



Public Comment &lt;publiccomment@pps.net&gt;

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## Policy Committee Public Comment for 5/11/22

1 message

tyler bechtel [REDACTED]

Tue, May 10, 2022 at 11:31 PM

To: Public Comment &lt;publiccomment@pps.net&gt;

Cc: Julia Brim-Edwards &lt;jbrim-edwards@pps.net&gt;, Michelle DePass &lt;mdepass@pps.net&gt;, Eilidh Lowery &lt;elowery@pps.net&gt;, Herman Greene &lt;hermangreene@pps.net&gt;

Dear Policy Committee,

Please accept this letter as my written testimony. I am writing to urge you to reconsider the PPS Policy 7.10.010-P Citizen Involvement Process by adding a section covering redrawing of boundaries or reconfiguration and requiring a public process. The current policy has allowed for the Southeast Guiding Coalition (SEGC) to circumnavigate Oregon's open government statutes. The result was a broken process that inadvertently elevated the voice of affluence and stifled public involvement. PPS seems to rely on a weak legal theory that the SEGC recommendation on redrawing Southeast school boundaries, was made to the Deputy Superintendent, not to the Board. All the while, there are many examples in SEGC records and Board Member statements, that both felt the Board set the direction, parameters and charge. In fact, the weak legal theory referenced above, rests on the ability of the Deputy Superintendent to make changes to the recommendation of the SEGC. In reality, very few changes were made by the Deputy Superintendent. To further illustrate that the SEGC was making a recommendation to the Board, I'd refer you to the Board resolution at the beginning of both phases, wherein the Board created the SEGC and set forth the process of the last two phases. The current process severely stifled public input and comment. It failed to engage the greater Portland community and only sought to engage PPS families. A neighbor just moved in next to me. When I asked where they were moving from, they told me they were just moving from across town, so their 8th grader could go to Franklin next year. They were astounded to learn that because of the SEGC work, our neighborhood will very likely switch from Kellogg to Hosford and then very likely to Cleveland. They seemed unaware of the SEGC work.

The SEGC results should remind the board and PPS staff of the 2014 Superintendent's Advisory Committee on Enrollment and Transfer (SACET) and the 2015 District-wide Boundary Review Advisory Committee (D-BRAC). Both exercises fell short of public and district expectation and were never fully implemented. In fact, the 2014 SACET process resulted in an OPB v. PPS lawsuit. PPS prevailed in an open meetings lawsuit, the crux of the argument was that SACET was exempt from public meetings law because it was making recommendation to the PPS Superintendent, not the Board. In the circuit court ruling, the judge acknowledged he believed the case would end up in appeal. A notable difference is that SACET was not created by the Board like SEGC was -- more evidence that the SEGC was a governing body subject to public meeting law. In fact, OPB did issue a notice to appeal and in 2016, a settlement was reached. As a result of this settlement, [Administrative Directive 4.10.049-AD Student Assignment Review & School Boundary Changes](#) and [Public Meeting Guidelines for Committees](#) were born, yet PPS Senior Leadership continues to

deny transparency in trade of speed and their desired result, in violation of the OPB settlement and public meeting law. The current PPS Citizen Involvement Process (Board Policy 7.10.010-P) has not been updated since 2002 and it is important that the Board address continued public process short comings by PPS Senior Leadership and staff.

I urge you to:

1. Reform your public process to require all boundary redrawing/reconfiguring to require a robust public process involving public meetings and public comment as all other PPS board committees do, including this committee.
2. Require staff and Senior Leadership to default, whenever possible, to the statutory policy of Oregon Public Meeting law when reconfiguring schools, *“The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of [the Public Meetings Law] that decisions of governing bodies be arrived at openly.”*
3. Discipline staff and Senior Leadership for failing to follow or conspiring to circumnavigate public meeting law.
4. Institute a process to investigate staff and Senior Leadership acting contrary to their annual Public Meetings and Ethics Training.

Please consider re-writing PPS Policy 7.10.010-P, the Citizen Involvement Process.

Best Regards,

Tyler Bechtel

PS, I'm going to bed now. Thanks for still meeting at 11:30 pm.