



Staff Analysis and Report to the Board

Date: February 21, 2019

To: The Board of Education

From: Liz Large and Sharon Reese

Subject: POLICY RESCISSIONS—Second Reading

BACKGROUND

The Board and Superintendent have recognized a need to review existing policies and administrative directives to update content and make relevant information more easily accessible to users. As part of that process, staff is in the process of identifying policies for amendment or rescission. These policy recommendations result from that work.

ANALYSIS OF SITUATION

- Salary Schedule, 5.50.030-P:
<https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/4814/5.50.030-P.pdf>
 - This policy has no content
- Recruitment, Selection & Appointment, 5.70.010-P:
<https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/4814/5.70.010-P.pdf>
 - This policy is outdated and unnecessary. It was last updated in 1983.
- Payroll Deductions, 5.70.053-P:
<https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/4814/5.70.053-P.pdf>
 - This policy does not reflect current practice and is not needed for the District to administer payroll deductions. It was last updated in 1992.
- Permanent Teacher Status, 5.20.090-P:
<https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/4814/5.20.090-P.pdf>
 - This policy is not needed as permanent teacher status is governed by statute. It was last updated in 1978.
- Teacher & Principal Assignment Select Schools, 5.20.051-P:
<https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/4814/5.20.051-P.pdf>
 - This policy is outdated and not needed. It was last updated in 1980. There is a different policy governing community involvement in principal selection,
<https://www.pps.net/cms/lib/OR01913224/Centricity/Domain/4814/5.60.017-P.pdf>.

FISCAL IMPACT

Negligible, if any.

COMMUNITY ENGAGEMENT (IF APPLICABLE)

These have been noticed on the public agenda of the Policy & Governance Committee and had a First Reading at the January 29, 2019, Board meeting. Thus far, no public comments have been received.

TIMELINE FOR IMPLEMENTATION/EVALUATION

Nothing to implement if rescinded.

BOARD OPTIONS WITH ANALYSIS

If these policies are left in place, they will leave inapplicable, outdated, and/or unnecessary policies in place.

STAFF RECOMMENDATION

Staff recommends rescinding each of these policies.

I have reviewed this staff report and concur with the recommendation to the Board.



Guadalupe Guerrero
Superintendent
Portland Public Schools

2/21/19

Date

5.50.030-P Salary Schedule

See Provisions in Professional Agreement

History:

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5.70.010-P Recruitment, Selection And Appointment

- (1) **Recruitment - General.** The superintendent shall direct the development of a program of recruitment and selection of classified employees to assure the continuing addition of personnel whose qualifications, merit and experience are best suited for each respective position. In the recruitment and selection of personnel, there shall be no discrimination on the basis of sex, age, race, religion, color, or national origin, or against a blind person having all qualifications required for a given position.
- (2) **Appointment.**
 - (a) The appointment, employment, classification and discharge of classified personnel shall be in accordance with state law and, if applicable, shall be under the jurisdiction of the Civil Service Board.
 - (b) The offices of the superintendent shall be designated the appointing authority with full power and authority to appoint, employ, promote, transfer, remove, suspend and/or dismiss classified personnel.
- (3) **Assignment.** The offices of the superintendent shall be responsible for the assignment, transfer, duties and hours of employment of classified employees.

Legal References: ORS 326.051; ORS 659.037; ORS 332.505; ORS 659.150; ORS 659.015; ORS 659.230; ORS 659.029; ORS 659.270; ORS 659.030; ORS 659.340; ORS 659.035; ORS 659.410 - 659.430; OAR 581-021-0045; OAR 581-022-1720; Title VI of the Civil Rights Act of 1964, 42 U.S.C.A., Section 2000(d) (West 1985); Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A., Section 2000(e) *et seq.* (West 1985); Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.A., Section 621 (West 1985); Age Discrimination Act of 1975, as amended, 42 U.S.C.A., Section 6101 (West 1985); Equal Pay Act of 1963, as amended, 29 U.S.C.A., Section 206(d) (West 1985); Rehabilitation Act of 1973, 29 U.S.C.A., Sections 791, 793 and 794 (West 1985); Title IX of the Education Amendments of 1972, 20 U.S.C.A., Sections 1681, 1682 and 1683 (West 1985)

History: Adpt. 6/71; Amd. 4/9/79; Amd. 10/83

5.70.053-P Payroll Deductions

Upon appropriate written request from the employee, the district shall deduct from employee's salary and make appropriate remittance for the following approved deductions:

- (1) Savings Bonds;
- (2) Fixed or Variable Tax Deferred Annuity Plans;
- (3) Deferred Compensation.
- (4) Credit Union;
- (5) Medical;
- (6) Dental Insurance.
- (7) Personal Accident Insurance.
- (8) Union Dues and Fair Share Contributions;
- (9) Combined Fund-Drive Organization participation subject to the following limitations:
 - (a) Employees may designate their selection of certified eligible Charitable Organizations in October for contributions. Cancellations by employees must be in writing to the payroll office and may occur at any time. Participants may not resume contributions to any Charitable Organization until the following campaign period.
 - (b) The minimum monthly contribution shall be \$5.
- (10) In addition to the opportunities for payroll deductions designated above, an employee may instruct the district to pay out of his/her salary/wages a specified sum of not less than \$5 per month to one organization, profit or nonprofit, of the employee's choice.

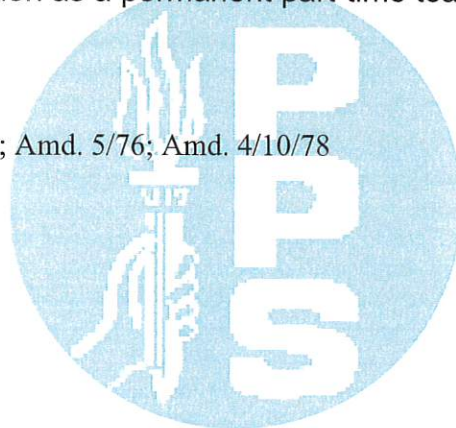
Legal References: ORS 243.650 (10), (16); ORS 243.666; ORS 332.505; ORS 652.110; ORS 652.120; ORS 652.610

History: Adpt. 6/71; Amd. 5/80; Amd. 6/14/84; Amd. 4.28/88; Amd. 7/14/88; Amd. 12/10/92

5.20.090-P Permanent Teacher Status

- (1) After three years of satisfactory performance as a probationary teacher with this district, and upon election to a fourth year, a teacher shall attain permanent status in accordance with the provisions of the Fair Dismissal Law. (ORS 342.805 to 342.955)
- (2) For purposes of determining eligibility for election to permanent status, the minimum period which a probationary teacher must teach to constitute a year of teaching shall be a given school year in which the teacher has taught for eight or more calendar months or (if teaching commenced at the beginning of the year), until both regularly scheduled evaluations for the year applicable to the probationary teacher have been completed, whichever is the shorter. For teaching prior to July 1, 1978, and for classification of a full-time permanent teacher, such teaching must be full time with full responsibility and full pay. For teaching after July 1, 1978, such teaching at one-half time or more, but less than full time, shall count toward classification as a permanent part-time teacher.

History: Adpt. 6/71; Amd. 9/71; Amd. 5/76; Amd. 4/10/78



5.20.051-P Teacher And Principal Assignment – Selected Schools (Parental Involvement)

The Board declares it to be the policy of the district that there be a process of parental involvement in assignment of teachers and principals. This process shall apply to schools targeted for desegregation by the Comprehensive Desegregation Plan, shall apply to all voluntary transfers, new hires and temporary hires (mandatory transfers shall not be assigned in these schools), and shall not abridge employee rights, including those contained in collective bargaining agreements. The superintendent is directed to issue regulations implementing this policy to be effective July 1, 1981 and to begin a pilot program to be evaluated July, 1983. This policy shall be subject to emergency situations; in such instances, the principal shall explain the nature of the emergency to the parent interview committee.

Legal References: ORS 332.107; ORS 332,505; ORS 342.845

History: Adpt. 11/13/80

