinkade reviewed the draft work plan in the board packet, noting the draft was created based on the discussions at the board retreat.

Ron Gallinat asked about 3d: dialogue with stakeholders under community outreach and if specific stakeholders should be listed. Kinkade said this language comes from policy governance and the importance of the board connecting with all stakeholders, whom they represent. She noted this goes beyond parent engagement as these stakeholders are often times the districts best advocates.

Nori Juba liked the draft plan and appreciates the effort to define the specifics of what the board would like to achieve. He would like to add some specific outcomes to the plan. Helt suggested adding goals to the plan and those goals could change each year. Discussion ensued on work and how to set goals for each part of the plan. Mikalson added this will also help with the board's self-evaluation. Juba suggested continuing the conversation at the September 27 board meeting and asked for board members to submit specific ideas for numbers 3, 4 and 5 of the plan. From those suggestions the board will then prioritize goals and determine if a committee of the board needs to be created. Juba and Gallinat will work together on a first draft for board members to review. Chair Kinkade said she likes the plan and looks forward to the upcoming discussion.

#### *Board Roles*

Chair Kinkade suggested moving this discussion to a later time, after the goals and priorities of the board are defined at the September 27 meeting. All board members agreed.

#### *Board Ends Review*

Chair Kinkade asked for any comments or concerns around the eight ends the board identified. Stuart Young said he would like to leave them as they are written and feels they are a great start and looks forward to digging into each one more deeply as the year goes on. Kinkade agreed and added she would like to have the board continue to think about number eight under Future Ready and ways to measure what students do after graduation.

Superintendent Mikalson said the momentum in schools is positive and encouraged the board not to change much at this point. Juba agreed and added he would like to find a way to gather data on what students do after graduation. The board discussed their interests and ideas on this topic. Mikalson said AASA has started the conversation "redefining ready" and will be spending the next year discussing what it means for students to be 'life ready' and this may help the district and board redefine this measure.

### **Board Comments**

Chair Kinkade noted tonight is Bulletin reporter, Abby Spegman's last board meeting. A press release went out yesterday about the vacant Budget Committee seat. Applications are due October 7 and she encouraged all board members to reach out and share this information. She suggested a subcommittee of the board

review applications and bring a recommendation to the board. Ron Gallinat and Andy High will take care of the application review process.

Ron Gallinat attended the Bear Creek open house and said the turnout was amazing. It was a great event.

Julie Craig thought the Welcome Back at Bend High was fantastic and energizing. She enjoyed meeting Governor Brown and Salam Noor at High Desert Middle School this morning. She could tell that Principal Crook is doing a great job in his role there. Ron Gallinat agreed.

Cheri Helt attended the opening ceremonies for OSU Cascades Campus today and said she appreciated seeing binders made for all students that had 'tips for helping a stressed friend' listed. Sharing those tips with every single student is a great way to remind students to focus on their mental health wellbeing and that of others.

Nori Juba visited an art classroom at High Desert Middle School and was impressed with teacher, Marcy Monte, who was talking about the importance of building relationships in class with her students. Juba likes the climate Principal Crook is creating with his staff and students, adding it feels like a positive learning environment. He also liked hearing students tell the Governor that they wanted more choice and electives when asked. Teachers agreed and shared electives and choices are what students get excited about and makes them more engaged. The Governor also asked students if iPads are useful in class and students answered yes with a variety of reasons why. Juba enjoyed hearing their responses as it validates board work.

Chair Kinkade thanked all for attending.

Meeting adjourned at 6:58 p.m.

Respectfully submitted,  
Andrea Wilson  
9.13.2016



## HUMAN RESOURCES

*Education Center*

*520 N.W. Wall Street  
Bend, Oregon 97703-2699  
(541) 355-1100  
Fax: (541) 355-1109*

DATE: September 23, 2016

TO: Shay Mikalson, Superintendent  
Board of Directors for Bend – La Pine Schools

FROM: Jay Mathisen, Deputy Superintendent  
Jon Lindsay, Director of Human Resources - Certified

RE: Administrative and Licensed Recommended Hires, Resignations, and Retirees

The Human Resource Department recommends approval of the following hires, resignations and retirees at the school board meeting on September 27, 2016. All hires are subject to successful drug testing, background check, and Oregon licensure.

### **CERTIFIED HIRES**

NAME	POSITION	LOCATION	STATUS	HIRE DATE
Krauthoefer, Molly	Social Studies/Lang Arts @ .10 FTE 106410	Pacific Crest MS	Part-time to Temporary Full-time	09/27/2016
Seemann, Eli	Math Teacher @ .40 FTE 106414	REALMS	Non-Contract	09/27/2016

### **CERTIFIED RESIGNATIONS**

NAME	POSITION	LOCATION	HIRE/RESIGNED DATES
Parsons, Kelley	Computer Technology	Pilot Butte MS	08/28/2006 – 10/12/2016



## HUMAN RESOURCES

*Education Center*

*520 N.W. Wall Street*

*Bend, Oregon 97703-2699*

*(541) 355-1100*

*Fax: (541) 355-1109*

September 22, 2016

TO: Shay Mikalson, Superintendent  
Bend-La Pine School Board of Directors

FROM: Jon Lindsay, Director of Human Resources – Licensed Staff  
Debbie Watkins, Director of Human Resources – Classified Staff

RE: Classified Recommended Hires, Resignations and Confidential Retirements

The Human Resources Department recommends approval of the following hires and resignations at the School Board meeting on September 27, 2016

### Classified Hiring

Name	Position/Posting No.	Location	Temp/Regular Position	Hire Date
Baker, Katy	#106276 Nutrition Server I	Ponderosa	Reg 3 hrs / day	9/15/16
Dod, Sarah	#106276 Nutrition Server I	Lava Ridge	Reg 3 hrs / day	9/12/16
Edde, Robert	#106428 EA – Student Instruction	Westside Village	Reg .5 hrs / day	9/13/16
Edde, Robert	#106427 EA – Student Supervision	Westside Village	Reg .5 hrs / day	9/13/16
Hargous, Stephanie	#106276 Nutrition Server I	Bend High	Reg 3 hrs / day	9/20/16
Helmly, Ann	#106222 EA – Inclusion	Lava Ridge	Reg 6.5 hrs / day	9/7/16
Henderson, Crystal	#106413 EA – Student Supervision	RE Jewell	Temp 1 hr / day	9/19/16
Midden, Allison	#106222 EA – Inclusion	RE Jewell	Reg 6.5 hrs / day	8/30/16
Park, Soonbok	#106276 Nutrition Server I	Buckingham	Reg 3.25 hrs / day	9/16/16
Sikstrom, Jackie	#106276 Nutrition Server I	Buckingham	Reg 3.25 hrs / day	9/13/16
Smith, Leah	#106433 EA – Student Instruction	Buckingham	Temp 3.75 hrs / day	9/1/16
Spetic, Michelle	#106175 Consulting Registered Nurse	Special Programs	Reg 6.5 hrs / day	9/14/16
Stites, James	#106428 EA – Student Instruction	Westside Village	Reg .50 hrs / day	9/13/16
Stites, James	#106427 EA – Student Supervision	Westside Village	Reg .50 hrs / day	9/13/16
Stoefen, Lori	#106236 EA – Inclusion	REALMS	Temp 2.92 hrs / day	9/6/16
Wandersee, Jacqueline	#106297 EA – Pre-K	Bear Creek	Reg 3.75 hrs / day	8/30/16



## HUMAN RESOURCES

*Education Center*

*520 N.W. Wall Street*

*Bend, Oregon 97703-2699*

*(541) 355-1100*

*Fax: (541) 355-1109*

### *Classified Resignations*

Name	Position	Location	Resign Date
Brown, Shannon	Nutrition Server I	Ponderosa	9/17/14 - 9/23/16
Garza, Jeanie	Nutrition Server I	Bear Creek	3/15/16 – 9/16/16
Rouse, Stephanie	Nutrition Server I	Lava Ridge	8/29/14 – 7/1/16
Sweigert, William	EA – Student Instruction	Amity Creek	9/7/16 – 9/30/16

### *Classified Early Retirement – Rehire for the 2016-176 School Year*

Name	Position	Reason	Rehire Date
Abrams, Scott	EA – Inclusion	Rehire through 6/16/17	10/1/16
Plath, David	Outside Services Manager	Rehire through 6/30/16	10/1/16

## **MONITORING SUPERINTENDENT PERFORMANCE**

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The Board will view superintendent performance as being identical to organizational performance. Superintendent job performance will be monitored systematically against superintendent job expectations which are defined as:

- reasonable progress toward organizational accomplishment of the Board's Ends policies, and
- organizational operation within the boundaries established in the Board's Executive Limitations policies.

Accordingly, monitoring determines the degree to which board policies are being met. Information not formally presented as monitoring data and that does not contribute directly to this purpose is not considered monitoring data.

The Board will acquire monitoring data on Ends and Executive Limitations policies by one of three methods:

1. By internal report, in which the superintendent discloses information and demonstrates compliance to the board;
2. By external report, in which an external, disinterested third party selected by the board assesses compliance with board policies;
3. By direct board inspection, in which the whole Board formally assesses compliance with the appropriate policy criteria.

The consistent standard for compliance for Executive Limitations policies shall be whether the superintendent has reasonably interpreted and acted within the scope of the board policy being monitored. For Ends policies, the standard shall be whether the superintendent has reasonably interpreted and whether reasonable progress is being made toward achieving the board's described Ends. The board will make the final determination as to whether superintendent interpretation is reasonable, whether the superintendent is in compliance, and whether reasonable progress is being made.

Executive Limitations Policies will be monitored annually through a report presented by the superintendent at a school board meeting. While some policy language specifies interim updates (e.g. quarterly financial reports), the schedule for complete and formal EL monitoring appears below. Modifications to this schedule are subject to agreement between the superintendent and board leadership.

February:	EL 10 Financial Planning & Administration
March:	EL 11 Asset Protection
April:	EL 7 Facilities
May:	EL 9 Technology
June:	EL 8 Academic Program
	EL 12 Legally Required Policies
July:	EL 1 Global Executive Restraint

August:	EL 2 Emergency Superintendent Succession
September:	EL 3 Treatment of Students, Parents/Guardians & the Public
October:	EL 4 Treatment of Staff
November:	EL 5 Staff Compensation & Development
December:	EL 6 Staff Evaluation

The school board may request specific evidence or data related to an Executive Limitation report but shall do so in a timely manner with respect to the schedule. The superintendent will notify the school board of any material change to an Executive Limitation report that occurred after the report was submitted to the board.

### **Evaluation of the Superintendent**

The board will conduct a formal summative evaluation of the superintendent according to the timeline, process and scoring specifications outlined in the superintendent's contract. Board leadership and the superintendent shall also meet in November and May of each year to ensure that roles and responsibilities are being properly met by each party.

The summative evaluation will be based upon data collected during the year from the monitoring of Ends and Executive Limitations policies.

As the summative evaluation process described above is based on the prior year's evidence and actions, an incoming superintendent would not have impacted those results, therefore, board leadership shall have the discretion to develop an evaluation relevant to the first year of service of an incoming superintendent.

Nothing in this policy is intended to imply the establishment of any personal rights not explicitly established by statute, contract or board policy. All employment decisions related to the superintendent remain the sole discretion of the board.

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Replaces:

Originally Adopted: 9/27/2016

Monitoring Method:

Monitoring Frequency:

## **2016-2017 BLS BOARD WORK PLAN DRAFT**

1. Governance
  - a. Re-affirm Carver's Principles of Policy Governance (retreat)
  - b. Complete Board-Staff Linkages policies (by end of October)
  - c. Monitor and refine Executive Limitations
2. Board Professionalism
  - a. Complete self-evaluation by monitoring Governance Process policies
  - b. Invite staff feedback on board performance
  - c. Participate in professional development opportunities (including OSBA, NSBA and other opportunities)
3. Community Outreach
  - a. Build bridges with other public agencies
  - b. Strengthen adopted schools' relationships
  - c. Engage parents
  - d. Dialogue with stakeholders
4. Education Advocacy
  - a. Engage with 2017 legislature
  - b. Collaborate with coalition of Oregon leaders to increase our impact
  - c. Pursue assessment alternatives
5. Leverage District Resources
  - a. Consider land use options, philosophy, entrepreneurship
  - b. Strengthen relationship with select community partners (e.g. Looking Forward, Education Foundation)
  - c. Create Charter School position paper to clarify the board's expectations
6. Leverage Board Resources
  - a. Board meetings focused on priority issues
  - b. Prioritize board time
  - c. Create structured, clear, effective committee assignments

### **Board goals:**

1. All students receive an excellent education and are prepared for their future.
2. All students demonstrate personal integrity and responsible citizenship.
3. All schools provide safe, nurturing environments conducive to learning.
4. The school district operates with the highest level of fiscal stewardship while maintaining effective and efficient practices to meet board goals.

## **2016-17 Board Assignments**

Sites & Facilities Committee (part 2)

State advocacy work/legislature

Local partnerships and community outreach

- Adopted schools
- Connect with “owners” (per Carver)
- Parks & Rec MOU
- Relationship with City of Bend, City of La Pine
- Recognition of community partners/student employers etc

Audit committee (quarterly meetings)

Education Foundation (clarify role)

Land Committee

- review current land holdings
- consider land acquisition
- land use opportunities

Proposed Vice Chair Roles (see GP 5 Board Member Roles)

- Orientation of new board members
- Oversight of Board's resources and budget
- Consult on all other designated Chair duties

Other committees or work groups which could help the Board with its work?



# **Bend-La Pine Schools Performance Review of Selected 2013 Bond Projects**

**September 2016**

**PLANB**  
CONSULTANCY





September 2016

Mr. Andy High  
Bend-La Pine Schools  
520 NW Wall Street, Room 330  
Bend, Oregon 97703

Dear Mr. High:

We have completed our performance review of selected construction projects funded by the Bend-La Pine Schools 2013 bond. This report contains the detailed analysis and conclusions based on our review.

We wish to express our appreciation to District personnel and others we spoke with for their cooperation and assistance during this review.

Sincerely,

**PlanB Consultancy Inc.**



## **Performance Review of Selected 2013 Bond Projects**

### **Table of Contents**

	<b>Page</b>
<b>Executive Summary</b>	<b>i</b>
<b>Introduction</b>	<b>1</b>
Objectives	1
Approach and Methodology	1
<b>Results</b>	<b>3</b>
Background	3
Pacific Crest Middle School	3
Bend High School Addition and Remodel	5
Recommendations	7



## Executive Summary

## **Executive Summary**

PlanB Consultancy Inc. (PlanB), in conjunction with Talbot, Korvola & Warwick, LLP (TKW) provided an independent evaluation of two of the District's capital construction projects, the construction of Pacific Crest Middle School and the addition and remodel of Bend High School, both funded by the District's 2013 bond. The intent of the review was to assess District policies, practices, and processes related to:

- project design,
- construction contract procurement,
- project construction, including project management practices and controls, and
- project close out, including construction and accounting close out processes.

Using industry acknowledged best practices, a determination was made as to whether:

- policies and procedures were developed and implemented for all project phases,
- costs charged were in accordance with terms and conditions of contracts, including labor, materials, equipment, equipment rentals, and disposable tools,
- overhead costs represented value received and were justifiably charged to the projects,
- change orders, including back-charges, were reasonable, accurate, and contained the required supporting documentation,
- work performed was in accordance with contract stipulations and specifications,
- performance measures and indicators were established and applied,
- monitoring controls were effective, and
- lessons learned were documented and applied.

Although some capital construction processes and procedures can be strengthened, our review of the of the District's approach to the construction of the Pacific Crest Middle School and the addition and remodel of Bend High School, found that industry best practices appeared to be largely applied on the areas of project design, construction contract procurement, project management, and project close out.

Information obtained from an extensive review of available documentation and conversations with District personnel, designers, and contractors indicated that the District followed Oregon Public Contracting Rules and Procedures, developed adequate project estimates, and appropriately applied project management principles. However, a number of opportunities do exist for the District to strength its capital construction practices.

## **Recommendations**

### **Project Controls and Processes**

#### **Recommendation #1:**

**Bend-La Pine School District should:**

- consolidate and centralize its capital improvement related documents.
- add a detailed appendix to its *Construction Procedures Manual* for each project.

### **Key Performance Indicators (KPI's)**

#### **Recommendation #2:**

**Bend-La Pine School District should develop and maintain a formal process to document key performance indicators for each of its identified capital construction projects.**

### **Knowledge Management**

#### **Recommendation #3:**

**Bend-La Pine School District should:**

- consistently and continuously document its capital construction projects lessons learned and actively take each into account for future projects.
- file all lessons learned in a central data-base.

### **Value Engineering**

#### **Recommendation #4:**

**Bend-La Pine School District should enhance its value engineering process, develop detailed instructions, and use experts as appropriate.**

### **Risk Assessment**

#### **Recommendation #5:**

**Bend-La Pine School District should develop a formal risk assessment approach and apply it to all capital construction projects.**

### **Change Order Management - *Standardization/Tracking***

#### **Recommendation #6:**

**Bend-La Pine School District should enhance its change order process through detailed logging.**

**Change Order Management - Process Compliance**

**Recommendation #7:**

**Bend-La Pine School District should follow all requirements associated with the approval of project change orders.**

**3D Visualization**

**Recommendation #8:**

**Bend-La Pine School District should require architects to provide 3D visualization for project design.**

**Award Scoring Process**

**Recommendation #9**

**The District should monitor its current award scoring process to ensure it limits any opportunity for bias.**

**Errors and Omissions**

**Recommendation #10**

**The District should develop a formal policy to provide guidance regarding the treatment of errors and omissions.**



## Introduction

## **Objectives**

PlanB Consultancy Inc. (PlanB), in conjunction with Talbot, Korvola & Warwick, LLP (TKW) conducted a performance review of the construction of Pacific Crest Middle School and the Bend High School addition and remodel, both funded by the District's 2013 bond. To provide an independent evaluation of the District's capital construction projects, the following objectives were developed:

- Assess District policies, practices and processes related to two capital construction projects including:
  - project design,
  - construction contract procurement,
  - project construction, including project management practices and controls, and
  - project close out, including construction and accounting close out processes.
- Determine whether:
  - best practices were used in all aspects of the projects,
  - policies and procedures were developed and implemented for all construction phases,
  - costs charged were in accordance with terms and conditions of contracts, including labor, materials, equipment, equipment rentals, and disposable tools,
  - overhead costs represented value received and were justifiably charged to the projects,
  - change orders, including back-charges, were reasonable, accurate and contained the required supporting documentation,
  - work performed was in accordance with contract stipulations and specifications,
  - performance measures and indicators were established and applied,
  - monitoring controls were effective and,
  - lessons learned were documented and applied.

## **Approach and Methodology**

Our team interviewed District capital projects personnel on multiple occasions and met with several Board members. We also met with contractors and architects to solicit their thoughts and comments regarding the District's construction program including its approach to design, procurement, project management, and cost control. In addition, we evaluated numerous documents and relevant to the Division's operations including:

- Division forms and communication.
- Organizational chart.
- Relevant policies and procedures.
- Mission and vision statements, objectives, and goals.

- Project controls.
- Lessons learned.
- Risk management plan.
- Cost estimates.
- Change order policies and procedures.
- Performance measurement documentation and available benchmarking information.
- State and local laws, rules, and regulations.

Our initial discussions with construction personnel provided us with an understanding of daily operations from their perspective. This information was used to identify all activities and compare actual operations with best practices. Best practices were obtained from various sources including:

- AIA - American Institute of Architects
- PMI - Project Management Institute - *Body of Knowledge (PMBOK Guide)*
- RICS - Royal Institution of Chartered Surveyors
- AACE - Association for the Advancement of Cost Engineering
- ASPE - American Society of Professional Estimators

Quantitative and qualitative analyses were undertaken as appropriate to understand issues being addressed. The information gained during individual interviews and from other corroborative sources provided insight into the issues, needs, and expectations surrounding the assessment and was invaluable in reaching the conclusions and recommendations presented within this report. While not all suggestions or concerns raised by District staff or others are discussed within this report, areas that the review team felt were within the scope of this review and will be most beneficial to the District are discussed, with recommendations provided where appropriate

After our preliminary review and analysis of information, we provided our initial findings to the appropriate District representatives and finalized our findings and conclusions based on specific feedback. All information contained within the report was reviewed with applicable District personnel for accuracy and reasonableness.



## Results

## **Results**

### **Background**

The \$96m bond measure passed in 2013 provides funding for numerous projects including the construction of two new schools (Silver Rail Elementary School and Pacific Crest Middle School) and 138 other safety, maintenance, and classroom addition projects. All construction management services are being provided by District personnel through its Facilities and Maintenance Division. To help ensure the success of its projects, the District developed a 2013 Bond Construction Management Plan. The Plan describes each project in detail and includes project scope, budgets, and preliminary schedules. It is intended to provide the District with a workable approach to ensure the delivery of each project is within available resources, known constraints, and identified objectives. The Plan is updated as significant decisions and activities occur. Additionally, the District has developed a cash flow analysis, identified a specific manager for each project, and established a master schedule.

### **Pacific Crest Middle School**

#### **Summary:**

With the exception of opportunities for enhanced efficiency and effectiveness in capital construction projects identified later in this report, the District essentially followed best practices in procurement and management of the construction of the Pacific Crest Middle School.

#### **Background:**

The 121,456 square foot Pacific Crest Middle School utilized the “hard bid” method for contractor selection. Design was initiated in August 2013, construction began in May 2014, and final completion occurred on September 15, 2013. The school was completed on schedule and \$2.11m under budget.

#### **Budget:**

##### **Total Budget**

The initial budget for the school was \$36.9m. This amount was derived from the use of \$220/square foot (sf) as the basis for total cost of construction. Using information available from RSMeans Construction Cost Indexes, this appears to be a reasonable assumption.

##### **“Soft Costs”**

25% was allocated to “soft costs” (professional services, owner cost, etc.). This percentage is considered reasonable.

#### Architect and Engineering Fees

8% of the 25% allocated for “soft costs” was, per industry suggestions (e.g.: Washington State Office of Financial Management guidelines for new school construction - contracts of \$25m: 8 – 10%), considered reasonable.

#### Contingency

The combined (design and construction) contingency was set at 13%. Although this amount proved to be adequate for this project, it was lower than recommended percentages as identified by the General Services Administration (GSA) Public Building Services:

- Design at program planning stage - 10%.
- Construction contingency - 7% for new and 10% for renovations.
- Total - 17% for new and 20% for renovation.

#### Procurement

##### Design

The design of the Pacific Crest Middle School was advertised per identified Oregon Public Contracting Rules and Procedures requirements through the Daily Journal of Commerce (DJC) and the local newspaper. Thirty-nine (39) firms request bid packages and eight submitted bids. BBT Architects, Inc. was awarded the contact based on its highest combined score. No formal protests were received.

##### Third-Parties

A number of additional consultants were hired by the architect in the design phase (civil, environmental, constructability, educational, geo-technical, roof, surveying, testing, traffic consultants). Per Oregon Public Contracting Rules and Procedures, single source procurement is allowed if the estimated fee is less than \$100,000. All contracts were under that value.

#### Procurement

##### Construction

The District has taken the following approach to its capital construction projects:

*“In an effort to support the local economy out of state contractors are not necessarily encouraged to bid, however, per Oregon Public Contracting Rules and Procedures, we advertise all of our projects in the DJC and a local paper of general circulation. In our Advertisement for Bids, the Facilities Department also publishes the plans in state-wide plan centers and builders exchanges”.*

The construction of the Pacific Crest Middle School was advertised per the above requirements. Five contractors attended a mandatory pre-bid and two bids were received. The bids also included four alternatives of which the District chose the first and fourth as its desired options. Kirby Nagelhout Construction Co. was the successful bidder with both bids being very close in price as each essentially used the same first tier sub-contractors. The unsuccessful bidder (Skanska), formally protested the selection but dropped its objection after subsequent conversations with the District.

### **Change Management**

\$2.7m in change orders occurred on the project, accounting for 10.3% of cost of work:

Owner initiated:	1.7%
Unforeseen:	4.4%
Architect Error:	1.0%
Architect Omission:	2.8%
<u>City:</u>	<u>.4%</u>
Total:	10.3% of cost of work

## **Bend High School Addition and Remodel**

### **Summary:**

With the exception of opportunities for enhanced efficiency and effectiveness in capital construction projects identified later in this report, the District essentially followed best practices in procurement and management of the Bend High School addition and remodel.

### **Background:**

Over \$13m of the 2013 bond was set aside for the design and construction of remodel projects at La Pine High School, Bend High School, Kenwood Elementary School, and RE Jewel Elementary School. These projects were “bundled” for purposes of design and construction. Bend High received painting of the building’s exterior, upgrade to its art room, replacement of exterior single pane windows in A, B, & C halls, replacement of modular with permanent classrooms, resurfacing of its track, replacement of stadium poles and lights, a new soccer field, removal and replacement of its tennis courts, and a reconfigured library.

### **Budget:**

#### **Total Budget**

The initial budget for the school was \$5m with a final cost of \$5.9m as the result of the addition of 500 sf and the change of use of 1,100 sf from classroom space to a daycare center (more expensive per sf). The initial cost was derived from the use of \$220/sf as the basis for total cost of construction for the additional space and

quotations for other work. Using information available from RSMeans Construction Cost Indexes, the logical and amounts appear reasonable.

**“Soft Costs”**

25% was allocated to “soft costs” (professional services, owner costs, etc.). This percentage is considered reasonable.

**Architect and Engineering Fees**

10% of the 25% allocated for “soft costs” was, per industry suggestions (e.g.: Washington State Office of Financial Management guidelines for construction: 8 - 10%), considered reasonable.

**Contingency**

The combined (design and construction) contingency was set at 16%. This amount was lower than recommended percentages as identified by the General Services Administration (GSA) Public Building Services:

- Design at program planning stage - 10%.
- Construction contingency - 7% for new and 10% for renovations.
- Total - 17% for new and 20% for renovation.

**Procurement**

**Design**

As with the construction of the Pacific Crest Middle School, the District advertised the construction projects per its requirements. Seventeen companies requested bid packages, three submitted bids. Steele Associates Architects and BBT Architects, Inc. were both awarded design contracts with Steele receiving Bend High School and RE Jewel Elementary School and BBT receiving La Pine High School and Kenwood Elementary School.

**Procurement**

**Construction**

As with the design phase, the Bend High School addition and remodel was advertised per the above requirements. Four bids were received with P&C Construction being awarded the contract.

### **Change Management**

\$357,000 in change orders occurred on the project, which is 6.61% of the cost of work

Owner initiated:	0.63%
Unforeseen:	2.77%
Architect Error :	1.23%
Architect Omission:	1.97%
<u>City:</u>	<u>0.01%</u>
Total:	6.61% of cost of work

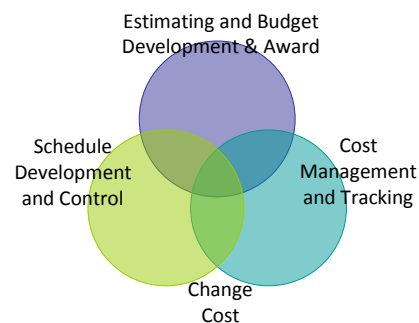
### **Recommendations**

Our analysis of two completed capital improvement projects funded by the District's 2013 bond, the construction of Pacific Crest Middle School and the Bend High School addition and remodel, found that the District appeared to essentially be applying construction best practices. Project design, construction contract procurement, project management, and project close out practices were effectively applied for the two projects reviewed. To continue to provide successful construction projects, we have identified a number of opportunities to help strengthen processes. Each is described below:

#### **Project Management**

Successful project delivery is a result of many activities and events that integrate with and complement each other. Our review of the construction of Pacific Crest Middle School and the Bend High School addition and remodel included attention to specific areas of project management and project controls including:

- Estimating, budget development, and award.
- Cost management and tracking.
- Change cost control.
- Schedule development and control.
- Performance measures and indicators.



Project management is the application of tools and techniques to successfully deliver projects. These tools address aspects such as safety, quality, communication, cost, and schedule in such a manner that projects can be effectively controlled and delivered to the customer according to plan. These applications are documented in a formal project management plan. Although the District developed a formal management plan that described each project in detail and included project scope, budgets, and preliminary schedules, it did not include all aspects of a strong project

management plan. Notably, two primary opportunities exist to enhance effectiveness: consolidated project controls and processes and formal, documented key performance indicators.

### **Project Controls and Processes**

Document project controls and procedures provide project managers and design consultants with information and guidelines that can be used for the implementation of project controls tools throughout the life of a project. With proper controls in place, managers are able to successfully manage project cost, schedule, and risk. Areas of project controls include:

- project scheduling
- management reporting
- design change control
- risk analysis
- constructability review
- value engineering
- estimating
- applicable roles and responsibilities

The District currently has multiple documents relating to construction practices: a *Construction Procedures Manual*; an *Operations Manual for Project Managers*; *Procurement and Contracting Requirements*; and *Project Management Templates*. Although each of these provide various guidelines and controls, they are separate documents found in numerous locations. A single location should be developed to provide capital construction personnel easy access to instruction for fulfilling objectives, procedures, and methods for the District's construction projects. This also will, in the event that key personnel are not available, provide standardization and consistency of District policies and procedures.

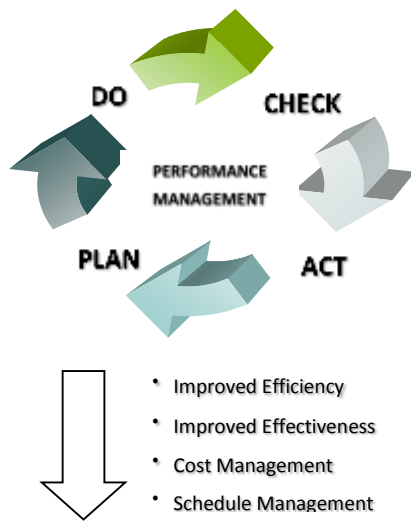
Additionally, the *Construction Procedures Manual* appears to be modified for each project. To ensure consistency, the manual should be a standardized document that contains a detailed appendix specific to each project and incorporates templates and general conditions.

### **Recommendation #1:**

#### **Bend-La Pine School District should:**

- **consolidate and centralize its capital improvement related documents.**
- **add a detailed appendix to its *Construction Procedures Manual* for each project.**

### Key Performance Indicators (KPI's)



The continuous cycle of “Plan, Do, Check, Act” is a familiar process for quality management. This process is an essential component of performance management that strives for continuous improvement.

The identification of key performance indicators (KPI) at the project delivery level help the District achieve strong project controls and provide management with indicators that can identify trends before they affect the project. In addition, accumulation of performance data help set targets for new projects and contribute to development of project controls

procedures. Performance data creates internal benchmarks and can be reported at project, regional, and state levels and can result in the identification of areas for improvement. This continuous cycle (Plan, Do, Check, Act), is at the core of the Association for the Advancement of Cost Engineering’s (AACE) framework.

Although the District does not have a formal process for performance measures and indicators, it does informally assess whether or not a project is completed on time, on budget, and to the highest possible quality. A formal process will allow management and other stakeholders to determine success and evaluate performance.

The following are examples of key performance indicators that should also be considered by the District. Any reported variances (or negative trending) against pre-determined acceptable limits for occurrence and agency targets require assessment for corrective actions.

- Change order processing.
- Change order source categories.
- RFI and RFC status.
- Ratio of current contract value to award value i.e. extent of change.
- Duration of contract extensions.
- Source of contract extensions.

These indicators should integrate with continuous improvement practices. Performance indicators indicate potential areas for improvement, and if monitored during the project cycle, are tools to mitigate crisis management. Management needs consistent reporting to enable effective interpretation, appropriate decision-making and critical follow up.

Consistent reporting can reveal trends that management needs to address or provide assurances that performance targets are being met.

**Recommendation #2:**

**Bend-La Pine School District should develop and maintain a formal process to document key performance indicators for each of its identified capital construction projects.**

**Knowledge Management**

Knowledge management is an effective means to eliminate project variability. Knowledge management involves application of lessons learned within a culture of continuous improvement. Failure to absorb experience and understand root causes of what worked and what did not will have cost and schedule impacts for future projects.

Well documented lessons learned, identified throughout the life of the project, are an invaluable resource to prevent recurring mistakes and encourage innovation and industry best practices – in real time. Additionally, regular documentation further supports accountability to taxpayers.

At the end of each project, the District holds a lessons learned meeting with its project team leaders with notes saved in the project files. However, a robust lessons learned program should be a “living document” conducted throughout process, not just at the end. All information should be captured and filed in a central data-base where all users can access it.

**Recommendation #3:**

**Bend-La Pine School District should:**

- **consistently and continuously document its capital construction projects lessons learned and actively take each into account for future projects.**
- **file all lessons learned in a central data-base.**

**Value Engineering**

Value engineering (VE) helps focus efforts on attaining optimized solutions for the desired functional requirements that not only eliminate waste and unnecessary cost, but delivers essential performance, e.g., to get the *best value for the money spent*.

Although value engineering starts at project inception where the benefits can be greatest, the contractor may also have a significant contribution to make as long as the changes required to the contract do not affect scope, completion dates, or incur additional costs

that outweigh savings. Value engineering involves:

- identifying the main elements of a project,
- analyzing the functions of those elements,
- developing alternative solutions for delivering those functions,
- assessing the alternative solutions,
- allocating costs to the alternative solutions,
- contractor financial incentives (shared savings), and
- developing in more detail, the alternatives with the highest likelihood of success.

The District's *Operations Manual for Project Managers* alludes to VE but doesn't specifically refer to all aspects of VE nor does it provide instruction as to how to conduct a VE exercise. Constructability reviews are applied on projects and at each stage of document development. However, documentation of detailed results was limited.

While the implementation of "best practices" contributes towards improvements in project performance, quality, and effectiveness, the benefit is influenced by oversight and participation of subject matter experts. Examples of such experts include:

- Certified Value Specialists (CVS) leading value engineering workshops.
- Experienced and qualified experts in the field of cost and schedule risk analysis and facilitation.
- Management from peer agencies participating in constructability reviews, value engineering, and cost/schedule risk workshops.

**Recommendation #4:**

**Bend-La Pine School District should enhance its value engineering process, develop detailed instructions, and use experts as appropriate.**

**Risk Assessment**

The objective of risk assessment is to provide a proactive management tool to focus on key areas of risk, develop strategies to manage risk, and improve performance in terms of cost, time, and quality. Through a formal risk assessment process, the District can:

- avoid risks where possible,
- evaluate those risks that cannot be avoided, and
- put in place proportionate measures that control each at its source.

Prior to the start of design, the District holds a Pre Design Project Analysis meeting with all parties involved in the up-coming project. This meeting is intended to identify and mitigate project risk. However, this assessment is not formally documented nor provided in a format (risk matrix) that identifies high risk areas and the dollar impact.

A formal risk assessment should focus on the identification, elimination, and management of risks:

- identify the hazards,
- decide who might be harmed and how,
- evaluate the risks and decide on precautions,
- record significant findings, and
- review the assessment and update if necessary.

**Recommendation #5:**

**Bend-La Pine School District should develop a formal risk assessment approach and apply it to all capital construction projects.**

**Change Order Management**

*Standardization/Tracking*

A change order is work that is added to or deleted from the original project scope which alters the original contract amount and/or completion date. Change orders are common to most projects and very common with large projects.

Although each project reviewed had basic documentation regarding change orders, the documents did not contain a level of detail that would allow immediate understanding and justification. Although logs were not complete, backup was available to support changes.

A strong change order management system tracks elements such as processing time, open change orders, change orders submitted and approved costs, cumulative costs to date, and forecasted potential changes. Timely processing and agreement of valid requests for changes in costs mitigates the likelihood of claims later in the project.

Change orders should include:

- Value
- Description of proposed change
- Statement of reason for change
- Statement of effect on contract sum
- Statement of effect on contract time
- Equipment required
- Statement of effect on work of other contractors
- Documentation supporting changes to timing
- Labor required
- Statement of effect upon work by owner
- Products required
- Documentation supporting change to contract sum

**Recommendation #6:**

**Bend-La Pine School District should enhance its change order process through detailed logging. .**

### *Process Compliance*

The District's Construction Committee, consisting of three board members, has the authority to approve change orders up to \$300,000. Due to the extreme schedule constraints, 14 months versus the normal 18 months, three change orders for the construction of Pacific Crest Middle School appeared to be "split" to avoid the District's requirement for all change orders over \$300,000 to be reviewed and approved by the Board of Directors. These change orders, with the same date and required work, totaled \$1m. To expedite the process and meet schedule the work was split. Although the Construction Committee approved each of the change orders and no additional dollars were spent, the process was not followed.

#### **Recommendation #7:**

**Bend-La Pine School District should follow all requirements associated with the approval of project change orders.**

### **3D Visualization**

One of the major challenges any large-scale construction project faces is visualization. Traditional drawings can depict most of an architect's intentions, but there are often intricate components of a model that cannot easily be conceptualized. These ambiguities can cause problems for owners understanding of what was intended as well as engineers and construction workers tasked with constructing the architect's design. 3D modeling tools and software offer architects the ability to bring more clarity and detail to large projects which helps owners gain a much better understanding of the final product.

#### **Recommendation #8:**

**Bend-La Pine School District should require architects to provide 3D visualization for project design.**

### **Award Scoring Process**

The award scoring process in place for the two projects reviewed potentially could raise the question of fairness. Although our analysis did not indicate that bias occurred in the selection of any successful company, the District recognized that the process could be questioned. As a result, the process has been modified for subsequent awards. However, no additional assessment of the process occurred during this review.

#### **Recommendation #9**

**The District should monitor its current award scoring process to ensure it limits any opportunity for bias.**

### **Errors and Omissions**

In the construction of the Pacific Crest Middle School, \$271,200 of additional cost was attributed to architect errors. However, only \$68,800 was reimbursed. During the Bend High School addition and remodel, \$66,200 of additional cost resulted from architect errors but no documentation of any reimbursement was found during the analysis.

The District currently does not appear to have established a formal policy regarding errors and omissions. It look as if it is left to the project manager's discretion as to determine what is considered reasonable. A policy that provides guidance to how errors and omissions are applied would ensure standardization and consistency amongst projects.

### **Recommendation #10**

**The District should develop a formal policy to provide guidance regarding the treatment of errors and omissions.**

**Bend-La Pine Schools**  
**Superintendent Monitoring Report to Board of Directors**

**Executive Limitation 3 – Treatment of Students, Parents / Guardians and the Public**  
**September 27, 2016**

**Background/Discussion**

The School Board has created a set of policies that are used to help govern Bend-La Pine Schools. Each year, district staff will report to the Board regarding one group of these policies, the executive limitations. These reports are designed to provide the School Board with information regarding how the superintendent is meeting the criteria established within the adopted Executive Limitations.

**Monitoring Report**

**With respect to interactions with all stakeholders (students, parents/guardians, and the public), the Superintendent shall not cause or allow conditions, procedures, actions or decisions which are unlawful, unethical, unsafe, disrespectful, disruptive, undignified or in violation of Board policy. Accordingly, the Superintendent shall not:**

- 1. Fail to maintain an organizational culture that treats all stakeholders with respect, dignity and courtesy and that includes:**
  - a. Open, honest and effective communication in all written and interpersonal interaction. This includes providing communication in other languages as needed.**
  - b. Respect for others and their opinions.**
  - c. Focus on common organizational goals as expressed in Board policies.**

Evidence of compliance:

The district is expanding its capacity to meet a growing demand for translation of communications into Spanish. Partnering with the High Desert Education Service District, which provides written translation services, and working with key district personnel are critical as we continue to work to break down language barriers for all students.

Communications from schools are typically provided via multiple modes in an attempt to be inclusive. Physical newsletters, electronic newsletters, websites, and phone calls at the school and often at the classroom provide access to information in a variety of ways. In addition, the Bend-La Pine Schools believes effective communication starts with listening and openness. Input, solicited or not, from parents, employees, and others are referred to the responsible individual closest to the situation (classroom teacher, school principal, central office staff, or the Superintendent's office) and as appropriate will report such contacts to the Superintendent or his/her designated representative.

Clear direction from the Board of Directors in the form of Board "ends" is captured in governance policy and connected to mission and vision in that policy language. Often discussed in the story of a shift from Student A to Student B, this set of measures of a broader vision of student success serves as guidance for work in schools. The chief tool used to operationalize this vision at the teacher and student level is the work of school design. Each school is engaged in the design cycle to define its story, set goals, measure indicators and create action plans in

pursuit of the Board “ends.” This empowering approach calls on professionals in schools to operate as designers and provides district support and resources to fuel school-based innovation.

Areas for Improvement:

School design work is culture-shifting work. As we enter into a second year, the focus is shifting from defining story and drafting a plan to gathering data and implementing design plans. This work itself is innovative in a district of size. Improvement opportunities abound as the design cycle elements are employed at the district support level to lead this work.

**2. Fail to establish policies and procedures to ensure organizational compliance with all federal and state laws, including those dealing with any form of illegal discrimination.**

Evidence of compliance:

Policy [AC-AP](#) : Non-Discrimination, clearly outlines the district’s responsibility to promote environments free of discrimination for students, staff and the public.

Regulation [AC-AR](#) : Discrimination Complaint / Grievance Procedurea, provides clear procedures for reporting complaints related to discrimination. A complaint form is included in this regulation to provide clarity for reporting.

District staff engages consistently with legal counsel in efforts to stay current around policies, regulations, case law and recommendations such as those related to promoting discrimination-free environments.

All district staff is required to complete annual training each year that provides information and direction around guidelines related to discrimination-free environments.

School and district administrators engage in additional training annually that provides information and direction appropriate for those in leadership roles as they seek to maintain discrimination-free environments.

The district’s Title IX coordinator has completed an update of noticing requirements to provide clarity around expectations and reporting processes related specifically to Title IX requirements and provisions.

Areas for Improvement:

District staff is currently engaged in an interactive process with legal counsel to review policies related to complaint processes. Included in those policies and regulation under review are [AC-AP](#) and [AC-AR](#). The goal is to streamline and align policy language and processes.

**3. Use methods of managing information that fail to protect confidential information**

Evidence of compliance:

Bend-La Pine student data and information are considered confidential and are treated as such. Access to systems containing student data is given out on a needs basis. The largest, and most used, system is the Synergy Student Information System. Other minor systems (Google, etc.) contain some student information, as well.

Explicit actions have been taken to protect student information within Bend-La Pine Schools. Examples include the following:

- Communication to staff that student information shall not be transmitted via insecure systems (email, etc.)
- The recent change of all BLS staff passwords to a 12-character password that must be changed (system enforced) at least every 12 months.
- Creation of a secure sending platform to transmit student information, so email can be avoided.
- Integration of most systems into the district's Active Directory platform, allowing for the management of user identities in one place, automatic access termination across systems, etc.
- Adherence to [JOA-AP](#) : Directory Information, which defines student record request limitations.
- Hardening of IT systems that contain student information, to the degree possible.
- Thorough review of Apps requested by teachers via a third-party organization to insure privacy levels and management of student data adhere the expectations of Child Online Protection Act (COPA) and the Children's Internet Protection Act (CIPA).

The above, coupled with communication of best practice, diligence and awareness helps to keep BLS student data and information safe.

Areas for Improvement:

None

**4. Fail to provide and communicate a process for the timely handling of complaints.**

Evidence of compliance:

The following policies and regulations are in place that define processes related to a variety of potential complaint themes:

- [AC-AP](#) : Non-Discrimination Policy
- [AC-AR](#) : Discrimination Complaint/Grievance
- [JBAA/GBNA-AP](#) : Sexual Harassment
- [JBAA/GBNA-AR](#) : Sexual Harassment Complaints
- [KL-AP](#) : Public Complaints
- [KLD-AP](#) : Public Complaints About District Personnel
- [JBA/GBN-AR](#) : Harassment/Intimidation/Bullying/Cyberbullying
- [IGBBE-AP](#) : Complaints Regarding Talented and Gifted Program

In addition to the establishment of clear policies and regulations, the district also completed the following steps during the 2016-17 school year:

- The district's Title IX coordinator provided training to administrators that included complaint procedure and communication recommendations related to Title IX complaint matters.
- The district's Title IX coordinator improved the website ease of access for noticing and processes related to Title IX complaint matters.
- The district followed all employee agreement language when processing any employee grievances.

Areas for Improvement:

See “Areas for Improvement” from 2 above.

**5. Fail to involve stakeholders in advisory capacity regarding district-level matters at the board’s direction.**

Evidence of compliance:

The district engages in a budget process annually that includes members of the community who serve on the budget committee in accordance with state regulation and board direction.

The district is completing a sites and facilities evaluation and reporting process this fall that included members of the community who served on the sites and facilities committee.

The district is in the second year of implementation of attendance boundaries that resulted from recommendations from a boundary committee that included members of the community.

In addition to involving stakeholders in advisory capacity at the board’s direction, the Bend-La Pine Schools use multiple staff level committees to involve stakeholders. For example, this year the district will be engaged in a process to investigate potential adjustments to school start times this fall and winter. That process will include community members who will serve on a committee with that purpose. Other examples are site councils at the building level, parent advisory committee’s for instructional technology, and the formation of a district leadership team that includes all employee groups across the district.

Areas for Improvement:

None

**6. Tolerate any behaviors or actions that hinder the academic performance or the well-being of students.**

Evidence of compliance:

The following policies and regulations provide guidelines and provisions for promoting academic performance and well-being of students. Student, staff and public guidelines are noted below:

- [JG-AP](#) : Student Conduct and Discipline
- [EEACC-AP](#) : Student Conduct on School Buses
- [EEACC-AR](#) : Conduct on School Buses
- [JHFF-AP](#) : Reporting Requirements Regarding Sexual Conduct with Students
- [JHFF-AR](#) : Maintaining Appropriate Staff/Student Boundaries
- [KGB-AR](#) : Public Conduct on District Property
- \* Policies and regulations noted above in 4 are also relevant as evidence here.

Administrators are trained annually in processes and procedures related to student discipline in an effort aimed at eliminating disruptions to the school environment

Administrators were trained in recent weeks in restorative practices in an effort aimed at promoting alternatives to suspensions and expulsions in the discipline process.

Administrators will be engaged in a symposium on the theme of equity in the 16-17 school year with a goal of learning how to better foster the academic success and well-being of all students.

Areas for Improvement:

The above mentioned equity symposium will build the capacity of administrators to recognize and mitigate barriers for students who otherwise could be marginalized by practices and systems that do not actively pursue an end to the opportunity gap.

The district is beginning a multi-year effort aimed at best practice learning targeted at supporting language learners.

**In addition to the above, with respect to interactions specifically with students and/or their families, the Superintendent shall not:**

**1. Fail to develop a comprehensive school safety program and protocols.**

Evidence of compliance:

**Mental and Behavioral Health Support in Schools**

Bend-La Pine Schools staffs schools in ways that ensure students have access to mental and behavioral health support at school:

- Full-time counselors meet with students each day at our middle and high schools
- School psychologists provide student support and advocacy at all elementary, middle and high schools
- Two full-time therapists support our highest needs students at schools in the region
- Students exhibiting risky behavior are screened and provide mental health support as needed
- Three School Based Health Centers offering integrated care including embedded behavioral health specialists with specific protocols for students exhibiting high risk behaviors

When students demonstrate risky or threatening behavior, school staff partner with Deschutes County Mental Health professionals to administer a Safe Schools Assessment. School staff partner with behavioral health in supporting wrap around services by participating in, and, hosting wrap meeting at schools.

**Bullying Prevention**

Bullying prevention and emotional growth messaging is weaved throughout our instruction. Clubs are active in all of our schools, offering students opportunities for involvement in numerous groups including Where Everyone Belongs (WEB), Robotics and Unicycling –to name a few.

**Oregon Wellness Survey and Oregon Health Teens Survey**

Since 2008, Bend-La Pine Schools has worked with Deschutes County Health Services to collaborate on two State provided youth surveys: Oregon Student Wellness Survey and Oregon Healthy Teens Survey. The Prevention Program uses the data to develop a picture of current student behaviors and trends, secure resources on behalf of the community and to support programming as identified above and to prioritize programming. The Prevention Program collaborates with the District on the release of data information and reporting information submitted to the media or community.

**Positive Community Norms**

Beginning in the 2015 school year a Positive Community Norm school and community campaign was implemented in La Pine focused on alcohol. The purpose of the project is to decrease and delay the onset of alcohol use by adolescents by increasing accurate perceptions of use and perception of harm when using alcohol. A similar campaign is being developed to focus on marijuana and the goal is to expand to the entire district in 2016-17, although agreements have not been finalized yet.

**Use of a Suicide Risk Screen**

Bend-La Pine Schools has adopted a common screening and response process for students that demonstrate suicidal ideation or make threats of suicide at school. This was created in partnership with Deschutes County Health.

**Safe and Secure Facilities**

Bend-La Pine Schools continues to use a multi-department approach to ensuring safe and secure facilities using best practices for environmental design, perimeter protection, interior security, physical security, and hazards mitigation.

**Training**

All staff receive the following training annually:

- Bullying: Recognition & Response
- Child Abuse: Mandatory Reporting
- Dating Violence: Identification and Prevention
- Homeless Students: Awareness and Understanding
- Sexual Conduct: Staff-to-Student
- Blood borne Pathogens

Staff who are also OSAA coaches or club or activity advisers receive additional training each year, which may include:

- Concussion Awareness
- CPR and First Aid
- Steroid Awareness
- Heat Exhaustion Awareness

Paid or volunteer coaches who are not regular Bend-La Pine Schools employees are required to receive the following training annually:

- Bullying: Recognition & Response
- Child Abuse: Mandatory Reporting
- Sexual Conduct: Staff-to-Student
- Blood borne Pathogens

Additional training:

Representatives from all schools received risk assessment training in August 2015.

Staff at all schools received Active Threat training during the 2013-14 school year and will receive updated training during the 2016-17 school year.

We have trained staff who can identify and respond to medical and mental health emergencies in our schools, which may include nurses, CPR and first aid responders, and staff members who are trained in Applied Suicide Intervention Skills Training (every school has at least two persons trained) and Question, Persuade, Refer (all secondary staff are trained).

Administrators and supervisors are required to complete ICS 100 Introduction to the Incident Command System for Schools and NIMS 700 National Incident Management System within six months of taking on their leadership position.

### **Drills**

Bend-La Pine Schools implemented a district-wide drill schedule for the 2015-16 school year. consisting of drills each month of the school year. All staff and students practice Lockdown, Lockout, Shelter-in-Place, Fire and Earthquake drills each year.

All schools conduct a Fire Drill once per month and two Earthquake Drills (with complete evacuation) each school year. Bend-La Pine Schools also requires its schools to conduct one Shelter-in-Place training and/or drill each school year. Schools may choose to complete additional Evacuation, Reverse Evacuation, and/or Room Clear drills annually.

Oregon law requires two Bus Safety Drills for students who regularly ride the bus each school year, one of which must include students who do not regularly ride the bus. These drills/trainings are delivered by Bend-La Pine Schools Transportation Department personnel.

### **Visitor and Volunteer Management**

The district continues to require that visitors and volunteers sign in and out of schools and that those who wish to volunteer complete background checks prior to their service.

This year, the district will pilot one or more visitor management systems to compare against the current practice of a paper and pencil log system.

### **New Staff ID**

Bend-La Pine Schools implemented a new, standardized staff ID for the 2016-17 school year. Standardization of ID badges for the district's more than 1,800 employees helps to increase security by providing visual identification with a glance to visitors and volunteers, students and substitutes, and law enforcement and emergency responders inside schools and at events. These new badges will be more secure, less easy to copy and will make it easier for employees who work at multiple schools.

### **Partnerships**

Bend-La Pine Schools is a founding partner of the Safe Schools Alliance and Tri-County Response Team and continues to be engaged on this regional team.

Bend-La Pine Schools staff continue to build upon long standing relationships with local law enforcement, emergency responders, district attorneys, mental health professionals, hospital leadership and members of the region's juvenile justice teams.

### **Staffing**

District leadership has increased school safety FTE from approximately .4 to 1.4 for the 2016-17 school year. Additionally, the district now has a dedicated Risk Specialist position.

SRO and SRD staffing for the 2016-17 school year is back to the numbers of employees who served the district at the start of the 2015-16 school year (Four Bend Police Officers and 1.5 Deschutes County Sheriff's Deputies).

#### Areas for Improvement:

- Identify and implement a Safe Schools Assessment 2.0
- Train transportation and elementary level personnel in QPR
- Develop and maintain standards for use of keys, cameras, public notification systems
- Require secondary schools to participate in the Oregon Healthy Teens survey bi-annually
- Review current volunteer background check system
- Improvement of security technology systems
- Review use of school intrusion alarm systems and expectations
- Evaluate interior door locking mechanisms
- Develop formal SRO evaluation system
- Enhance School-Community Mental Health Partnership with Deschutes County and Central Oregon Health Council

## **2. Fail to invite student and parent/guardians evaluation (via survey) of their educational experience.**

#### Evidence of compliance:

In alignment with a focus on broadening the definition of student success, schools annually survey students at all three levels using tools provided by Gallup and Brightbytes. These surveys focus on hope, engagement, critical thinking, communication, collaboration, creativity and other elements of a Student B profile.

#### Areas for Improvement:

As schools dive deeper into school design implementation, opportunities for monitoring student survey data and shifting adult actions aimed at enhancing and enriching educational experiences will require consistent efforts to meet goals aligned with the Student B profile. Moving from gathering survey data to taking action upon that data in alignment with the district's vision is the next focus of this process.

Additionally, the district is exploring ways to effectively survey parents/guardians.

**3. Fail to provide options to help meet individual student needs and learning styles, including alternative programs.**

Evidence of compliance:

The district provides professional development related to instructional best practices that develop educators' skills to personalize learning for all students in a classroom setting.

EBISS (Effective Behavior and Instructional Support Systems) work continues at the elementary and middle school levels.

High schools are scaling up effort to work with 9<sup>th</sup> graders who enter high school with skill gaps and other needs that put them at risk for graduation challenges.

High schools are beginning collectively to develop best practices for working with students who are credit deficient after 9<sup>th</sup> grade.

District special programs staff continue to collaborate with regular education staff through communication, IEP processes, co-teaching and professional development to meet needs of students on Individual Education Plans.

District nursing staff and FAN advocates work to meet physical and resource needs of students and their families in efforts to eliminate barriers to students' learning.

District staff continue to develop early childhood family and school supports and to provide pre-school in targeted elementary school communities.

The district provides a variety of choices both outside and inside neighborhood schools at the elementary level, including a charter school, several magnet schools and neighborhood schools with a theme or focus such as STEM or the arts. A complete list of these choice options can be found at the following link--<https://www.bend.k12.or.us/district/academics/choice-options>.

At the middle level, options include a magnet middle school (REALMS), a revamped alternative program (STRIVE) and Tamarack for students with significant emotional needs. Currently, significant flexibility is available due to increased capacity in middle schools with the addition of Pacific Crest Middle in the 15-16 year. That flexibility allows access to an MYP program at Pilot Butte Middle School, two K-8 schools (Westside and Three Rivers), an AVID program at La Pine Middle School, a district TAG program at Cascade Middle School and a language immersion program at High Desert Middle School.

At the high school level, Marshall High provides an alternative small school experience with a focus on proficiency, and STRIVE continues to expand its enrollment and programming options for students.

District staff is engaging in high school visioning and program exploration that includes school visitations and community partnership discussions in the 16-17 school year.

Areas for Improvement:

Providing more choice in the form of school options at the high school level is a priority.

#### **4. Fail to encourage parent/guardian involvement.**

##### Evidence of compliance:

Schools at all levels recognize the importance of family engagement. Families are encouraged to attend a multitude of school events, including, for example, open houses, parent conferences, curriculum nights, concerts, parent coffees, sporting events, and celebrations. Many families also actively volunteer in district schools, particularly at the elementary level. Volunteers spent more the 94,000 hours in our schools working with students last year.

Families are part of all schools' site councils, charged with overseeing the school's design plan. Most of the districts' elementary schools also have parent/teacher organizations that meet regularly to address concerns and to provide resources for school activities.

In terms of electronic communication, the district's information system includes a ParentVue feature, allowing families constant access to information regarding their students' academic progress, behavior and referrals. 38.5% of all families accessed ParentVue during the 2015-16 school year. This system also provides ways for parents to email teachers with questions or concerns. The newly redesigned district website contains a wealth of information for families, including web pages for each district school.

##### Areas for Improvement:

While the district has a history of encouraging family engagement, much of this engagement is focused on parents "learning" from the school: What is my student's progress? What is the new math program like? How is my student's behavior? One area for growth for many of the district's schools is to truly see families as partners in their students' educational journey. All families have assets that help support their children's success, and many families have ideas or information that can improve the district's schools.

Another area for growth is encouraging involvement from a larger number of families. The district as a whole has not pursued a broad variety of strategies to connect with families who do not speak English as their first language, who work long hours or who lack transportation to schools, for example.

#### **5. Allow fundraising that imposes undue burden on students and their families.**

##### Evidence of compliance:

Policy [KI-AP](#) : Public Solicitation in District Facilities, provides safeguards that prevent fundraising by non-school entities or fundraising for non-school activities from being conducted on campus during school hours. It also places significant limits on any outside fundraising contacts with students and staff.

Recent additions to secondary school athletic budgets were made with a goal of reducing fundraising efforts by schools for necessary equipment, officiating and travel costs.

Fundraising by schools is only to be conducted with approval from the school principal. This provides a principal with the ability to weigh the benefits and burdens of each effort.

Extra-curricular and co-curricular events that offer out of state travel opportunities, such as music performances or athletic camps and tournaments, require the superintendent's approval.

Costs for such travel activities usually are high, and fundraising is often conducted. The approval process is done in an effort to provide some oversight of each.

Areas for Improvement:

None

**6. Fail to provide timely notice to parents/guardians and students about academic calendar changes.**

Evidence of compliance:

The Bend-La Pine Schools release the major dates calendar two years in advanced. Currently, this is available through the 2017-18 school year on our district website ([2016-17 Major Dates](#) and [2017-18 Major Dates](#)).

Additionally, the Bend-La Pine Schools release annual detailed calendars each Spring for all area schools. The most current version of each of these calendars can be found on our district website:

- [2016-17 Calendar Bend Area, Three Rivers, Rosland, and La Pine Elementary](#)
- [2016-17 Calendar La Pine Middle and La Pine High School](#)
- [2016-17 Calendar REALMS](#)

All current calendars are additionally provided in August each year through the Family Handbook and Calendar that gets mailed home to all students/families. The most current version can be found on our district website ([2016-17 Family Handbook and Calendar](#)).

Areas for Improvement:

None

**7. Fail to ensure that secondary students and their parents/guardians can access frequently updated student assignment and grade information.**

Evidence of compliance:

The shift to a new student information system, Synergy, was implemented several years ago. A parent communication feature, ParentVue, allows for real time access to grades and attendance data.

Areas for Improvement:

Improving the timely entry of student grade data by all teachers is an area for improvement through the development of agreed upon standards/expectations across the district.

**8. Fail to protect students and parents/guardians who have voiced complaints from staff retaliation within the school environment.**

Evidence of compliance:

Policy [JBA/GBN-AP](#) : Harassment/Intimidation/Bullying/Cyberbullying, protects from retaliation any person who is thought to have filed a complaint, who actually files a complaint, or who participates in an investigation of a complaint of this nature.

Policy [JBAA/GBNA-AR](#) : Sexual Harassment, protects from retaliation any person acting in good faith by initiating a complaint of this nature, or who participates in an investigation of this nature.

Policy [AC-AP](#) : Non-Discrimination, provides protection for any individual who opposes any discriminatory act or practice, who engages in the filing of a charge or who participates in an investigation or proceeding related to such concerns. A general reference to Federal Civil Rights laws supporting those protections is included in this policy.

Areas for Improvement:

Including similar policy language for matters not related to discrimination and harassment may be explored with legal counsel.

9. **Fail to ensure that all policies and procedures regarding discipline are enforced consistently using reasonable judgement. Policy shall not fail to include:**
- a. **A means of communicating discipline policy to all students annually;**
  - b. **Prohibition of illegal drugs (including marijuana), alcohol or tobacco products by students and adults on school property and at school-sponsored events;**
  - c. **Prohibition of weapons by students and adults on school property and at school-sponsored events in accordance with GBJ-AR (with exception pursuant to state law).**
  - d. **Consequences that hold students accountable for their behavior while emphasizing reparation, inclusion, and reintegration.**

Evidence of compliance:

Policy [JG-AP](#) : Student Conduct & Discipline, includes language that addresses a-d as noted above.

Policy [EEACC-AP](#) : Student Conduct on School Buses, and aligned regulation [EEACC-AR](#) : Conduct on School Buses, include relevant language addressing the context of school-provided transportation.

Schools annually provide parents and students with access to school expectations and guidelines for conduct. Such guidance is provided electronically and often in hard copy form.

School staff invest time and instruction focused on school expectations with both start-of-school and mid-year reviews of handbooks, behavior expectations, etc.

Ongoing school-wide systems such as PBIS and EBISS embed behavior expectations and corresponding instruction.

School administrators are provided with annual training related to student conduct and consequences for behavior.

School administrators are receiving increased training in restorative practices related to student behavior and discipline.

The district has added a secondary level behavior coach who will work with a lead staff member in each school to implement a systems approach that balances safety and learning environments for all students with personalized restorative practices measures for individual students.

The district continues to demonstrate a growing commitment to reducing expulsions as trend data indicates dramatic declines in expulsions over the last several years.

Areas for Improvement:

The district has identified as an area for improvement continued learning and coaching with a critical eye on discipline data that indicates levels of disparity that may be addressed.

**Addendum:**

See linked documents above.