

Regular Meeting  
Tuesday, July 12, 2022 6:00 PM

Board Auditorium  
501 N. Dixon St  
Portland, OR 97227

## Agenda

- I. 6:00 pm - Opening
- II. 6:05 pm - Election of Board Chair (Resolution 6541) Vote- Public Comment Accepted
- III. 6:10 pm - Election of Board Vice-Chair (Resolution 6542) Vote- Public Comment Accepted
- IV. 6:15 pm - Consent Agenda: Resolutions 6543 through 6550 Vote- Public Comment Accepted
  - IV.1. Resolution 6543: Adoption of the Index to the Minutes
  - IV.2. Resolution 6544: Expenditure Contracts
  - IV.3. Resolution 6545: Revenue Contracts
  - IV.4. Resolution 6546: Authorization for Off-Campus Activities
  - IV.5. Resolution 6547 - Appointment of Financial Auditor
  - IV.6. Resolution 6548 - Appointment of Clerk and Deputy Clerks
  - IV.7. Resolution 6549 - Appointment of Budget Officer
  - IV.8. Resolution 6550 - A Resolution Regarding Depository Banks for the Funds of the Portland Public School District (School District No. 1-J, Multnomah County Oregon)
- V. 6:20 pm - Comments from the Portland Association of Teachers (PAT)
- VI. 6:25 pm - Comments from the Service Employee International Union (SEUI)
- VII. 6:30 pm - Second Reading of Policy Revisions Vote - Public Comment Accepted
  - 4.50.030-P Complaint Policy (Resolution 6551)
  - 8.60.021-P Liability Claims Policy (Resolution 6552)
  - 7.10.010-P School-Site Councils (Resolution 6553)
- VIII. 6:35 pm - Second Reading of Policy Rescissions (Resolution 6554) Vote - Public Comment Accepted
  - 5.10.080-P Deferred Compensation
  - 5.20.010-P District Employment Practices
  - 5.30.030-P Education Student Training Programs
  - 5.50.060-P Leaves of Absence- Voluntary
  - 5.60.070-P Administrative Salaries
  - 5.70.051-P Leaves of Absence
  - 6.10.090-P Private Schools- Request for Funding
- IX. 6:40 pm - Other Business / Committee Referrals
- X. 6:45 pm - Adjourn

**RESOLUTION No. 6541**

Election of Board Chairperson

Director \_\_\_\_\_ is hereby elected Chairperson of the Board for the period beginning July 12, 2022, until his/or her successor is elected.



**RESOLUTION No. 6542**

Election of Board Vice-Chairperson

Director \_\_\_\_\_ is hereby elected Vice-Chairperson of the Board for the period beginning July 12, 2022, until his/or her successor is elected.



**RESOLUTION No. 6543**

The Following Index to the Minutes are offered for Adoption

- June 28, 2022 – Regular meeting



# Index to the Minutes

*(Draft for Approval)*

## Regular Meeting

June 28, 2022

*This document is a record of the actions taken by the Board of Education at the Regular Meeting held on June 28, 2022. In accordance with ORS 192.650, the District’s official School Board Meeting Minutes are maintained via video recording and may be viewed at <https://www.youtube.com/watch?v=eYz2PJSeapA&list=PL8CC942A46270A16E&index=1&t=179s>*

### Attendance

Present: Chair DePass; Vice-Chair Scott; Directors Brim-Edwards, Greene, Hollands, Kohnstamm, and Lowery; Student Representative Weinberg

Absent: None

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### RESOLUTIONS

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## ACTIONS TAKEN

- **Consent Agenda – Resolutions 6526 through 6534 and 6539**

Resolution 6535 was pulled from the Consent Agenda for individual consideration

Director Lowery moved and Director Kohnstamm seconded the motion to approve the Consent Agenda, including Resolutions 6526 through 6534 and 6539. The motion was put to a voice vote and passed (6 yes – 0 no).

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Absent, Director Hollands: No, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative-Elect McMahon: Yes (Unofficial)

- **Resolution 6535: Resolution to approve a Cost of Living Adjustment for Non-Represented Employees for Fiscal Year 2022-2023**

Director Lowery moved and Director Scott seconded the motion to approve Resolution Number 6535. The motion was put to a voice vote and passed (6 yes – 0 no – 1 abstain).

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Abstain, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative-Elect McMahon: Yes (Unofficial)

- **Resolution 6536: Portland Association of Teachers and School District No. 1J, Multnomah County, Oregon, Ratification of the Collective Bargaining Agreement 2022 - 2023**

Director Brim-Edwards moved and Director Scott seconded the motion to approve Resolution 6536. The motion was put to a voice vote and passed (7 yes – 0 no).

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative-Elect McMahon: Yes (Unofficial)

- **Resolution 6538 Resolution to Adopt Portland Public Schools Board Goals for 2022-2027**

Director Scott moved and Director Kohnstamm seconded the motion to approve Resolution Number 6538, as amended. The motion was put to a voice vote and passed (7 yes – 0 no).

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative-Elect McMahon: Yes (Unofficial)

Amendment to the Resolution

Director Lowery moved and Director Scott seconded the motion to approve the amendment, as amended, to Resolution 6538. The motion was put to a voice vote and passed (7 yes – 0 no).

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative-Elect McMahon: Yes (Unofficial)

Amendment to the Amendment

Director Lowery moved and Director Kohnstamm seconded the motion to amend the amendment to Resolution 6538 by adding “Asian students are already on track for this goal” under the Eighth Grade Readiness Goal and the High School Graduation Goal. The motion was put to a voice vote and passed (7 yes – 0 no)



Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative-Elect McMahon: Yes (Unofficial)

- **Resolution 6540: Service Employees International Union and School District No. 1J, Multnomah County, Oregon, Ratification of the Collective Bargaining Agreement 2022 - 2023**

Director Brim-Edwards moved and Director Kohnstamm seconded the motion to approve Resolution 6540. The motion was put to a voice vote and passed (7 yes – 0 no)

Director Julia Brim-Edwards: Yes, Director Michelle DePass: Yes, Director Greene: Yes, Director Hollands: Yes, Director Amy Kohnstamm: Yes, Director Eilidh Lowery: Yes, Director Andrew Scott: Yes; Student Representative-Elect McMahon: Yes (Unofficial)

**RESOLUTION No. 6526**

The Following Index to the Minutes are offered for Adoption:

- June 14, 2022 - Regular Meeting

**RESOLUTION No. 6527**

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Admin, Funding Source</b>	<b>Certified Business</b>
University of Virginia Darden School Foundation	7/1/22 through 6/30/23	Personal Services PS 91670	Executive education and tailored support Direct Negotiation – Unique Knowledge and/or Expertise PPS-46-0525(4)	\$164,500	C. Proctor Fund 101 Dept. 5490	N/A - nonprofit
DKS Associates	6/29/22 through 6/28/23 Option to renew for up to four additional one-year terms through 6/28/27	Related Services RS 91773	On-call traffic engineering for 2020 Bond Program Request for Proposals 2022-3064	Original Term \$1,500,000 Total through renewals: \$1,500,000	D, Jung Funding Source Varies	No
Enome, Inc dba Goalbook	6/22/22 through 6/30/25	Digital Resources DR 91776	Goalbook Toolkit subscription for Special Education teachers Special Class Procurement - Copyrighted materials and creative works PPS 47-0288(4)	\$589,050	C. Proctor Fund 205 Dept. 5414 Grant 2082	No
Native American Youth and Family Center (NAYA)	7/1/22 through 6/30/23	Personal Services PS 91796	RESJ Culturally Specific Family Engagement, Wrap Around Services, and Cultural Identity and Development Direct Negotiation – Unique Knowledge and/or Expertise PPS-46-0525(4)	\$450,000	D. Ledezma Fund 101 Dept. 5432	N/A - nonprofit
Garland/DBS Inc.	6/29/22 through 12/16/22	Construction C xxxx**	Remove and replace roofing at BESC Auto Maintenance Building Cooperative Contract (Omnia Partners) + Quotes	\$320,773	D. Jung Funds 404, 438 Dept. 5591	No

\*A Certified Business is a for-profit business certified as a Minority-Owned Businesses (MBE), Women-Owned Businesses (WBE), Emerging Small Businesses (ESB), and/or Service-Disabled Veteran Businesses (SDV) by the State of Oregon Certification Office for Business Inclusion and Diversity.

\*\*Staff is seeking Advanced Authorization for this contract pursuant to Administrative Directive 8.50.105-AD.

**NEW COOPERATIVE PURCHASING AGREEMENTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Administering Contracting Agency</b>	<b>Description of Goods or Services</b>	<b>Estimated Spend During Contract Term</b>	<b>Responsible Admin, Funding Source</b>	<b>Certified Business</b>
Johnson Controls, Inc.	6/29/22 through 4/22/25 Option to renew for up to one additional one year term through 4/22/26	State of Minnesota Sourcewell COA 91765	Provide scheduled equipment services and as-needed services for District fire extinguishers	\$360,000	D. Jung Fund 101 Dept. 5593	No

**NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)**

**No new IGAs**

**AMENDMENTS TO EXISTING CONTRACTS**

**No new amendments to existing contracts**

**RESOLUTION No. 6528**

Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$150,000 per contractor are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW REVENUE CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
Reliable Asset Solutions	6/29/22 through 6/30/25	Revenue R 91700	Packaging, processing, and purchasing end-of-life IT assets.	\$300,000	D. Jung Fund 101 Dept. 5581

**NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
State of Oregon	4/4/22 through 12/31/22	Intergovernmental Agreement / Revenue IGA/R 91794	Funding for High School Summer Academic Support	\$2,724,130.83	C. Proctor Fund 205 Dept. 5470 Grant G2224
State of Oregon	4/4/22 through 12/31/22	Intergovernmental Agreement / Revenue IGA/R 91795	Funding for K-8 Summer Enrichment Projects	\$5,587,525.81	C. Proctor Fund 205 Dept. 5470 Grant G2224
David Douglas School District	6/8/22 through 08/31/31	Intergovernmental Agreement / Revenue IGA/R 91749	DDSD will reimburse for purchase and installation of ADA compliant playground equipment for preschool programs at Marysville and Lent	\$315,600	C. Proctor Dept. 5453

**AMENDMENTS TO EXISTING REVENUE CONTRACTS**

<b>Contractor</b>	<b>Amendment Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Amendment Amount</b>	<b>Responsible Administrator, Funding Source</b>
State of Oregon	7/1/22 through 6/30/23	Intergovernmental Agreement / Revenue IGA/R 90676 Amendment 1	Continued funding for Head Start	\$7,592,336.96	C. Proctor Fund 205 Dept. 6303 Grant G2246

**RESOLUTION No. 6529**

Approval of Head Start Policy Council Recommendation

**RECITALS**

- A. Federal requirements call for the Governing Board of a Head Start program to approve recommendations for the program.
- B. The Board of Directors for Portland Public Schools serves as the Governing Board for the PPS Head Start Program.
- C. Portland Public Schools Head Start Policy Council recommends the approval of PPS Head Start's policy and procedures to create Employee Affinity Groups.

**RESOLUTION**

The Board of Directors for Portland Public Schools, School District No. 1J, Multnomah County, Oregon, approves the Head Start Policy Council recommendations as stated above.

**RESOLUTION No. 6530**

Approval of Head Start Policy Council Recommendation

**RECITALS**

- A. Federal requirements call for the Governing Board of a Head Start program to approve recommendations for the program.
- B. The Board of Directors for Portland Public Schools serves as the Governing Board for the PPS Head Start Program.
- C. Portland Public Schools Head Start Policy Council recommends the approval for PPS Head Start to apply for Fiscal Year 23 Federal Grant funds.

**RESOLUTION**

The Board of Directors for Portland Public Schools, School District No. 1J, Multnomah County, Oregon, approves the Head Start Policy Council recommendations as stated above.

**RESOLUTION No. 6531**

Approval of Head Start Policy Council Recommendation

**RECITALS**

- A. Federal requirements call for the Governing Board of a Head Start program to approve recommendations for the program.
- B. The Board of Directors for Portland Public Schools serves as the Governing Board for the PPS Head Start Program.
- C. Portland Public Schools Head Start Policy Council recommends the approval of PPS Head Start's Self-Assessment Report for the 2021-22 school year.

**RESOLUTION**

The Board of Directors for Portland Public Schools, School District No. 1J, Multnomah County, Oregon, approves the Head Start Policy Council recommendations as stated above.



**RESOLUTION No. 6532**

Approval of Head Start Policy Council Recommendation

**RECITALS**

- A. Federal requirements call for the Governing Board of a Head Start program to approve recommendations for the program.
- B. The Board of Directors for Portland Public Schools serves as the Governing Board for the PPS Head Start Program.
- C. Portland Public Schools Head Start Policy Council recommends the approval of PPS Head Start's shift in Health Services Staffing.

**RESOLUTION**

The Board of Directors for Portland Public Schools, School District No. 1J, Multnomah County, Oregon, approves the Head Start Policy Council recommendations as stated above.

**RESOLUTION No. 6533**

Approving Board Member Conference Attendance as Representatives of the Board

**RECITALS**

Board Policy 1.40.070 requires Board approval for individual Board members to attend state or national meetings as representatives of the Board.

**RESOLUTION**

The Board affirms Chair Michelle DePass and Director Herman Greene to attend the School Board Partners Annual Conference in Denver Colorado from July 10, 2022 to July 13, 2022, and for Vice-Chair Andrew Scott to attend the Oregon School Board Associations Summer Conference in Bend, Oregon from July 8, 2022 through July 10, 2022.

## RESOLUTION No. 6534

### Clarification of middle school enrollment options for Rigler neighborhood students

#### RECITALS

- A. Dual Language Immersion (DLI) is a proven strategy for increasing academic outcomes for emergent bilingual students as well as English speakers (Thomas & Collier 2002; Steele, et al 2015). Expanding DLI programs to meet the need and improving equity of access for historically underserved students is a priority.
- B. The Rigler Spanish DLI program began in 2005 and was expanded to include all interested neighborhood families in 2012.
- C. The popularity and growth of Spanish DLI at Rigler has coincided with declining enrollment in the school's Neighborhood-based English program. Currently only one of six grade levels has 25 or more students enrolled in the Neighborhood-based English program and only 29 students at K-2.
- D. Low enrollment in the Neighborhood-based English program, and a corresponding size imbalance between the English and Spanish Dual Language program, have resulted in the following challenges:
  - i. Blended grade classes in English program
  - ii. Lack of common instructional program focus to professionally collaborate with grade level teams
  - iii. Providing a more robust set educational services for students with high needs
- E. In 2016, the Dual Language Expansion committee prioritized addressing the low program enrollment in the Rigler neighborhood-based English program. Updates on this issue were provided to the Board's Teaching and Learning Committee in spring and fall 2017.
- F. In fall 2017, District staff collected feedback from teachers and parents at Rigler and Scott schools regarding a proposal to convert Rigler into a Spanish DLI only school and combine the Rigler and Scott neighborhood-based English programs into a single program located at Scott School.
  - i. Students currently enrolled in the Rigler neighborhood-based English program would move to Scott School beginning in fall 2018.
  - ii. Starting next year, new students from the Rigler neighborhood would select enrollment in Rigler Spanish DLI or Rigler/Scott Combined English program at Scott. Newly enrolling students in grades 1-5 would have to show Spanish language proficiency in order to participate in the Spanish DLI program. Students whose native language is Spanish would not need to be assessed, as per department policy.
  - iii. Transportation would be provided to either school, following standard PPS guidelines.
  - iv. Students enrolled in Rigler Spanish DLI would continue to matriculate to Beaumont Middle School. Students enrolled in other schools, including the Rigler/Scott Combined English program at Scott would matriculate to Roseway Heights Middle School. All Rigler and Scott students matriculate to McDaniel High School.

Based on feedback received from community members, an option was considered to allow the current cohort of 4th grade students in the Rigler Neighborhood-based English program to remain at Rigler next year, and then move on to Beaumont the following year. However, a major reason for making this change in program is to create a more balanced co-located program at Scott to meet the needs of the English program students from both schools with two classrooms at each grade level. The forecasted numbers for Scott 5th grade with the addition of Rigler students would have potentially set up one large 5th grade class at Scott (30-34) and one small and isolated 5th grade class at Rigler (11-15). The opportunities to serve high needs students in either site would have been diminished and Rigler's ability to focus the anticipated reduced resources, as a result of the smaller enrollment overall, on one instructional program would also be negatively impacted.

- G. As a result of the program move, most grade levels of the combined Rigler-Scott English program will be able to offer two sections per grade level beginning in 2018. In so doing, Scott would be able to offer:
  - i. Opportunities for learner peers to be mixed and matched to better meet their academic and social needs

- ii. More on site services and supports such as SPED, ESL, etc. to meet the needs of students
  - iii. Provide more professional collaboration for grade level teachers to improve instruction and curriculum for students
- H. In monitoring the enrollment and continuing to provide balanced co-located programs at Scott, it may be important for PPS to recommend boundary changes in future years as PPS continues to balance enrollment across the Eastside to ensure right sized schools that offer a solid core instructional program.
- I. On January 16, 2018, the Board's Enrollment & Forecasting Committee unanimously agreed with the recommendation to convert Rigler to a Spanish DLI only school and relocate the Rigler Neighborhood-based English program to Scott School.
  - i. The committee did not endorse a specific transition plan, but offered feedback on the pros and cons of phasing out the program, versus moving all grade levels at once.
  - ii. The committee requested additional information on the impact of the program change on staff at Rigler.

## **RESOLUTION**

1. The Board of Education endorses the conversion of Rigler to a Spanish DLI only school and relocate the Rigler Neighborhood-based English program to Scott School, beginning in the 2018-19 school year.
  - a. All neighborhood students who attend Rigler Spanish Immersion through 5th grade have the right to enroll in Beaumont Middle School. All Rigler neighborhood students who attend other elementary schools have the right to enroll in Roseway Heights Middle School.
2. The Board directs the Superintendent to initiate staffing and facility changes, transportation routing and other operational adjustments to support effective implementation of this plan.
3. The Board directs the Superintendent to present a transition plan developed by a committee represented by parents and staff from both communities to help ensure a positive and inclusive integration of the two English neighborhood based programs at Scott.
4. The Board acknowledges and appreciates the participation of Rigler and Scott community members in this process.

**RESOLUTION No. 6535**

Resolution to approve a Cost of Living Adjustment for Non-Represented Employees for Fiscal Year 2022-2023

**RECITALS**

1. On June 14, 2022, the Board approved an operating budget for the District for the 2022-23 fiscal year that included a COLA and a step increase for eligible non-represented employees.
2. Consistent with the adopted budget, the Superintendent recommends a 4.0% cost-of-living-adjustment (COLA) and a step increase for eligible non-represented employees. The cost of the recommended COLA and step increase is within the amount budgeted in the Board-approved operating budget for the 2022-23 fiscal year.

**RESOLUTION**

The Board authorizes a 4.0% COLA and a step increase for eligible non-represented employees for the 2022-23 fiscal year consistent with the Board-adopted budget.

**RESOLUTION No. 6536**

Portland Association of Teachers and School District No. 1J, Multnomah County, Oregon, Ratification of the Collective Bargaining Agreement 2022 - 2023

**RECITALS**

The Collective Bargaining Agreement between Portland Public Schools and Portland Association of Teachers (PAT) expires on June 30, 2022.

**RESOLUTION**

The Superintendent is authorized and directed to execute the ratification of the Collective Bargaining Agreement between PAT and School District No. 1J, Multnomah County, Oregon, as provided to the Board of Education and filed in the record of this meeting.

## RESOLUTION No. 6538

### Resolution to Adopt Portland Public Schools Board Goals for 2022-2027

#### RECITALS

- A. It is the core mission and responsibility of Portland Public Schools to provide rigorous, high-quality academic learning experiences that are inclusive and joyful, and disrupt racial inequities in order to create vibrant environments for every student to demonstrate excellence.
- B. On June 25, 2019, the Board of Education passed Resolution 5909, "Adoption of Portland Public Schools "Portland Public Schools ReImagined: Preparing Our Students to Lead Change and Improve the World" as the district Vision", which described the skills and dispositions of the community's vision of a Graduate Portrait.
- C. Supporting this Vision requires Portland Public Schools to take a differentiated approach to how we serve the unique needs of our students, especially for students of color and other students who need us to accelerate their growth. This requires prioritizing the work and resources necessary to support students who are most underserved in Portland Public Schools.
- D. Every student must be prepared to read to learn and should read proficiently by the end of third grade.
- E. All students need a strong foundation in mathematics in order to access higher levels of learning in both the middle and high school grades.
- F. All students must successfully complete high school in order to live successful and fulfilling lives, and have access to the opportunities which allow them to achieve their full potential.

#### RESOLUTION

The Portland Public Schools Board of Education, in working with the Superintendent and staff, has developed goals for our students aligned with our vision, Portland Public Schools ReImagined: Preparing Our Students to Lead Change and Improve the World.

The Board of Education adopts the following "Goals for our Students":

#### GOALS FOR OUR STUDENTS

##### **Third Grade Reading**

*We must accelerate achievement for students of color in order to eliminate persistent gaps.*

*Our goal is to close the opportunity and outcome gaps in third grade reading between students of color and their white peers by the metrics set forth, as measured by the Oregon State Assessment System (OSAS)*

*African - American Students by 5.5 percentage points per year*

*Pacific Islanders by 5.0 percentage points per year*

*Native - American Students by 6.1 percentage points per year*

*Latino Students by 3.9 percentage points per year*

*Asian Students by 2.6 percentage points per year*

##### **Fifth Grade Mathematics**

*We must accelerate achievement for students of color in order to eliminate persistent gaps. Our goal is to close the opportunity and outcome gaps in fifth grade mathematics between students of color and their white peers by the metrics set forth, as measured by the Oregon State Assessment System (OSAS)*

*African - American Students by 4.4 percentage points per year*

*Pacific Islanders by 4.1 percentage points per year*

*Native American Students by 3.5 percentage points per year*

*Latino Students by 3.2 percentage points per year*

*Asian Students by 1.2 percentage points per year*

## **Eighth Grade Readiness**

*We must accelerate achievement for students of color in order to eliminate persistent gaps. Our goal is to close the opportunity and outcome gaps in eighth grade readiness between students of color and their white peers by the metrics set forth, as measured by the Oregon State Assessment System (OSAS)*

*African - American Students by 3.2 percentage points per year*

*Pacific Islanders by 2.7 percentage points per year*

*Native - American Students by 1.1 percentage points per year*

*Latino Students by 2.6 percentage points per year*

*Asian Students by - percentage points per year. Asian students are already on track for this goal.*

## **High School Graduation**

*We must accelerate achievement for students of color by eliminating the graduation gaps.*

*Our goal is to eliminate the opportunity and outcome gaps in graduation rates for our students of color while setting higher graduation requirements for all our students, by the metrics set forth, measured by the four-year cohort graduation rate.*

*African - American Students by 2.4 percentage points per year*

*Pacific Islanders by 3.0 percentage points per year*

*Native - American Students by 7.6 percentage points per year*

*Latino Students by 2.6 percentage points per year*

*Asian Students by - percentage points per year. Asian students are already on track for this goal.*

## **Reporting**

### **Post-secondary Readiness**

*We must accelerate achievement for students of color in order to eliminate persistent gaps in post-secondary readiness. Every student needs to have the core academic knowledge and opportunity of experience that will prepare them for post-secondary success that are reflective of the diverse skills and interest that our students have pursued through their high school career, including but not limited to, successful completion or achievement of: (a) Career Technical Education, (b) Visual & Performing Arts pathways, (c) Dual-Credit coursework, (d) Advanced Placement, (e) Seal of Biliteracy, (f) International Baccalaureate or (g) college readiness.*

*We will annually report – in a disaggregated form – the high school students who are successfully completing one or more of the following post-secondary indicators.*

- 1. Successful completion of Career and Technology Pathway (2 or more courses in the same path).*
- 2. Successful completion of Visual & Performing Arts pathways (2 or more courses in the same path).*
- 3. Successful completion (C or Better) of 3 or more Dual Credit courses.*
- 4. Successful completion (C or better) of 3 or more International Baccalaureate courses.*
- 5. Successful completion (C or better) of 3 or more Advanced Placement courses.*
- 6. Successful achievement of the seal of biliteracy*
  - [1]I. AP foreign language: 3 or above*
  - II. IB foreign language: 4 or above*
  - III. SLIP: 6 or above in both Writing and Speaking*
  - IV. STAMP: 6 or above in all of Reading, Writing, Listening, Speaking*



# RESOLUTION No. 6539

## Resolution to Approve Adding a Jumpstart Days for 6th, 9th, 12th graders for the 2022-23 School District Calendar

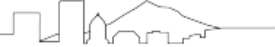
### RESOLUTION

The Board of Education hereby adopts the 2022-23 School District Calendar with Jumpstart Days.



PORTLAND PUBLIC SCHOOLS

2022-23 District Calendar



JULY 2022					AUGUST 2022					SEPTEMBER 2022					
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	
				1									1	2	
4	5	6	7	8	1	2	3	4	5	5	6	♥ K	7	8	9
11	12	13	14	15	8	9	10	11	12	12	♥ PK	13 *	14	15	16
18	19	20	21	22	15	16	17	18	19	19	20 *	21	22	23	
25	26	27	28	29	22	23	24	25	26	26	27 *	28	29	30	
					29	30	★	31							

OCTOBER 2022					NOVEMBER 2022					DECEMBER 2022					
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	
													1	2	
3	4 *	5	6	7		1 *	2	3	4	5	6 *	7	8	9	
10	11	12	13	14	7	8 *	9	10	11	12	13 *	14	15	16	
17	18 *	19	20	21	14	15 *	16	17	18	19	20	21	22	23	
24	25 *	26	27	28	21	+	22	23	24	25	26	27	28	29	30
31					28	29 *	30								

JANUARY 2023					FEBRUARY 2023					MARCH 2023				
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
							1	2	3			1	2	3
2	3 *	4	5	6	6	7 *	8	9	10	6	7 *	8	9	10
9	10 *	11	12	13	13	14 *	15	16	17	13	14 *	15	16	17
16	17	18	19	20	20	21	22	23	24	20	21 *	22	23	24
23	24 *	25	26	27	27	28				27	28	29	30	31
30	31 *													

APRIL 2023					MAY 2023					JUNE 2023					
M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	
													1	2	
3	4 *	5	6	7	1	2 *	3	4	5	5	6 *	7	8	9	
10	11	12	13	14	8	9 *	10	11	12	12	13	★	14	15	16
17	18 *	19	20	21	15	16 *	17	18	19	19	20	21	22	23	
24	25 *	26	27	28	22	23 *	24	25	26	26	27	28	29	30	
					29	30	31								

	Schools closed due to holiday or break period	☀	High school transfer deadline
★	First/last day of school for students; At comprehensive middle schools and high schools, the first day of school is 6th, 9th, and 12th grades only. 7th, 8th, 10th, and 11th grades start on Aug. 31.	◆	End of quarter
+	Day/evening conferences (no school for students)	📅	Teacher Professional Development/planning day (no school for students); Planning days always occur after the end of a quarter
▲	Statewide inservice (no school for students)	❄	Possible snow make-up day
♥ K	Kindergarten first day: Kindergarten Ramp Up Aug 30 - Sep 2; K Students attend 1 day between Aug. 30 - Sep. 2 in small groups	♥ PK	Pre-Kindergarten/Head Start first day
↖	Mid-Term Progress Reports	*	Staff Meetings
📁	New Educator Orientation	📅 *	Additional Professional Development Day(s) for Designated CSI & TSI Schools: 9/23, 10/14, & 2/17; Teachers from non-CSI/TSI schools are invited to participate in PD on these dates on a voluntary basis

**RESOLUTION No. 6540**

Service Employees International Union and School District No. 1J, Multnomah County, Oregon,  
Ratification of the Collective Bargaining Agreement 2022 - 2023

**RECITALS**

The Collective Bargaining Agreement between Portland Public Schools and Service Employees International Union (SEIU) expires on June 30, 2022.

**RESOLUTION**

The Superintendent is authorized and directed to execute the ratification of the Collective Bargaining Agreement between SEIU and School District No. 1J, Multnomah County, Oregon, as provided to the Board of Education and filed in the record of this meeting.

**RESOLUTION No. 6544**

Expenditure Contracts that Exceed \$150,000 for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) enter into contracts and approve payment for products, materials, supplies, capital outlay, equipment, and services whenever the total amount exceeds \$150,000 per contract, excepting settlement or real property agreements. Contracts meeting this criterion are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Admin, Funding Source</b>	<b>Certified Business</b>
Tierpoint Hosted Solutions, LLC	8/1/22 through 7/31/23	Digital Resource DR 91807	Annual Mimecast email archiving, hosting, and support agreement. Approved Special Class Procurement – Software and Hardware Maintenance, Licenses, Upgrades PPS-47-0288 (11)	\$156,841	D. Wolff Fund 101 Dept. 5581	No
eCIFM Solutions Inc.	7/13/22 through 3/31/27	Digital Resource DR 91840	Annual Tririga licensing for maintenance. Approved Special Class Procurement – Software and Hardware Maintenance, Licenses, Upgrades PPS-47-0288 (11)	\$331,235	D. Jung Fund 101 Dept. 5592	No
Ferrellgas	7/15/22 through 6/30/28 Option to renew for up to two additional two-year terms through 6/30/32	Materials Requirement MR XXXXX**	Supply and delivery of propane gas for fueling of student transportation vehicles at four locations. Invitation to Bid 2022-027	\$9,350,000	D. Jung Fund 101 Dept. 5560	No
Wilson Language Training Corp	7/13/22 through 7/12/25	Digital Resource DR 91856	Purchase of Just Words curriculum. Approved Special Class Procurement – Copyrighted Materials and Creative Works PPS-47-0288(4)	\$454,003	C. Proctor Fund 458 Dept. 5445 Project DC204	No

\*A Certified Business is a for-profit business certified as a Minority-Owned Businesses (MBE), Women-Owned Businesses (WBE), Emerging Small Businesses (ESB), and/or Service-Disabled Veteran Businesses (SDV) by the State of Oregon Certification Office for Business Inclusion and Diversity.

\*\*Staff is seeking Advanced Authorization for this contract pursuant to Administrative Directive 8.50.105-AD.

**NEW COOPERATIVE PURCHASING AGREEMENTS**

<b>Contractor</b>	<b>Contract Term, Renewal Options</b>	<b>Administering Contracting Agency</b>	<b>Description of Goods or Services</b>	<b>Estimated Spend During Contract Term</b>	<b>Responsible Administrator, Funding Source</b>	<b>Certified Business</b>
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CDW Government, Inc.	7/12/22 through 2/28/23 Option to renew for up to three additional one-year periods through 2/28/26	Intermountain Education Service District Association of Educational Purchasing Agencies	Purchase of software and services.	\$1,000,000	D. Wolff Funding Source Varies	No
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**NEW INTERGOVERNMENTAL AGREEMENTS (“IGAs”)**

No New IGAs

**AMENDMENTS TO EXISTING CONTRACTS**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Amendment Amount, Contract Amount</b>	<b>Responsible Admin, Funding Source</b>	<b>Certified Business</b>
Origami Risk, LLC	7/13/22 through 6/30/25	Cooperative Contract COA 65640 Amendment 3	Additional three year license of Risk Management information system. Administering Contracting Agency: Multnomah County	\$396,185 \$870,545	L. Large Fund 101 Dept. 5540	No



**PORTLAND PUBLIC SCHOOLS**  
**OFFICE OF RISK MANAGEMENT**

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3204

**Date:** July 8, 2022  
**To:** Portland Public Schools Board of Directors  
**From:** Joe Crelier, Director of Risk Management  
**Subject:** Contract extension with Origami Risk LLC.

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**BACKGROUND**

PPS has been using Origami Risk software since 2018. The procurement of the product was through a cooperative contract originating from an RFP conducted by Multnomah County. The contract amendment before the Board on July 12, 2022, authorizes continuing the use of the Origami Risk software for an additional three years. This product is used in four operational areas: Risk Management/Claims and Insurance, Risk Management/Environmental Health and Safety, General Counsel, and Human Resources.

**RELATED POLICIES/BEST PRACTICES**

8.60.021-P Liability Claims Handling  
8.60.022-P Workers' Compensation—Self Insurance  
5.10.064-P Professional Conduct Between Adults and Students

**ANALYSIS OF SITUATION**

The product allows for collaborative incident or claim management across functional areas, centralized and secure digital storage of incident and claim records, District-wide incident reporting forms for staff, named user custom dashboards, claim reports, automated notification functions, etc.

**FISCAL IMPACT**

\$396,185 for the three-year period, an average of \$132,061 per year. Funded from four General Fund department budgets.

**TIMELINE FOR IMPLEMENTATION / EVALUATION**

New contract will take effect upon passage of the resolution and signing by Purchasing and Contracting. Implementation is already established and work will continue.

**BOARD OPTIONS WITH ANALYSIS**

1. Approve contract extension in current form.
2. Not approve contract extension, require a RFP process. Short-term contracts with Origami Risk, LLC would be required until an RFP process is completed and a contract is awarded.

**CONNECTION TO BOARD GOALS**

Optimizes business practices to help achieve financial goals.

**STAFF RECOMMENDATION**

Staff recommends approval of the contract.

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

\_\_\_\_\_ *(Initials)*

**RESOLUTION No. 6545**

Revenue Contracts that Exceed \$150,000 Limit for Delegation of Authority

**RECITAL**

Portland Public Schools (“District”) Public Contracting Rules PPS-45-0200 (“Authority to Approve District Contracts; Delegation of Authority to Superintendent”) requires the Board of Education (“Board”) to enter into and approve all contracts, except as otherwise expressly authorized. Contracts exceeding \$150,000 per contractor are listed below.

**RESOLUTION**

The Superintendent recommends that the Board approve these contracts. The Board accepts this recommendation and by this resolution authorizes the Deputy Clerk to enter into the following agreements.

**NEW REVENUE CONTRACTS**

No New Revenue Contracts

**NEW INTERGOVERNMENTAL AGREEMENTS / REVENUE (“IGA/Rs”)**

<b>Contractor</b>	<b>Contract Term</b>	<b>Contract Type</b>	<b>Description of Services</b>	<b>Contract Amount</b>	<b>Responsible Administrator, Funding Source</b>
State of Oregon	9/7/21 through 6/30/23	Intergovernmental Agreement/Revenue IGA/R 91814	Secondary Career Pathways grant to improve and enhance CTE programs.	\$348,194	C. Proctor Fund 205

**AMENDMENTS TO EXISTING REVENUE CONTRACTS**

No Amendments to Existing Revenue Contracts

**RESOLUTION No. 6546**

Authorization for Off-Campus Activities

**RECITAL**

Portland Public Schools (“District”) Policy 6.50.010-P (“Off-Campus Activities”) requires the Board of Education (“Board”) consent to student out-of-state travel.

**RESOLUTION**

The Board has reviewed the request for out-of-state travel. All required documents have been submitted to the Risk Management Department. The Superintendent recommends that the Board consent to the student out-of-state travel for the below request:

**AUTHORIZATION FOR OFF-CAMPUS ACTIVITIES**

<b>Date(s)</b>	<b>School, Course, and Number of Students</b>	<b>Purpose of Travel</b>	<b>Travel Destination</b>	<b>Estimated Cost Per Student</b>
8/7-8/9/22	PIL Athletics, 84	Enrichment activity for summer program Trajectory Program; college visit	Anaheim, CA	\$700



**RESOLUTION No. 6547**

Appointment of Financial Auditor

**RECITALS**

- A. To comply with the requirements of Oregon Revised Statutes (ORS), the Portland Public Schools Board of Education shall appoint a financial auditor for the 2022-23 fiscal year.
- B. ORS 328.456, 327.137, 297.405 require the appointment of a financial auditor for the School District.

**RESOLVED**

The Portland Public Schools Board of Education appoints Talbot Korvola & Warwick (TKW) to serve as the financial auditor for the 2022–23 fiscal year.

**RESOLUTION No. 6548**

Appointment of Clerk and Deputy Clerks

**RECITALS**

- A. To comply with the requirements of Oregon Revised Statutes (ORS), the Portland Public Schools Board of Education shall appoint a School District Clerk and Deputy Clerks for the 2022–23 fiscal year.
- B. ORS 332.515 requires the appointment of the Chief Administrative Officer as the School District Clerk. Deputy Clerks may also be appointed.

**RESOLVED**

- 1. The Portland Public Schools Board of Education appoints Superintendent Guadalupe Guerrero as Clerk of Portland Public Schools for the 2022–23 fiscal year.
- 2. The Portland Public Schools Board of Education appoints Chief Financial Officer Nolberto Delgadillo, and Director of Purchasing & Contracting Emily Courtnage as Deputy Clerks of Portland Public Schools for the 2022–23 fiscal year.

**RESOLUTION No. 6549**

Appointment of Budget Officer

**RECITALS**

- 1) To comply with the requirements of Oregon Revised Statutes (ORS), the Portland Public Schools Board of Education shall designate a person to serve as the Budget Officer.
- 2) ORS 294.331 requires the Board of Education to designate a person to serve as the Budget Officer. The Budget Officer shall prepare or supervise the preparation of the budget document and act under the direct supervision of the Superintendent.

**RESOLVED**

The Portland Public Schools Board of Education designates Chief Financial Officer, Nolberto Delgadillo, as Budget Officer of Portland Public Schools for the 2022–23 fiscal year.

**RESOLUTION No. 6550**

A Resolution Regarding Depository Banks for the Funds of the Portland Public School District (School District No. 1-J, Multnomah County Oregon)

**RECITALS**

- A. At the beginning of each fiscal year, the Portland Public Schools Board of Education, establishes depositories for school funds (ORS 328.441, 294.805 – 294.895).
- B. The District desires to pass a resolution to name official depositories during the 2022–23 fiscal year.

**RESOLUTION**

- 1. RESOLVED that the following depositories are hereby, approved as official depositories of Portland Public Schools funds during the 2022–23 fiscal year:

**Institutions:**

U.S. Bank  
Wells Fargo Bank  
Umpqua Bank  
Washington Federal Bank  
Bank of the West  
Bank of New York Mellon  
JPM Chase Bank  
Bank of America  
Local Government Investment Pool (LGIP)

- 2. RESOLVED that any of the following of the District's officers [designate titles only]; and in their absence as the Superintendent designates:

**Deputy Superintendent of Business & Operations**  
**Chief Financial Officer**

(each such designated officer an "Officer"), is individually authorized to:

- a) open or close one or more deposit and/or securities accounts (the "Accounts") with any depository institution qualified by the Oregon State Treasurer under Oregon Revised Statutes (ORS) 295 (herein after called "Bank" which account shall be in the name of the District;
  - b) execute and deliver in the District's name such agreement (s) regarding the Accounts and the services related thereto as Bank may from time to time require;
  - c) authorize and execute transactions on the Accounts, including, without limitation,
    - i) signing checks and other instruments withdrawing funds from the Accounts,
    - ii) requesting funds transfers by Bank to and from the Accounts,
    - iii) entering into arrangements for the processing of automated clearing house ("ACH") debit entries and/or ACH credit entries to and from the Accounts, and
    - iv) endorsing on behalf of the District, and otherwise negotiating, checks and other items payable to the District;
  - d) incur overdrafts and other obligations in the Accounts at Bank in connection with any of the products, services, or activities authorized by these resolutions;
- 3. RESOLVED, that any one of the following of the District's officers [designate titles only]:

**Senior Director of Financial Services**  
**Senior Manager/Treasury**

(each such designated officer a "Limited Officer"), is authorized to: i) request funds transfers by Bank to and from the Accounts, (ii) enter into arrangements for the processing of automated clearing house ("ACH") debit entries and/or ACH credit entries to and from the Accounts.

4. RESOLVED, that each Officer and each Limited Officer is individually authorized to designate one or more District officials [each such designated official, an "Official"] to: (a) sign checks withdrawing funds from their respective school checking Accounts, including those payable to cash; and (b) issue and release stop payments on checks drawn on their respective school checking Accounts.
5. RESOLVED, that the District is authorized to enter into any other arrangements, agreements and documents with respect to any Bank's deposit and treasury management products and services, in such form and on such terms and conditions as may be agreed to by an Officer signing such agreements and documents, after appropriate Board of Education approval is obtained, if necessary;
6. RESOLVED, that except to the extent provided otherwise in any agreement between the District and Bank, the District authorizes Bank to rely on any act or communication, including telephone, wire or electric communication, purporting to be done by any Officer, Limited Officer or Official of the District if such reliance is in good faith, and the District shall be bound to Bank by such act or communication relied on by Bank in good faith;
7. RESOLVED, that these resolutions are in addition to, and not by way of limitation on, other resolutions, if any, of the District in favor of Bank, and that the authority conferred by these resolutions shall be deemed retroactive and any and all acts authorized by these resolutions performed prior to the passage of these resolutions are hereby approved and ratified as the official acts and deeds of the District; and
8. RESOLVED, that each of these resolutions shall continue in full force and effect until Bank has received express written notice of its rescission or modification by a resolution duly adopted by the District's Board of Education and certified by a Secretary or Deputy Clerk of the District.

**RESOLUTION No. 6551**

Resolution to Adopt Revised Complaint Policy 4.50.030-P

**RECITALS**

- A. On June 1, 2022, the Board Policy Committee reviewed and considered the proposed revisions of the Complaint Policy 4.50.030-P.
- B. On June 14, 2022, the Board presented the first reading of the revised Complaint Policy.
- C. Pursuant to District policy, the public comment was open for at least 21 days, and there was no public comment received during the comment period.

**RESOLUTION**

The Board hereby adopts the revised Complaint Policy 4.50.030-P and instructs the Superintendent to amend any relevant administrative directives to conform to this adopted policy.

# Portland Public School District 1<sup>st</sup> Reading

DATE OF FIRST READING: June 14, 2022

## PUBLIC COMMENT FOR

### **Policy 4.50.030-P: Complaint Policy**

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The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

**Last Date for Comment: July 05, 2022**

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**Summary:** Complaint Policy 4.50.030-P (Formally: 4.50.032-P)

**1<sup>st</sup> Reading by:** Director Julia Brim-Edwards  
Portland Public School Board, Policy Committee Chair

**Recommended for a 1st Reading by:**  
Portland Public Schools Board of Education  
Policy Committee

**Draft Policy Web Site:** <http://www.pps.net/draftpolicies>

**Contact:** Rosanne Powell, Senior Board Manager  
**Address:** P.O. Box 3107, Portland, OR 97208-3107  
**Telephone:** 503-916-3741  
**E-mail:** [schoolboard@pps.net](mailto:schoolboard@pps.net)

**Draft Policy Comment Form:** <https://forms.gle/VqYbmVA36qqADj6n6>

<b>Included in Packet</b>	<b>Page</b>
Staff Report	03
Draft Policy	05
Redlined Policy with Proposed Changes	12
Original Policy	20





**PORTLAND PUBLIC SCHOOLS**  
**Office of General Counsel**

501 North Dixon Street Portland, OR 97227  
Telephone: (503) 916-3274

**Date:** June 6, 2022  
**To:** School Board  
**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel  
**Subject:** Staff Analysis Report to the Board- Policy Revision  
**Policy # and Name:** Complaint Policy 4.50.032-P

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**BACKGROUND**

After receiving feedback from families and community members about their experiences with the complaint process, the Board Policy Committee made changes to the policy in the fall of 2021. These changes included clarifying language for ease of use and providing additional information on supports available to the complainant. In 2022, the Policy Committee again reviewed the policy through the lens of the community's experience with the process, in particular, the length of time necessary to receive a final decision from the Board. The Committee's proposed revisions reduce the process from three to two steps, as well as a few additional revisions to add clarity to the process.

**RELATED POLICIES/BEST PRACTICES**

The District is committed to maintaining strong relationships with our families and our community. This includes having a fair, accessible process in which complaints can be addressed in a timely manner. Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students.

**ANALYSIS OF SITUATION**

Currently, a complainant must go through a three-step appeal process before a complaint is heard by the Board. At Step 1, the complaint is investigated by District staff who provide complainants a response within 30 days of the complaint. At Step 2, the Superintendent's (or his appointee) reviews the Step 1 finding and provides a decision on that appeal. If appealed to the Board at Step 3, the current process provides for a 90-day timeline from receipt of the complaint to final decision by the Board, unless the parties agree to an extension.

The revised policy removes the Step appeal to the Superintendent's office, allowing for a condensed timeline for resolution for families.

**FISCAL IMPACT**

These changes will incur no financial impact.

**COMMUNITY ENGAGEMENT**

In fall 2020, the Policy Committee began exploring revisions to the formal complaint policy. Although staff had been receiving input from complainants on their experience with the process since its revision in 2018, the Policy Committee requested a broader review of community experiences. In partnership with the Systems and Performance team, the District obtained feedback to inform the potential improvements to the Complaint process and/or policy.

The recommendation to reduce the process from three steps to two came from this engagement process.

**RACIAL EQUITY AND SOCIAL JUSTICE LENS**

A review of the total number of formal complaints filed since 2014 reveals that White families access the District’s formal complaint process in vastly disproportionate numbers at the initial Step1 process, but the racial/ethnic distribution is not consistent at all three of the formal complaint steps. District staff continues to work on other process improvements to make complaint resolution and the formal complaint process more accessible, transparent, and approachable.

**TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

This policy will be implemented immediately, and pending complaints will be afforded the right to the new process. We will update the complaint webpage and our responses to received complaints to inform complainants of the amended process.

**STAFF RECOMMENDATION**

Staff recommends approval of the revised policy.

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

\_\_\_\_\_ (Initials)

**ATTACHMENTS**

- A. Redline copy of Complaint Policy
- B. Clean copy of Complaint Policy



## Complaint Policy

4.50.030-P

We know that when families are engaged with their children's schools, children are more likely to have academic success, graduate from high school, develop self-confidence, and demonstrate strong social behaviors. When we put children at the center of our decisions and actions, we can deliver better experiences for all students and families. We also know that our school district can be complex and that families and students will have questions and sometimes concerns about our curriculum, classrooms, programs, and other experiences. Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students. We welcome those conversations and expect that all adults, including PPS educators and other staff, will model our core values--including respect, relationships, honesty and integrity, collaboration, and a strong commitment to racial equity and social justice--when we have those conversations.

When a student or family has a concern, we encourage a direct conversation with the educator or department directly involved in the issue. There are many other District staff who may be able to help, too, including administrators who oversee specific schools or departments. The District also has a [District and Family Liaison](#), who can help families access information, connect with District staff, and help resolve concerns.

We also have a Formal Complaint process for PPS students, families, and all who reside within the PPS District community. This policy and the accompanying administrative directive describe that process in greater detail. All parties to a Formal Complaint shall be treated and treat others with respect and dignity, and the District will provide support to those making complaints so that the process is welcoming, accessible, transparent, and reflects our strong commitment to racial equity and social justice. The District will resolve complaints as quickly as possible and in compliance with state law.

### I. Formal Complaints: Accessibility; Training; and Annual Reports

- A. A full explanation of the complaint procedure, including all forms, shall be available at the District's administrative office and on the homepage of the District's website found [here](#).

## 1. Formal Complaints

This policy provides a process for resolving complaints as required under Division 22 (Oregon Administrative Rule 581-022-2370), including, but not limited to, [Division 22](#) complaints related to:

- a) Instructional standards and practices
  - (1) Curriculum
  - (2) Teaching strategies
  - (3) Testing
  - (4) Counseling
  - (5) Class size
  - (6) Alternative education programs
  - (7) Instructional materials
  - (8) Compliance with state standards
- b) Special education
- c) Health and safety
- d) Equitable education opportunities
- e) Sports safety
- f) Restraint and/or seclusion
- g) Bias or discrimination in education
- h) Retaliation against a student or parent/guardian
- i) Failure to investigate complaints of bias

- B. The District shall provide training for designated District staff on how to handle formal complaints under this policy, as well as the administrative directive [4.50.031-AD](#).
- C. Because complaints can be an important indicator of the health of an organization, the Superintendent will provide to the Board at least annually data on trends, emerging issues, and district responses, as well as an assessment of the formal complaint process.

## II. TIMELINES

- A. In order to investigate a complaint while memories are recent and witnesses and documents are likely more available, a complaint must be filed within the following time limits:
  - 1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limit runs from the date of the most recent incident; OR

2. Within one year after the affected student has graduated from, moved away from, or otherwise left the District, whichever is later.
- B.** The time limits for bringing formal complaints may be extended by the District for complaints about significant student safety issues, including those arising out of employee misconduct, sexual abuse or conduct, or other allegations of harm to students.
- C.** The receipt of a written complaint starts the 60-day timeline for resolution of complaints under this policy.

### **III. FILING A FORMAL COMPLAINT**

#### **A. STEP 1:**

1. The written complaint must be filed with the District's complaint coordinator by letter, email, or the [written complaint form](#). The written complaint should include the name and contact information for the complainant, a description of the concern, and the student's name, if applicable. It is helpful if the written complaint also includes the names of any other parties involved, including witnesses; a description of efforts to resolve the concern; and suggestions for resolution. The complainant shall receive a written acknowledgement of receipt of the complaint within 5 days of submitting the complaint.
2. All formal complaints will receive a decision in writing that addresses each concern raised and contains reasons for the District's decision within 30 days of receipt of the complaint, unless the parties agree to extend the deadline. The resolution will include information about next steps in the complaint process.
3. PPS accepts confidential anonymous formal complaints concerning Division 22 matters by email at [anonymouscomplaints@pps.net](mailto:anonymouscomplaints@pps.net) and phone at 503-916- 3462. Those making complaints anonymously should provide as much information as possible when making the complaint. PPS will investigate any complaint, including anonymous complaints, as fully as it can.

### **IV. FILING AN APPEAL**

#### **A. STEP 2: APPEAL TO THE PPS SCHOOL BOARD**

If the issue is not resolved to the complainant's satisfaction, the complainant may request a review by the PPS School Board. The request for review shall be submitted in writing within 10 days of the complainant receiving the decision in Step 1.

## **B.**

The Board will vote on the appeal within 30 days of the written request to appeal the District's Step 1 decision. The Board will have the full written record of the decisions at Step 1. The complainant shall also have the full written record and any materials or information provided to Board members before the hearing about the complaint unless otherwise protected from disclosure by law.

District staff and the complainant shall exchange any other written background information they intend to present to the Board at the appeal hearing at least 24 hours before the hearing. If new information is offered less than 24 hours before the Board hearing, the complainant may ask for an extension of time.

To make the process as fair and transparent as possible, the District will provide a written overview of the structure and format of the hearing to the complainant, the ability to submit additional material 24 hours before the hearing, as well as whether the session is open or closed to the public and/or media. The complainant may provide testimony when the complaint is heard. The Board shall issue a final decision after the hearing that the District's Step 1 decision is:

1. Affirmed and no further action will be taken;
2. Reversed in whole or in part and may direct the Superintendent to take alternative steps or other course of action. To the extent the Board modifies the District's Step 1 decision, it will issue a final decision that addresses each concern raised in the complaint and contains reasons for the District's decision; or

With agreement from the complainant, the Board may hold the complaint in abeyance until a certain date or event.

The Board's final decision shall be communicated to the complainant in writing. If the complainant is not satisfied with the decision of the Board, the complainant can file an appeal with the [Oregon Department of Education \(ODE\)](#) as permitted by [OAR 581-022-2370\(4\)\(b\)](#) and [OAR 581-002-0005](#).

## **C. Other Types of Complaints**

The District has separate processes for complaints or concerns that do not fall within Division 22 or this policy, such as:

- Special Education complaints (Individuals with Disabilities Education Act), which can

be filed with Oregon Department of Education Chapter 581, Division 15.

- Complaints about Sexual Conduct and Sexual Discrimination should be directed to the Title IX Department [here](#). Complaints or reports about child abuse should be directed immediately to the Child Abuse hotline at 1-855-503-SAFE, as well as to a PPS supervisor. More information about conflict resolution resources may be found [here](#).

#### **D. Other provisions**

1. The District will provide translation and interpretation services and other reasonable accommodations to assist complainants through the Formal Complaint process. Legal advice is not a resource provided by the District.
2. The District representative assigning staff to investigate and respond to a complaint shall avoid any conflicts of interest, or the appearance of conflicts of interest.
3. Complainants may bring an advocate or support person to any meeting or proceeding. For hearings before the Board, , the District will inform the complainant which PPS staff will be attending the hearing.
4. Retaliation against any person who files or participates in the complaint process is strictly prohibited. Retaliation is any intentional action that would deter a reasonable person from participating in the process. Anyone who believes they have suffered retaliation should immediately report it to the Superintendent or PPS Board of Directors.
5. The District will share with complainants as much information as possible about the findings of the investigation and will, in all cases, share the outcome of its investigation of complaints. However, PPS is often prohibited from disclosing specific information about disciplinary action taken against an employee or student involved in the complaint.
6. The Board will hear appeals of complaints that involve confidential student records in a session closed to the public and media unless the student or family requests the appeal be heard in a session open to the public.
7. If the District fails to meet the timelines stipulated in this policy, the complainant may appeal to the PPS School Board or to the Oregon Department of Education. The timelines may be extended by agreement between the complainant and the District. For example, this may be needed if there are many witnesses to interview, key witnesses are unavailable because of holidays, medical leave, etc., or if a particular Board meeting does not work for the complainant.
8. As used in this policy, “days” will be counted as “calendar days.” Any period for response under this policy that falls on a weekend or legal holiday shall be

extended to the next business day.

9. The District may not be able to assure confidentiality of the names of persons who file complaints under this policy.
10. If a complaint alleges employee misconduct that is outside the scope of this policy, the complaint coordinator will notify the Superintendent in writing of that filing, and the District will endeavor to respond in a timely manner to the complaint.
11. Current and former employees may not bring a complaint under this policy regarding the terms, conditions, or status of their employment.
12. Complaints that have been previously filed by a complainant, investigated, and responded to and for which appeals have been exhausted or the time for appeal has expired cannot be refiled when the complaint is regarding a particular incident or issue that has already been addressed through the Formal Complaint process.
13. Because the Board makes the final decision at the Step 1 appeal, Board members should not knowingly initiate or continue contact with complainants about the topic of a complaint or independently investigate allegations in the complaint once they have notice that a formal complaint has been filed. District staff will regularly notify Board members about new formal complaints that are filed.

#### **E. Complaints against the Superintendent or members of the Board of Education**

Any complaint about alleged individual misconduct by the Superintendent (but not District action for which the Superintendent may have ultimate responsibility as the chief executive officer of the District) shall be overseen by the Board of Education.

Board members are volunteers serving in an elected capacity and are accountable to the citizens in the Portland Public Schools district for their actions and policy positions. Complaints alleging ethics violations or violations of the law against an individual Board member should be made to the Board Chair who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. Complaints related to ethics violations or violations of the law against the Board Chair should be made to the Board Vice-Chair(s) who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. If a third party investigates a complaint, after receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

#### **F. Complaints submitted to members of the Board of Education**

School board members who receive formal complaints from constituents or staff shall forward complaints to the District's complaint coordinator. Board members shall forward informal complaints to the appropriate school or department in order to address the concern.



## V. FURTHER APPEAL RIGHTS

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, who is a student, a parent or guardian of a student attending a school in the District, or a person who resides in the District, may appeal a final decision by the District to the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-0005.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination in Education), a complainant may appeal a final decision by the District to the Oregon Department of Education or may file a complaint directly with the U.S. Department of Education without having to exhaust District procedures under this policy.

In addition to using the District complaint procedure, Special Education complaints may be made directly to the Oregon Department of Education. The complainant must send a copy of the complaint to the District and the Department of Education at the same time.

Adopted 11/2014; Amended 6/12/18, 6/15/2021, \_\_\_/2022

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### Legal Reference(s):

[ORS 192.610 to 192.690](#)  
[ORS 332.107](#)  
[ORS 339.285 to 339.383](#)  
[ORS 659.852](#)  
[OAR 581-022-2370](#)



## Complaint Policy

4.50.~~032030~~-P

DRAFT March 6, 2022

We know that when families are engaged with their children's schools, children are more likely to have academic success, graduate from high school, develop self-confidence, and demonstrate strong social behaviors. When we put children at the center of our decisions and actions, we can deliver better experiences for all students and families. We also know that our school district can be complex and that families and students will have questions and sometimes concerns about our curriculum, classrooms, programs, and other experiences. Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students. We welcome those conversations and expect that all adults, including PPS educators and other staff, will model our core values--including respect, relationships, honesty and integrity, collaboration, and a strong commitment to racial equity and social justice--when we have those conversations.

When a student or family has a concern, we encourage a direct conversation with the educator or department directly involved in the issue. There are many other District staff who may be able to help, too, including administrators who oversee specific schools or departments. The District also has a [District and Family Liaison](#), who can help families access information, connect with District staff, and help resolve concerns.

We also ~~have a Formal Complaint process for make available to~~ PPS students, families, and all who reside within the PPS District community. ~~a Formal Complaint process~~. This policy and the accompanying administrative directive describe that process in greater detail. All parties to a Formal Complaint shall be treated and treat others with respect and dignity, and the District will provide support to those making complaints so that the process is welcoming, accessible, transparent, and reflects our strong commitment to racial equity and social justice. The District will resolve complaints as quickly as possible and in compliance with state law.

~~The District shall create welcoming environments that reflect and support the racial and ethnic diversity of the student population and community. The District's goal is to have a complaint process that is accessible to, and welcoming of, all of our students, parents/guardians, and PPS community members.~~

### I. Formal Complaints: Accessibility; Training; and Annual Reports

- A. A full explanation of the complaint procedure, including all forms, shall be available at the District's administrative office and on the ~~homepage~~home page of the District's ~~Conflict Resolution~~ website found [here](#).

## 1. Formal Complaints

This policy provides a process for resolving complaints as required under Division 22 ~~by~~ (Oregon Administrative Rule 581-022-2370), including, but not limited to, Division 22 [insert link to Div. 22] complaints related to:

- a) Instructional standards and practices
  - (1) Curriculum
  - (2) Teaching strategies
  - (3) Testing
  - (4) Counseling
  - (5) Class size
  - (6) Alternative education programs
  - (7) Instructional materials
  - (8) Compliance with state standards
- b) Special education
- c) Health and safety
- d) Equitable education opportunities
- e) Sports safety
- f) Restraint and/or seclusion
- g) Bias or discrimination in education
- h) Retaliation against a student or parent/guardian
- i) Failure to investigate complaints of bias

**B.** ~~Information regarding the complaint process shall be easily accessible to members of the school community and user-friendly.~~

**C.** The District shall provide training for ~~building administration and~~ designated District staff on how to handle formal complaints under this policy, as well as the administrative directive 4.50.031-AD [insert hyperlink].

**D.** Because complaints can be an important indicator of the health of an organization, the Superintendent will provide to the Board at least annually data on trends, emerging issues, and district responses, as well as an assessment of the formal complaint process.

## II. TIMELINES

**A.** In order to investigate a complaint while memories are recent and witnesses and documents are likely more available, a complaint must be filed within the following time limits:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limit runs from the date of the most recent incident; OR

2. Within one year after the affected student has graduated from, moved away from, or otherwise left the District, whichever is later.
- B.** The time limits for bringing formal complaints may be extended by the District for complaints about significant student safety issues, including those arising out of employee misconduct, sexual abuse or conduct, or other allegations of harm to students.
- C.** The receipt of a written complaint starts the ~~690~~-day timeline for resolution of complaints under this policy.

### III. FILING A FORMAL COMPLAINT

#### A. STEP 1:

1. The written complaint must be filed with the District's complaint coordinator by letter, email, or the [written complaint form](#). The written complaint should include the name and contact information for the complainant, a description of the concern, and the student's name, if applicable. It is helpful if the written complaint also includes the names of any other parties involved, including witnesses; a description of efforts to resolve the concern; and suggestions for resolution. The complainant shall receive a written acknowledgement of receipt of the complaint within 5 days of submitting the complaint.
2. ~~The Superintendent or appropriate departmental supervisor~~In most situations, a District leader for the involved school, or the appropriate departmental supervisor, will be responsible for investigating and responding to the complaint at Step 1. ~~The Superintendent may assign a different decision maker at Step 1 as appropriate.~~
3. All formal complaints will receive a decision in writing that addresses each concern raised and contains reasons for the District's decision within 30 days of receipt of the complaint, unless the parties agree to extend the deadline. The resolution will include information about ~~the~~ next steps in the complaint process.
4. PPS accepts confidential anonymous formal complaints concerning Division 22 matters by email at [anonymouscomplaints@pps.net](mailto:anonymouscomplaints@pps.net) and phone at 503-916-3462. Those making complaints anonymously should provide as much information as possible when making the complaint. PPS will investigate any complaint, including anonymous complaints, as fully as it can.

### IV. FILING AN APPEAL

#### A. STEP 2: APPEAL TO THE PPS SCHOOL BOARD SUPERINTENDENT

If the issue is not resolved to the complainant's satisfaction, the complainant may request a review by the PPS School Board Superintendent. The request for review shall be submitted in writing within 10 days of the complainant receiving the decision in Step 1.

- ~~1. After reviewing materials previously submitted or gathered and after conducting additional review, if deemed necessary, the Superintendent or designee shall issue a written decision addressing the review of each concern raised and the reason for the decision and provide the written decision to the complainant, pursuant to OAR 581-022-2370. All complaints appealed to the Superintendent will receive a decision in writing within 30 days of receipt of the request for review. The decision will include information on the steps for further appeal under this policy.~~
- ~~2. Upon receiving the Superintendent's decision, if the complainant wants to continue to appeal, the complainant may appeal to the Board.~~

## **B. ~~STEP 3: APPEAL TO THE PPS SCHOOL BOARD~~**

The Board will vote on the appeal within 30 days of the written request to appeal the ~~Superintendent's District's Step 1~~ decision. The Board will have the full written record of the decisions at Step 1 ~~and Step 2~~. The complainant shall also have the full written record and any materials or information provided to Board members before the hearing about the complaint unless otherwise protected from disclosure by law (with some sort of privacy exemption).

District staff and the complainant shall exchange any other written background information they intend to present to the Board at the appeal hearing at least 24 hours before the hearing. If new information is offered less than 24 hours before the Board hearing, the complainant may ask for an extension of time.

To make the process as fair and transparent as possible, the District will provide a written overview of the structure and format of the hearing to the complainant, the ability to submit additional material 24 hours before the hearing, as well as whether the session is open or closed to the public and/or media. The complainant may provide testimony when the complaint is heard. The Board shall issue a final decision after the hearing. ~~ide~~ that the ~~Superintendent's District's Step 1~~ decision is:

1. Affirmed and no further action will be taken; ~~or~~
2. Reversed in whole or in part and may direct the Superintendent to take alternative steps or other course of action. To the extent the Board modifies the
3. Superintendent's District's Step 1 decision, it will issue a final decision that addresses each concern raised in the complaint and contains reasons for the District's decision; or-

3. With agreement from the complainant, the Board may hold the complaint in abeyance until a certain date or event.

The Board's final decision shall be communicated to the complainant in writing. If the complainant is not satisfied with the decision of the Board, the complainant can file an appeal with the [Oregon Department of Education \(ODE\)](#) as permitted by [OAR 581-022-2370\(4\)\(b\)](#) and [OAR 581-002-0005](#).

### C. Other Types of Complaints

The District has separate appeal processes for complaints or concerns that do not fall within Division 22 or this policy, such as:

- Special Education complaints (Individuals with Disabilities Education Act), which can be filed with Oregon Department of Education Chapter 581, Division 15.

~~CC~~ Complaints about Sexual Conduct and Sexual Discrimination should be directed to the Title IX Department [here](#).

- Complaints or reports about child abuse should be directed immediately to the Child Abuse hotline at 1-855-503-SAFE, as well as to a PPS supervisor.
- More information about conflict resolution resources may be found [here](#).

### D. Other provisions

1. The District will provide translation and interpretation services and other reasonable accommodations to assist complainants through the Formal Complaint process. Legal advice is not a resource provided by the District.
2. The District representative assigning staff to investigate and respond to a complaint shall avoid any conflicts of interest, or the appearance of conflicts of interest.
3. Complainants may bring an advocate or support person to any meeting or proceeding. For hearings before the Board, the District will inform the complainant which PPS staff will be attending the hearing.
4. Retaliation against any person who files or participates in the complaint process is strictly prohibited. Retaliation is any intentional action that would deter a reasonable person from participating in the process. Anyone who believes they have suffered retaliation should immediately report it to the Superintendent or PPS Board of Directors.
5. The District will share with complainants as much information as possible about the findings of the investigation and will, in all cases, share the outcome of its investigation of complaints. However, PPS is often prohibited from disclosing specific information about disciplinary action taken against an

employee or student involved in the complaint. ~~The Board will hear complaints concerning students and employees in a closed session unless the employee or student/family requests an open session.~~

6. The Board will hear appeals of complaints that involve confidential student records in a session closed to the public and media unless the student or family requests the appeal be heard in a session open to the public.
7. If the District fails to meet the timelines stipulated in this policy, the complainant may appeal to the PPS School Board or to the Oregon Department of Education. The timelines may be extended by agreement between the complainant and the District. For example, this may be needed if there are many witnesses to interview, key witnesses are unavailable because of holidays, medical leave, etc., or if a particular Board meeting does not work for the complainant.
8. As used in this policy, “days” will be counted as “calendar days.” Any period for response under this policy that falls on a weekend or legal holiday shall be extended to the next business day.
9. The District may not be able to assure confidentiality of the names of persons who file complaints under this policy.
10. If a complaint alleges employee misconduct that is outside the scope of this policy, the complaint coordinator will notify the Superintendent in writing of that filing, and the District will endeavor to respond in a timely manner to the complaint.
11. Current and former employees may not bring a complaint under this policy regarding the terms, conditions, or status of their employment.
12. Complaints that have been previously filed by a complainant, investigated, and responded to and for which appeals have been exhausted or the time for appeal has expired cannot be refiled when the complaint is regarding a particular incident or issue that has already been addressed through the Formal Complaint process.
13. ~~Additional allegations offered during the Step 2 process will not be heard along with the original complaint. The person making the complaint will be informed that the allegation will not be addressed as part of the Step 2 response and that the allegation must be filed as a new complaint with the District’s complaint coordinator.~~
14. Because the Board ~~makes serves as~~ the final decision ~~maker of at the~~ Step 1 at the Step 3 appeal, Board members should not knowingly initiate or continue contact with complainants about the topic of a complaint or independently investigate allegations in the complaint once they have notice that a formal complaint has been filed. District staff will regularly notify Board members about new formal complaints

that are filed.

#### **E. Complaints against the Superintendent or members of the Board of Education**

Any complaint about alleged individual misconduct by the Superintendent (but not District action for which the Superintendent may have ultimate responsibility as the chief executive officer of the District) shall be overseen by the Board of Education.

Board members are volunteers serving in an elected capacity and are accountable to the citizens in the Portland Public Schools district for their actions and policy positions. Complaints alleging ethics violations or violations of the law against an individual Board member should be made to the Board Chair who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. Complaints related to ethics violations or violations of the law against the Board Chair should be made to the Board Vice-Chair(s) who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. If a third party investigates a complaint, after receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

#### **F. Complaints submitted to members of the Board of Education**

School board members who receive formal complaints from constituents or staff shall forward complaints to the District's complaint coordinator. Board members shall forward informal complaints to the appropriate school or department in order to address the concern.

### **V. FURTHER APPEAL RIGHTS**

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, who is a student, a parent or guardian of a student attending a school in the District, or a person who resides in the District, may appeal a final decision by the District to the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-0005.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination in Education), a complainant may appeal a final decision by the District to the Oregon Department of Education or may file a complaint directly with the U.S. Department of Education without having to exhaust District procedures under this policy.

In addition to using the District complaint procedure, Special Education complaints may be made directly to the Oregon Department of Education. The complainant must send a copy of the complaint to the District and the Department of Education at the same time.

Adopted 11/2014; Amended 6/12/18, 6/15/2021,       /2022

**Legal Reference(s):**



[ORS 192.610 to 192.690](#)  
[ORS 332.107](#)  
[ORS 339.285 to](#)  
[339.383 ORS 659.852](#)  
[OAR 581-022-2370](#)



## Complaint Policy

4.50.032-P

We know that when families are engaged with their children's schools, children are more likely to have academic success, graduate from high school, develop self-confidence, and demonstrate strong social behaviors. When we put children at the center of our decisions and actions, we can deliver better experiences for all students and families. We also know that our school district can be complex and that families and students will have questions and sometimes concerns about our curriculum, classrooms, programs, and other experiences. Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students. We welcome those conversations and expect that all adults, including PPS educators and other staff, will model our core values--including respect, relationships, honesty and integrity, collaboration, and a strong commitment to racial equity and social justice--when we have those conversations.

When a student or family has a concern, we encourage a direct conversation with the educator or department directly involved in the issue. There are many other District staff who may be able to help, too, including administrators who oversee specific schools or departments. The District also has a [District and Family Liaison](#), who can help families access information, connect with District staff, and help resolve concerns.

We also make available to PPS students, families, and all who reside within the PPS District community a Formal Complaint process. This policy and the accompanying administrative directive describe that process in greater detail. All parties to a Formal Complaint shall be treated and treat others with respect and dignity, and the District will provide support to those making complaints so that the process is accessible, transparent, and reflects our strong commitment to racial equity and social justice. The District will resolve complaints as quickly as possible and in compliance with state law.

The District shall create welcoming environments that reflect and support the racial and ethnic diversity of the student population and community. The District's goal is to have a complaint process that is accessible to, and welcoming of, all of our students, parents/guardians, and PPS community members.

### I. Formal Complaints: Accessibility; Training; and Annual Reports

- A. A full explanation of the complaint procedure, including all forms, shall be available at the District's administrative office and on the home page of the District's Conflict Resolution website found [here](#).

## 1. Formal Complaints

This policy provides a process for resolving complaints as required by Oregon Administrative Rule 581-022-2370, including, but not limited to, complaints related to:

- a) Instructional standards and practices
  - (1) Curriculum
  - (2) Teaching strategies
  - (3) Testing
  - (4) Counseling
  - (5) Class size
  - (6) Alternative education programs
  - (7) Instructional materials
  - (8) Compliance with state standards
- b) Special education
- c) Health and safety
- d) Equitable education opportunities
- e) Sports safety
- f) Restraint and/or seclusion
- g) Bias or discrimination in education
- h) Retaliation against a student or parent/guardian
- i) Failure to investigate complaints of bias

- B. Information regarding the complaint process shall be easily accessible to members of the school community and user-friendly.
- C. The District shall provide training for building administration and designated District staff on how to handle formal complaints under this policy, as well as the administrative directive 4.50.031-AD.
- D. Because complaints can be an important indicator of the health of an organization, the Superintendent will provide to the Board at least annually data on trends, emerging issues, and district responses, as well as an assessment of the formal complaint process.

## II. TIMELINES

- A. In order to investigate a complaint while memories are recent and witnesses and documents are likely more available, a complaint must be filed within the following time limits:
  - 1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limit runs from the date of the most recent incident; OR

2. Within one year after the affected student has graduated from, moved away from, or otherwise left the District, whichever is later.
- B.** The time limits for bringing formal complaints may be extended by the District for complaints about significant student safety issues, including those arising out of employee misconduct, sexual abuse or conduct, or other allegations of harm to students.
- C.** The receipt of a written complaint starts the 90-day timeline for resolution of complaints under this policy.

### **III. FILING A FORMAL COMPLAINT**

#### **A. STEP 1:**

1. The written complaint must be filed with the District's complaint coordinator by letter, email, or the [written complaint form](#). The written complaint should include the name and contact information for the complainant, a description of the concern, and the student's name, if applicable. It is helpful if the written complaint also includes the names of any other parties involved, including witnesses; a description of efforts to resolve the concern; and suggestions for resolution. The complainant shall receive a written acknowledgement of receipt of the complaint within 5 days of submitting the complaint.
2. In most situations, a District leader for the involved school, or the appropriate departmental supervisor, will be responsible for investigating and responding to the complaint at Step 1. The Superintendent may assign a different decision maker at Step 1 as appropriate.
3. All formal complaints will receive a decision in writing that addresses each concern raised and contains reasons for the District's decision within 30 days of receipt of the complaint, unless the parties agree to extend the deadline. The resolution will include information about the next steps in the complaint process.
4. PPS accepts confidential anonymous formal complaints concerning Division 22 matters by email at [anonymouscomplaints@pps.net](mailto:anonymouscomplaints@pps.net) and phone at 503-916-3462. Those making complaints anonymously should provide as much information as possible when making the complaint. PPS will investigate any complaint, including anonymous complaints, as fully as it can.

### **IV. FILING AN APPEAL**

#### **A. STEP 2: APPEAL TO THE SUPERINTENDENT**

If the issue is not resolved to the complainant's satisfaction, the complainant may request a review by the Superintendent. The request for review shall be submitted in writing within 10 days of the complainant receiving the decision in Step 1.

1. After reviewing materials previously submitted or gathered and after conducting additional review, if deemed necessary, the Superintendent or designee shall issue a written decision addressing the review of each concern raised and the reason for the decision and provide the written decision to the complainant, pursuant to OAR 581-022-2370. All complaints appealed to the Superintendent will receive a decision in writing within 30 days of receipt of the request for review. The decision will include information on the steps for further appeal under this policy.
2. Upon receiving the Superintendent's decision, if the complainant wants to continue to appeal, the complainant may appeal to the Board.

#### **B. STEP 3: APPEAL TO THE PPS SCHOOL BOARD**

The Board will vote on the appeal within 30 days of the written request to appeal the Superintendent's decision. The Board will have the full written record of the decisions at Step 1 and Step 2. District staff and the complainant shall exchange any other written background information they intend to present to the Board at the appeal hearing at least 24 hours before the hearing. If new information is offered less than 24 hours before the Board hearing, the complainant may ask for an extension of time. The complainant may provide testimony when the complaint is heard. The Board shall decide that the Superintendent's decision is:

1. Affirmed and no further action will be taken; or
2. Reversed and may direct the Superintendent to take alternative steps or other course of action. To the extent the Board modifies the Superintendent's decision, it will issue a final decision that addresses each concern raised in the complaint and contains reasons for the District's decision.

If the complainant is not satisfied with the decision of the Board, the complainant can file an appeal with the [Oregon Department of Education \(ODE\)](#) as permitted by [OAR 581-022-2370\(4\)\(b\)](#) and [OAR 581-002-0005](#).

#### **C. Other Types of Complaints**

Complaints about Sexual Conduct and Sexual Discrimination should be directed to the Title IX Department [here](#).

Complaints or reports about child abuse should be directed immediately to the Child Abuse hotline at 1-855-503-SAFE, as well as to a PPS supervisor.

More information about conflict resolution resources may be found [here](#).

#### **D. Other provisions**

1. The District will provide translation and interpretation services and other reasonable accommodations to assist complainants through the Formal Complaint process. Legal advice is not a resource provided by the District.
2. The District representative assigning staff to investigate and respond to a complaint shall avoid any conflicts of interest, or the appearance of conflicts of interest.
3. Complainants may bring an advocate or support person to any meeting or proceeding.
4. Retaliation against any person who files or participates in the complaint process is strictly prohibited. Retaliation is any intentional action that would deter a reasonable person from participating in the process. Anyone who believes they have suffered retaliation should immediately report it to the Superintendent or PPS Board of Directors.
5. The District will share with complainants as much information as possible about the findings of the investigation and will, in all cases, share the outcome of its investigation of complaints. However, PPS is often prohibited from disclosing specific information about disciplinary action taken against an employee or student involved in the complaint. The Board will hear complaints concerning students and employees in a closed session unless the employee or student/family requests an open session.
6. If the District fails to meet the timelines stipulated in this policy, the complainant may appeal to the PPS School Board or to the Oregon Department of Education. The timelines may be extended by agreement between the complainant and the District. For example, this may be needed if there are many witnesses to interview, key witnesses are unavailable because of holidays, medical leave, etc., or if a particular Board meeting does not work for the complainant.
7. As used in this policy, “days” will be counted as “calendar days.” Any period for response under this policy that falls on a weekend or legal holiday shall be extended to the next business day.
8. The District may not be able to assure confidentiality of the names of persons who file complaints under this policy.
9. If a complaint alleges employee misconduct that is outside the scope of this policy, the complaint coordinator will notify the Superintendent in writing of that filing, and the District will endeavor to respond in a timely manner to the

complaint.

10. Current and former employees may not bring a complaint under this policy regarding the terms, conditions, or status of their employment.
11. Complaints that have been previously filed, investigated, and responded to and for which appeals have been exhausted or the time for appeal has expired cannot be refiled when the complaint is regarding a particular incident or issue that has already been addressed through the Formal Complaint process.
12. Additional allegations offered during the Step 2 process will not be heard along with the original complaint. The person making the complaint will be informed that the allegation will not be addressed as part of the Step 2 response and that the allegation must be filed as a new complaint with the District's complaint coordinator.
13. Because the Board serves as the final decision maker at the Step 3 appeal, Board members should not knowingly initiate or continue contact with complainants about the topic of a complaint or independently investigate allegations in the complaint once they have notice that a formal complaint has been filed. District staff will regularly notify Board members about new formal complaints that are filed.

#### **E. Complaints against the Superintendent or members of the Board of Education**

Any complaint about alleged individual misconduct by the Superintendent (but not District action for which the Superintendent may have ultimate responsibility as the chief executive officer of the District) shall be overseen by the Board of Education.

Board members are volunteers serving in an elected capacity and are accountable to the citizens in the Portland Public Schools district for their actions and policy positions. Complaints alleging ethics violations or violations of the law against an individual Board member should be made to the Board Chair who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. Complaints related to ethics violations or violations of the law against the Board Chair should be made to the Board Vice-Chair(s) who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. If a third party investigates a complaint, after receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

#### **F. Complaints submitted to members of the Board of Education**

School board members who receive formal complaints from constituents or staff shall forward complaints to the District's complaint coordinator. Board members shall forward informal complaints to the appropriate school or department in order to address the concern.

## V. FURTHER APPEAL RIGHTS

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, who is a student, a parent or guardian of a student attending a school in the District, or a person who resides in the District, may appeal a final decision by the District to the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-0005.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination in Education), a complainant may appeal a final decision by the District to the Oregon Department of Education or may file a complaint directly with the U.S. Department of Education without having to exhaust District procedures under this policy.

In addition to using the District complaint procedure, Special Education complaints may be made directly to the Oregon Department of Education. The complainant must send a copy of the complaint to the District and the Department of Education at the same time.

Adopted 11/2014; Amended 6/12/18, 6/15/2021

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### Legal Reference(s):

[ORS 192.610 to 192.690](#)

[ORS 332.107](#)

[ORS 339.285 to 339.383](#)

[ORS 659.852](#)

[OAR 581-022-2370](#)



**RESOLUTION No. 6552**

Resolution to Adopt Revised Liability Claims Policy 8.60.021-P

**RECITALS**

- A. On June 1, 2022, the Board Policy Committee reviewed and considered the proposed revisions of the Liability Claims Policy 8.60.021-P.
- B. On June 14, 2022, the Board presented the first reading of the revised Liability Claims Policy.
- C. Pursuant to District policy, the public comment was open for at least 21 days, and there was no public comment received during the comment period.

**RESOLUTION**

The Board hereby adopts the revised Liability Claims Policy 8.60.021-P and instructs the Superintendent to amend any relevant administrative directives to conform to this adopted policy.

# Portland Public School District 1<sup>st</sup> Reading

DATE OF FIRST READING: June 14, 2022

## **PUBLIC COMMENT FOR Policy 8.60.021-P: Liability Claims Policy**

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The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

### **Last Date for Comment: July 05, 2022**

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**Summary:**                    **Liability Claims Policy 8.60.021-P**

**1<sup>st</sup> Reading by:**        **Director Julia Brim-Edwards**  
Portland Public School Board, Policy Committee Chair

**Recommended for a 1st Reading by:**  
Portland Public Schools Board of Education  
Policy Committee

**Draft Policy Web Site:** <http://www.pps.net/draftpolicies>

**Contact:**                **Rosanne Powell, Senior Board Manager**  
**Address:**                P.O. Box 3107, Portland, OR 97208-3107  
**Telephone:**            503-916-3741  
**E-mail:**                    [schoolboard@pps.net](mailto:schoolboard@pps.net)

**Draft Policy Comment Form:**    <https://forms.gle/VqYbmVA36qqADj6n6>

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**PORTLAND PUBLIC SCHOOLS**  
**Office of General Counsel**

501 North Dixon Street Portland, OR 97227  
Telephone: (503) 916-3274

**Date:** June 10, 2022  
**To:** School Board  
**From:** Liz Large, Contracted General Counsel  
**cc:** Guadalupe Guerrero, Superintendent  
**Subject:** Amendment of Liability Claims Policy, 8.60.021-P

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**BACKGROUND**

PPS's Liability Claims Policy, 8.60.021-P, sets forth the Board's expectations for the District's handling of liability claims, including thresholds for Board approval of settlement of such claims. The policy was last amended in 2000 and makes references to a defunct Board committee and to financial reserving practices that are inconsistent with the District's accounting and budgeting for such claims.

**RELATED POLICIES/BEST PRACTICES**

It is best practice to review policies on a regular basis and to make sure they provide clear guidance to the District and the public on what is authorized by the Board.

**ANALYSIS OF SITUATION**

The proposed revisions to the policy address the reference to the defunct Board committee and related process and the financial accounting/budgeting process that do not reflect current or recommended practice. The revisions also increase the threshold for Board approval from \$25,000 to \$75,000 to adjust for inflation since the policy was last amended in 2000. In addition, the proposed revisions also add a quarterly report from the General Counsel to the Board on all liability claims settled below the Board-approval threshold, so that the Board has visibility to those settlements.

**FISCAL IMPACT**

None.

**COMMUNITY ENGAGEMENT (IF APPLICABLE)**

The proposed policy revisions were discussed over several public meetings of the Policy Committee; there was no additional community engagement or community feedback received.

**TIMELINE FOR IMPLEMENTATION / EVALUATION**

Will be implemented upon final approval of the Board.

**STAFF RECOMMENDATION**

Approve the revised policy as unanimously recommended by the Policy Committee.

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### Liability Claims

#### I. Self-Insurance, Investigation and Settlement of Claims

(1) The District is self-insured with respect to certain bodily injury, property damage and other claims arising from certain accidents and other occurrences. The District may contract for external services to investigate and/or defend claims made against the District.

(2) Proposed final determination and settlement agreements involving payment of District funds of \$75,000 and over will be submitted to the Board after review by the District's General Counsel. The Superintendent may authorize (and delegate to the General Counsel and director of risk management) final settlements for claims involving payment of District funds under \$75,000 upon determining that such settlement is in the best interests of the District and is reasonable under the circumstances, considering the risk of liability involved. A liability release signed by the payee is required as part of the terms of settlement.

#### II. Notice of Settlement of Claims Below Board-Approval Threshold

(1) Within 30 days of the end of each quarter, the General Counsel's Office shall provide the Board with a list of the settlements of claims resolved below the board-approval threshold.

Legal References: ORS 30.290; ORS 294.463; ORS 332.435; ORS 332.437

History: Adpt 9/13/77; Amd 5/81; Amd 10/13/83; Rev 8/28/00, BA 1400; Amd \_\_\_/22

## 8.60.021 Liability Claims

### I. Self-Insurance, Investigation and Settlement ~~Services~~of Claims

- (1) The District is self-insured with respect to certain bodily injury, property damage and other claims arising from certain accidents and other occurrences. The District may contract for ~~investigative~~<sup>[1]</sup> external services ~~for to investigate and/or defend~~ bodily injury and property damage claims made against the District.
- (2) Proposed final determination and settlement agreements involving payment of District funds of \$725,000 and over will be submitted ~~by the Ddistrict's risk manager~~ to the Board after review by the District's General Counsel.<sup>[2][3]</sup> The Superintendent may authorize (and delegate to the General Counsel and director of Risk Management<sup>[4][5]</sup>) final settlements for ~~uninsured personal injury and property damage~~ claims involving payment of District funds under \$725,000 upon determining that such settlement is in the best interests of the District and is reasonable<sup>[6][7][8][9][10]</sup> under the circumstances, considering the risk of liability involved. A liability release signed by the payee ~~will be~~ is required as part of the terms of settlement.

### II. Notice of Settlement of Claims Below Board-Approval Threshold

- ~~(1) Upon receipt of a notice of claim for an alleged tort or similar claim (exclusive of employment and student discrimination claims), the General Counsel Risk Management Department will proceed to do the following:~~
  - ~~— Determine whether the matter will be handled by the General Counsel's office or Risk Management.~~
  - ~~(a) Notify the claimant or the claimant's legal counsel that notice has been received and will be investigated;~~
  - ~~(b) Prepare and administer files;~~
  - ~~(c) Notify and submit claims for review by the Ddistrict's general counsel when a settlement in excess of \$5,000 is considered or when the claimant elects to pursue litigation; and~~
  - ~~(d) Maintain financial statistics on all claims costs.~~
- ~~(2)~~(1) Within 30 days of the end of each quarter, the General Counsel's Office Notwithstanding the delegation of authority limits set forth in 8.90.010-P Contracts, the legal committee of the Board shall be provide the Board with a list of summary of the settlements of claims resolved below the board-approval threshold. advised/consulted regarding settlements of actual or threatened litigation or administrative complaints where the settlement is between \$25,000 and \$725,000.

### III. Establishment of Reserves<sup>[11]</sup>

- ~~(1) A special financial reserve and budgetary fund is hereby established~~

## 8.60.021 Liability Claims

~~pursuant to ORS 332.437 for the purpose of paying:~~

- ~~(a) costs incurred by the District under this policy; and~~
- ~~— claims against the District, including discrimination claims, in accordance with settlement agreements or other determination.~~
- ~~(b)~~



## 8.60.021 Liability Claims

~~(2) As used in this section, "normal reserve" refers to the amount of such fund established by Board resolution after review and comment by the risk manager. Recommendations for the normal reserve shall be made with the objectives of:~~

~~(a) providing a clearly adequate amount with which to pay all uninsured costs and claims of the kind for which the fund is established; and~~

~~(b) preventing the existence or settlement of claims from having any further effect on the budget or funds of the Ddistrict.~~

~~(3) III. Additions during a fiscal year may also be made by resolution of the Board pursuant to ORS 294.46350. Reductions shall not be made except: (1) in connection with the adoption of the Ddistrict's budget for the ensuing year; or (2) by expenditures made for the purposes described in this policy.~~

~~(4) (1) The budget resources of said reserve fund shall be permitted to increase from year to year by reason of earnings on investments of monies in said fund and additions thereto made pursuant to this policy. Expenditures therefrom shall be made only pursuant to specific resolutions adopted by the Board or pursuant to settlements approved in accordance with this policy, and only for the purpose for which said reserve fund had been created.~~

Legal References: ORS 30.290; ORS 294.46350; ORS 332.435; ORS 332.437

History: Adpt 9/13/77; Amd 5/81; Amd 10/13/83; Rev 8/28/00, BA 1400; Amd /22-

## 8.60.021-P Liability Claims Handling

### I. Self-Insurance, Investigation and Settlement Services

- (1) The district is self-insured with respect to certain bodily injury, property damage and other claims arising from certain accidents and other occurrences. The district may contract investigative services for bodily injury and property damage claims made against the district.
- (2) Proposed final determination and settlement agreements involving payment of district funds of \$25,000 and over will be submitted by the district's risk manager to the Board after review by the district's general counsel. The risk manager may authorize final settlements for uninsured personal injury and property damage claims involving payment of district funds under \$25,000 upon determining that such settlement is in the best interests of the district and is reasonable under the circumstances, considering the risk of liability involved. A liability release signed by the payee will be required as part of the terms of settlement.

### II. Notice of Claim

- (1) Upon receipt of a notice of claim for an alleged tort or similar claim (exclusive of employment and student discrimination claims), the Risk Management Department will proceed to do the following:
  - (a) Notify the claimant or the claimant's legal counsel that notice has been received and will be investigated;
  - (b) Prepare and administer files;
  - (c) Notify and submit claims for review by the district's general counsel when a settlement in excess of \$5,000 is considered or when the claimant elects to pursue litigation; and
  - (d) Maintain financial statistics on all claims costs.
- (2) Notwithstanding the delegation of authority limits set forth in 8.90.010-P Contracts, the legal committee of the Board shall be advised/consulted regarding settlements of actual or threatened litigation or administrative complaints where the settlement is between \$5,000 and \$25,000.

### III. Establishment of Reserves

- (1) A special financial reserve and budgetary fund is hereby established pursuant to ORS 332.437 for the purpose of paying:
  - (a) costs incurred by the district under this policy; and
  - (b) claims against the district, including discrimination claims, in accordance with settlement agreements or other determination.

## 8.60.021-P Liability Claims Handling

- (2) As used in this section, “normal reserve” refers to the amount of such fund established by Board resolution after review and comment by the risk manager. Recommendations for the normal reserve shall be made with the objectives of:
- (a) providing a clearly adequate amount with which to pay all uninsured costs and claims of the kind for which the fund is established; and
  - (b) preventing the existence or settlement of claims from having any further effect on the budget or funds of the district.
- (3) Additions during a fiscal year may also be made by resolution of the Board pursuant to ORS 294.450. Reductions shall not be made except: (1) in connection with the adoption of the district’s budget for the ensuing year; or (2) by expenditures made for the purposes described in this policy.
- (4) The budget resources of said reserve fund shall be permitted to increase from year to year by reason of earnings on investments of monies in said fund and additions thereto made pursuant to this policy. Expenditures therefrom shall be made only pursuant to specific resolutions adopted by the Board or pursuant to settlements approved in accordance with this policy, and only for the purpose for which said reserve fund had been created.

Legal References: ORS 30.290; ORS 294.450; ORS 332.435; ORS 332.437

History: Adpt 9/13/77; Amd 5/81; Amd 10/13/83; Rev 8/28/00, BA 1400.

**RESOLUTION No. 6553**

Resolution to Adopt Revised School-Site Councils Policy 7.10.010-P

**RECITALS**

- A. On June 1, 2022, the Board Policy Committee reviewed and considered the proposed revisions of the School-Site Councils Policy 7.10.010-P.
- B. On June 14, 2022, the Board presented the first reading of the revised School-Site Councils Policy.
- C. Pursuant to District policy, the public comment was open for at least 21 days, and there was no public comment received during the comment period.

**RESOLUTION**

The Board hereby adopts the revised School-Site Councils Policy 7.10.010-P and instructs the Superintendent to amend any relevant administrative directives to conform to this adopted policy.

# Portland Public School District 1<sup>st</sup> Reading

DATE OF FIRST READING: June 14, 2022

**PUBLIC COMMENT FOR**  
**Policy 7.10.010-P:**  
**School-Site Councils Policy**  
(formerly: Citizen Involvement Process)

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The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

**Last Date for Comment: July 05, 2022**

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**Summary:** School-Site Councils Policy 7.10.010-P  
(formerly: Citizen Involvement Process)

**1<sup>st</sup> Reading by:** Director Julia Brim-Edwards  
Portland Public School Board, Policy Committee Chair

**Recommended for a 1st Reading by:**  
Portland Public Schools Board of Education  
Policy Committee

**Draft Policy Web Site:** <http://www.pps.net/draftpolicies>

**Contact:** Rosanne Powell, Senior Board Manager  
**Address:** P.O. Box 3107, Portland, OR 97208-3107  
**Telephone:** 503-916-3741  
**E-mail:** [schoolboard@pps.net](mailto:schoolboard@pps.net)

**Draft Policy Comment Form:** <https://forms.gle/VqYbmVA36qqADj6n6>

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**PORTLAND PUBLIC SCHOOLS**  
**Office of General Counsel**

501 North Dixon Street. Portland, OR 97227  
Telephone: (503) 916-3274

**Date:** June 6, 2022  
**To:** School Board  
**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel  
**Subject:** Staff Analysis Report to the Board- Policy Revision  
**Policy # and Name:** Citizen Involvement Process, 7.10.010-P

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**BACKGROUND**

This policy was last amended in 2002, at a time when each school was required to convene a Local School Advisory Committee (LSAC), in addition to a Site Council, as part of the 21st Century Schools Program. LSACs are no longer required and do not reflect current practice. The Board Policy Committee reviewed the policy and proposed language, including a new title (School-Site Councils), to focus the policy solely on the District's obligation to convene Site-Councils at all of our schools.

**RELATED POLICIES/BEST PRACTICES**

It is best practice to review policies for currency and alignment with state law.

**ANALYSIS OF SITUATION**

The 21st Century Schools Program was established to restructure school operational decisions to include the voices of parents, community members, and school staff and require site councils to integrate the shared goals of those stakeholders.

**FISCAL IMPACT**

These changes will incur no financial impact.

**COMMUNITY ENGAGEMENT**

There was no community engagement beyond the Policy Committee work. The proposed revisions remove references to other committees, one of which is no longer a practice within the District, and make no substantive changes to the Site-Council meetings as they are defined in the 21st Century Schools Program.

**RACIAL EQUITY AND SOCIAL JUSTICE LENS**

The purpose of the Site Council is to increase engagement and communication between school staff and our community and to transform the concerns and expectations of families and students into measurable goals.

**TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

This policy will be implemented immediately, and we will send notification to building administration.

**STAFF RECOMMENDATION**

Staff recommends approval of the revised policy.

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

\_\_\_\_\_ *(Initials)*

**ATTACHMENTS**

- A. Redline copy of Complaint Policy
- B. Clean copy of Complaint Policy





## School-Site Councils

### (1) Statement of Purpose.

Schools play a critical role in preparing students to thrive in and improve the world, and we serve students best when we work in collaboration with parents and community partners.

The Board encourages and supports the development of innovative strategies and program designs that target the unique needs of students in each school community and that can be used in other school communities. Through the collaborative efforts of teachers, classified employees, principals, family members, students, and community members, schools benefit from broad school-based participation in planning for school improvement.

### (2) School Site Councils

(a) The purpose of 21st Century Schools Councils (Site Councils) is to increase student achievement. In compliance with the Oregon Educational Act for the 21st Century, each school will have a Site Council.

(b) The duties of each Site Council shall include:

1. The improvement of the school's instructional program;
2. The development of plans to improve the professional growth of the school's staff;
3. The development and coordination of plans for the implementation of programs covered under the Oregon Educational Act for the 21st Century at the school site;
4. The administration of grants-in-aid for the professional development of teachers and classified district employees;
5. Fostering family involvement in the schools.

(c) Unless the Board of Education determines a different composition is needed at a particular school, each Site Council shall be comprised of the following members:

(A) Not more than half of the members shall be licensed educators who have been elected by the licensed educators teaching at the school;

(B) Not more than half of the members shall be parents of



### School-Site Councils

students attending that school who have been selected by the parents of students attending that school);

(C) At least one member shall be a classified employee elected by the classified employees at that school; and

(D) One member shall be the building principal or the principal's designee.

(E) The District may designate other types of members that may include students, business leaders, or members of the community at large (individuals are selected by the Site Council).

(F) Licensed educators and parent members may not compose more than half of the membership of a Site Council.

(c) To accomplish these duties, each Site Council will:

(A) Assist in developing and implementing a process for preparing an annual school improvement plan. The plan should focus on how the school will assist students to achieve the standards established by the state and District;

(B) Create meaningful opportunities annually for school community members to share perspectives and feedback about the school program;

(C) Prioritize student performance goals in accordance with District goals and state standards, including those contained in the Oregon Educational Act for the 21st Century;

(D) Develop plans to reach student performance goals utilizing current educational research, professional development of staff focused on research-based effective instructional practices and staff and community input;

(E) Develop and utilize a communication plan for involving the community in planning for school improvement and for informing the community about the plan and its progress; and

Duties of the Site Council Members. Each member of the Schools Council at the local school site has responsibility to:



### School-Site Councils

Commit to a process of collaboration to support school improvement and increase student achievement;

Learn about the school's instructional program, its curriculum goals and mission, the teaching strategies being used, student achievement test data and issues unique to the local school;

Learn about the Board goals for the District and its expectations for staff and students, as well as the expectations contained in the Oregon Educational Act for the 21st Century;

Ensure good communication among all participants in the school; and

Invite and incorporate a variety of diverse viewpoints and prioritize racial equity and social justice in decision making.

#### **Site Council Meetings.**

Site Council meetings are open and public meetings and subject to Oregon's Public Meetings Law guidelines.

Legal References: ORS 192.660 - 192.690; OAR 581-020- 0105; OAR 581-020-0115; OAR 581-020-0130; ORS 329.125; ORS 342.608; ORS 329.675 - 329.745; ORS 332.105; ORS 332.107; ORS 332.172

History: Adpt 6/71; Amd 6/28/71; Amd 7/12/71; Amd 6/26/72; Amd 11/6/73; Amd 2/25/74; Amd 2/25/75; Amd 10/24/76; Amd 11/8/76; Amd 2/12/79; Amd 6/25/79; Replaced 8/11/83; Replaced 5/9/85; Amd 11/6/89; Amd 12/10/90; Amd 11/8/93; Amd 9/9/02; BA 2422; Amd \_\_\_/2022

## 7.10.010-P ~~Citizen~~ School-Site Councils Involvement Process

### ~~I.—The General Advisory Committees.~~

~~(1) — Local School Advisory Committee (LSAC) means the group of citizens who participate with a school principal on an advisory committee for that specific school.~~

~~(2) — 21st Century School Councils (Site Councils) are the groups of school staff and citizens who participate in the educational/instructional improvement activities that are a part of the Oregon Educational Act for the 21st Century.~~

~~(3) I. In the interest of operating advisory committees for the purpose for which they are established, matters that are the subject of pending litigation involving the district or its agents shall not be discussed or investigated by an advisory committee unless the subject previously has been cleared in writing by the superintendent or designee.~~

### ~~II.—Local School Advisory Committee (LSAC)~~

~~(1) — The first level of citizen involvement is at the individual school. In order to assure systematic participation of parents and other citizens in the education of young people, each Portland public school shall:~~

~~(a) Have a Local School Advisory Committee (LSAC) identified and listed; and,~~

~~(b) Establish the specific number of members of each committee.~~

~~(2) — Composition. The committee should represent as many segments of the community as possible, including parents, non-parents, students, businesses and neighborhood associations. Membership representation is open to all interested volunteers. Staff members should serve as resource persons. Staff members who are parents of students in the school may have full voting privileges.~~

~~(3) — Meetings. At least five meetings shall be held each year. Many schools may find that some additional meetings will be more in keeping with their individual school needs. The principal and LSAC chair shall cooperatively prepare and circulate an agenda prior to each meeting. Agendas and minutes should be kept on file in the school office for at least two (2) years. The meetings held are in the interest of the public school and open to all interested citizens.~~

## 7.10.010-P ~~Citizen Involvement Process~~

~~(4) — Role. The LSAC shall advise the principal on matters pertaining to the school and its educational program for students. The principal shall carefully consider the advice and recommendations of the committee in fulfilling his/her organizational and legal responsibilities as decision maker and pass on the recommendations to the appropriate district personnel. The principal shall inform the LSAC about the disposition of LSAC recommendations and provide follow up progress reports relating to issues discussed and/or decided.~~

~~(a) The LSAC will be given the opportunity to provide advice, input and/or response to reports from the school principal on educational programs, assessment of educational needs, and establishment of priorities. Copies of reports to or by the LSAC should be kept on file in the school office for at least two (2) years.~~

~~(b) The LSAC will contribute to the determination of the schools' educational goals and will review with the principal process toward the attainment of goals. The LSAC will provide the principal and other school officials, information unique to the community in order that the school can more readily identify the educational needs within the community.~~

~~(c) The LSAC will designate or act as a budget subcommittee to review with the principal the school's allocated budget and discuss the assignment of resources within the building, thus participating at the local level in the budget review process.~~

### III. **21st Century Schools Councils (Site Council)**

#### (1) Statement of Purpose.

~~(1) The purpose of 21st Century Schools Councils is to increase student achievement. In compliance with provisions of the Oregon Educational Act for the 21st Century, it is the policy of the Board to establish 21st Century Schools Councils in each of the district's schools. It is the District's Board's belief that Schools play a critical role in preparing students to thrive in and improve the world, and that this vision can be achieved we serve students best when it we works in collaboration with parents and community partners, a group of people, who represent different parts of our educational community, to come together to work in a collaborative manner to improve education and, student achievement will increase.~~

~~(a) The Board encourages and supports the implementation development of locally developed innovative strategies and program designs that target the unique needs of students in each school community and that can be used in other school communities. Through the collaborative efforts of teachers, classified employees, principals, family members, students, and community members, schools will benefit from increased broad school-based participation in planning for school improvement.~~

## 7.10.010-P Citizen Involvement Process

~~(b)~~ The Board believes that all students can learn and should have the opportunity to achieve their maximum learning potential. Achieving this goal will best be accomplished through school-based decision-making with equitable family/school/community partnerships.

### (2) School Site Councils

(a) The purpose of 21st Century Schools Councils (Site Councils) is to increase student achievement. In compliance with provisions of the Oregon Educational Act for the 21st Century, ~~there will be a site council in each of the district's~~ each school will have a Site Councils.

~~(2)~~ (b) Function of 21st Century Schools Councils. In compliance with the Oregon Educational Act for the 21st Century and to improve the student achievement, ~~It~~ The duties of ~~the each Site e~~ Council shall include:

- ~~(a)~~ 1. The improvement of the school's instructional program;
- ~~(b)~~ 2. The development of plans to improve the professional growth of the school's staff;
- ~~(c)~~ 3. The development and coordination of plans for the implementation of programs covered under the Oregon Educational Act for the 21st Century at the school site;
- ~~(d)~~ 4. The administration of grants-in-aid for the professional development of teachers and classified district employees;
5. Fostering family involvement in the schools.

(c) Unless the Board of Education determines a different composition is needed at a particular school, each Site Council shall be comprised of the following members:

- (A) Not more than half of the members shall be licensed educators who have been ~~(elected by the licensed educators teaching at the school at that site);~~
- (B) Not more than half of the members shall be parents of students attending that school ~~(who have been selected by the parents of students attending that school);~~
- (C) At least one member shall be a classified employee ~~(elected by the classified employees at that school's site);~~ and
- (D) One member shall be the building principal or the principal's designee.
- (E) The District may designate other types of members that may include students, business leaders, or members of the community at large (individuals are selected by the Site Council).

~~(e)~~(F) Licensed educators and parent members may not compose more than half of the membership of a Site Council

~~(f)~~ (c) To accomplish these duties, each ~~Site~~ 21st Century Schools Council will:

- (A) Assist in developing and implementing a process for preparing an annual school improvement plan. ~~This process should include participation by staff, family members, community~~

Commented [1]: "development of plans" or feedback on plans?

Commented [2]: Site council does not have any \$

~~members, and students.~~ The plan should focus on how the school will assist students to achieve the standards established by the state and ~~d~~District;

- (B) Create meaningful opportunities annually for school community members to share perspectives and feedback about the school program. ~~Implement a school survey for assessing community opinions regarding the school program;~~
- (C) ~~Assist in developing and maintaining a current a local school profile which describes student performance information, identification of students meeting and exceeding state and district standards, characteristics of the school and its community, perception of school effectiveness by staff and family members, the school's goals and plans for improvement;~~
- (D) ~~Establish and p~~Prioritize student performance goals ~~which are~~ in accordance with ~~d~~District goals and state standards, ~~particularly including~~ those contained in the Oregon Educational Act for the 21st Century;
- (E) Develop plans to reach student performance goals utilizing current educational research, professional development of staff

## 7.10.010-P Citizen Involvement Process

focused on research-based effective instructional practices and staff and community input;

- (F) Develop and utilize a communication plan for involving the community in planning for school improvement and for informing the community about the plan and its progress; [and](#)
- (G) ~~Support the plan's implementation by identifying and applying current resources and participating in efforts to acquire new resources.~~

~~(3) — Membership. The 21st Century Schools Council will be composed of teachers, adult family members of students, the principal and classified district personnel. The council may also include persons identified by the school community as having particular benefit for council membership, such as business representatives, community members, students or other district staff.~~

- ~~(a) The following principles will govern council membership:
  - ~~(A) The principal shall be a member of the council;~~
  - ~~(B) Teachers will comprise not more than one half of the council membership and shall serve voluntarily.
    - ~~(i) Teachers are defined as all licensed employees of the public schools or employed by an educational service district who have direct responsibility for instruction, coordination of educational programs or supervision of teachers and who are compensated for their services from public funds.~~
    - ~~(ii) Teachers will be elected in accordance with applicable provisions of the collective bargaining agreement.~~~~
  - ~~(C) Classified employees will be represented on each council and serve voluntarily.
    - ~~(i) Classified employees are any non-teaching or non-administrative staff members having contact with students at the local school to which they are affiliated and for whose employment an Oregon teaching license is not required.~~
    - ~~(ii) Classified employees will be elected by direct vote of the classified employees affiliated with the local school.~~~~
  - ~~(D) Adult family representatives of students attending the local school will comprise not more than half of the council membership.~~~~



## ~~7.10.010-P~~ Citizen Involvement Process

- ~~(i) Adult family representatives are defined as parents or guardians of students currently enrolled in a public school providing education in pre-kindergarten through grade 12.~~
  - ~~(ii) A family is a group of individuals related by blood, marriage, or adoption or individuals whose functional relationships are similar to those found in such associations.~~
  - ~~(iii) Adult family representatives serve on councils of the schools their students attend.~~
  - ~~(iv) The council shall determine a process to select adult family members through open nomination and election by other adult family members of students attending the school.~~
  - ~~(v) The process for conducting this election will be planned in consultation with representation from the collective bargaining units at the local school, the principal and established family and community representation groups.~~
  - ~~(E) At least one student representative will serve on each high school council. Elementary and middle schools may choose to include student representation. The specific method for selecting student representation will be determined at the local school.~~
  - ~~(F) The members of the council may appoint members of the community at large.~~
  - ~~(G) Each council will strive to reflect the diversity of the school community through elected representatives, appointed representatives and specific communication strategies to involve all families served by the school.~~
  - ~~(H) If the Board determines that a school site is unable to fulfill the requirement of the 21st Century Schools Council as outlined in this policy, or if the needs of a school site require a different composition, the Board shall establish the 21st Century Schools Council in a manner that best meets the educational needs of the district.~~
- ~~(4)~~ Duties of the [Site 21st Century Schools](#) Council Members. Each member of the ~~21st Century~~ Schools Council at the local school site has responsibility to:

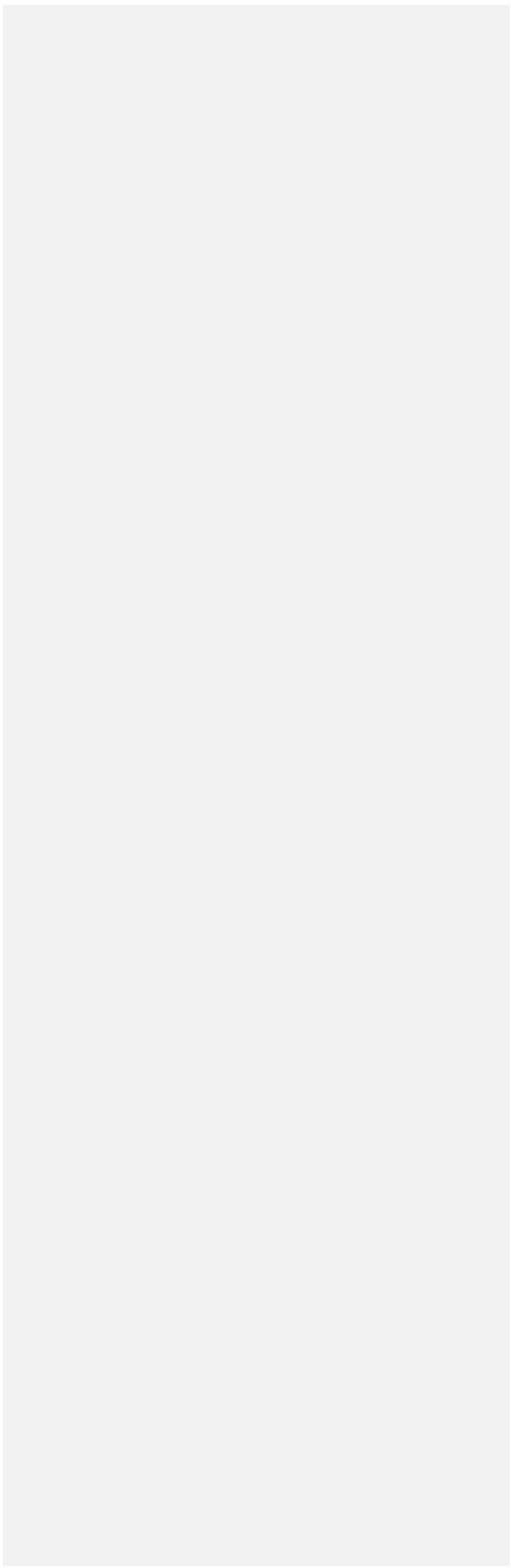
## 7.10.010-P Citizen Involvement Process

- ~~(a)~~ Commit to a process of collaboration to ~~achieve~~ ~~(support?)~~ school improvement and increase student achievement;
- ~~(b)~~ Learn about the school's instructional program, its curriculum goals and mission, the teaching strategies being used, student achievement test data and issues unique to the local school;
- ~~(c)~~ Learn about the Board goals for the ~~Portland school D~~ district and ~~the its~~ expectations for staff and students, ~~as well as the~~ expectations contained in the Oregon Educational Act for the 21st Century;
- ~~(d)~~ ~~Coordinate and lead the process of setting the improvement goals for the school, deciding how best to achieve those goals, and determining how to monitor their progress;~~
- ~~(e)~~ Ensure good communication among all participants in the school; and
- ~~(f)~~ ~~Adopt a balanced perspective of the school program that reflects sensitivity to~~ Invite and incorporate a variety of diverse viewpoints and prioritize racial equity and social justice in decision making.

### ~~IV.—Guidelines for Decision Making.~~

- ~~(1) —Consensus is the desired decision making procedure for councils. Each council should develop a process for reaching consensus on decisions facing the council. Council members should participate in training in consensus decision making processes.~~
- ~~(2) —The 21st Century Schools Councils must work within the scope of state and federal law, Board policies and goals, Administrative Directives, budgetary restrictions, union contracts, and ethical standards and practices, however Oregon law provides procedures for requesting waivers of provisions of state law and rules, contracts, local policy and rules, and licensure provisions if such requests are intended to improve student achievement and to promote innovative practices.~~
  - ~~(a) A request for a waiver of a contract provision must be submitted by the 21st Century Schools Council to the Association and Contract Administration for approval following guidelines agreed to by the association and district.~~
  - ~~(b) A request for a waiver of an Administrative Directive must be submitted in writing to the superintendent for approval.~~
  - ~~(c) A request for a waiver of Board policy must be submitted in writing to the superintendent. The superintendent will submit the waiver request and his/her recommendation to the Board for final approval. Policy waiver requests will be considered based on the district's mission statement, philosophy, Board adopted goals and~~

| ~~effective schooling tenets.~~



## ~~7.10.010-P Citizen Involvement Process~~

~~(d) All other waiver requests, as provided by law, will be reviewed in accordance with procedures established by the Oregon Department of Education to determine their efficacy in promoting student achievement and for their practicality.~~

~~(3) Council activities include:~~

~~(a) Aligning Formulating a school vision to the District's and/or mission statement;~~

~~(b) Coordinating school study committees and task forces as deemed necessary to improve academic achievement, enhance student well-being, and promote family participation in the school;~~

~~(c) Developing specific plans and strategies to improve student achievement;~~

~~(d) Planning staff development activities for the school;~~

~~(e) Developing plans for implementation and monitoring of provisions of the Oregon Educational Act for the 21st Century;~~

~~(f) Promoting school/business partnerships;~~

~~(g) Monitoring student progress;~~

~~(h) Fostering family/school/community partnerships.~~

### **Site Council Meetings.**

~~(4) Site Council Meetings of Site 21st Century Schools Councils shall be composed of parents, administrators, and staff as outlined in state law. They are open and public meetings and are subject to Oregon's Public Meetings Law guidelines.~~

~~Relationship to Local School Advisory Committees. Development of 21st Century Schools Councils is not intended to eliminate pre-existing Local School Advisory Committees or other community representatives or organizations affiliated with the school. The Local School Advisory Committee maintains its advisory role to the principal in a variety of local school matters as outlined in earlier sections of this policy.~~

~~(5)~~

## **V. Citizen Budget Review Committees (CBRC)**

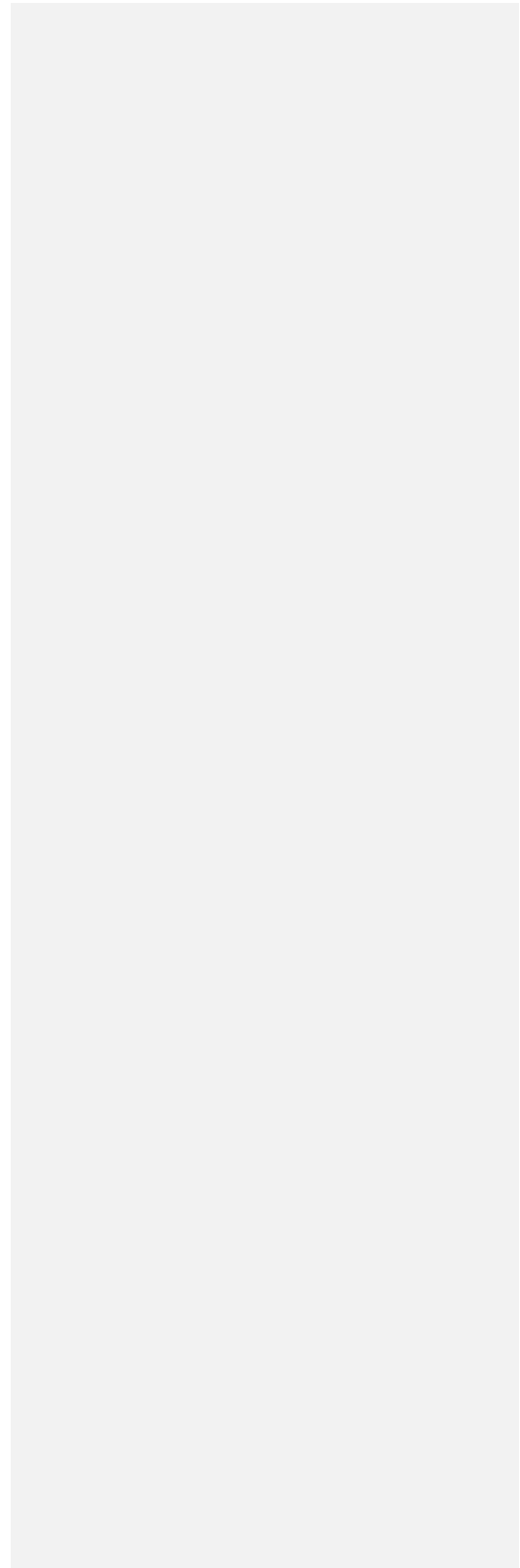
~~(1) Each committee A Citizen Budget Review Committee will be established for the purpose of budget review and recommendations to the Board.~~

~~(2) Members may be appointed by the Board or selected by the superintendent or designee from volunteer applicants. Wide geographical representation is preferred.~~

~~(3) The Board will determine CBRC composition and terms of service.~~

~~(4) The committee CBRC shall appoint a chair from among the members. The chair, with the assistance of the committee, shall review~~

~~pertinent background materials, current and proposed district budget and  
prepare an annual budget recommendation for presentation to the Board.~~



## 7.10.010-P Citizen Involvement Process

~~All meetings of the Board appointed committee CBRC are open to the public. Minutes shall be taken, made available and retained in accordance with the Public Meetings Law.~~

### ~~VI. Notification~~

#### ~~VII. Use icit~~

~~The LSAC shall notify the local Neighborhood Associations of all meetings of the LSAC. The Board will notify the Office of Neighborhood Associations of major matters forthcoming that may have an impact on the entire community.~~

Legal References: ORS 192.660 - 192.690; ORS 342.513; OAR 581-020- 0105; ORS 243.650; ORS 342.545; OAR 581-020-0115; ORS 243.782; ORS 342.553; OAR 581-020-0130; ORS 329.125; ORS 342.608; ORS 329.675 - 329.745; ORS 342.610; ORS 332.105; ORS 342.613; ORS 332.107; ORS 342.650; ORS 332.172

History: Adpt 6/71; Amd 6/28/71; Amd 7/12/71; Amd 6/26/72; Amd 11/6/73; Amd2/25/74; Amd 2/25/75; Amd 10/24/76; Amd 11/8/76; Amd 2/12/79; Amd 6/25/79; Replaced 8/11/83; Replaced 5/9/85; Amd 11/6/89; Amd 12/10/90; Amd 11/8/93; Amd 9/9/02; BA 2422; [Amd /2022](#)

## 7.10.010-P Citizen Involvement Process

### I. The General Advisory Committees.

- (1) Local School Advisory Committee (LSAC) means the group of citizens who participate with a school principal on an advisory committee for that specific school.
- (2) 21st Century School Councils (Site Councils) are the groups of school staff and citizens who participate in the educational/instructional improvement activities that are a part of the Oregon Educational Act for the 21st Century.
- (3) In the interest of operating advisory committees for the purpose for which they are established, matters that are the subject of pending litigation involving the district or its agents shall not be discussed or investigated by an advisory committee unless the subject previously has been cleared in writing by the superintendent or designee.

### II. Local School Advisory Committee (LSAC)

- (1) The first level of citizen involvement is at the individual school. In order to assure systematic participation of parents and other citizens in the education of young people, each Portland public school shall:
  - (a) Have a Local School Advisory Committee (LSAC) identified and listed; and,
  - (b) Establish the specific number of members of each committee.
- (2) Composition. The committee should represent as many segments of the community as possible, including parents, non-parents, students, businesses and neighborhood associations. Membership representation is open to all interested volunteers. Staff members should serve as resource persons. Staff members who are parents of students in the school may have full voting privileges.
- (3) Meetings. At least five meetings shall be held each year. Many schools may find that some additional meetings will be more in keeping with their individual school needs. The principal and LSAC chair shall cooperatively prepare and circulate an agenda prior to each meeting. Agendas and minutes should be kept on file in the school office for at least two (2) years. The meetings held are in the interest of the public school and open to all interested citizens.

## 7.10.010-P Citizen Involvement Process

- (4) Role. The LSAC shall advise the principal on matters pertaining to the school and its educational program for students. The principal shall carefully consider the advice and recommendations of the committee in fulfilling his/her organizational and legal responsibilities as decision maker and pass on the recommendations to the appropriate district personnel. The principal shall inform the LSAC about the disposition of LSAC recommendations and provide follow-up progress reports relating to issues discussed and/or decided.
- (a) The LSAC will be given the opportunity to provide advice, input and/or response to reports from the school principal on educational programs, assessment of educational needs, and establishment of priorities. Copies of reports to or by the LSAC should be kept on file in the school office for at least two (2) years.
  - (b) The LSAC will contribute to the determination of the schools' educational goals and will review with the principal process toward the attainment of goals. The LSAC will provide the principal and other school officials, information unique to the community in order that the school can more readily identify the educational needs within the community.
  - (c) The LSAC will designate or act as a budget subcommittee to review with the principal the school's allocated budget and discuss the assignment of resources within the building, thus participating at the local level in the budget review process.

### III. 21st Century Schools Councils (Site Council)

- (1) Statement of Purpose. The purpose of 21st Century Schools Councils is to increase student achievement. In compliance with provisions of the Oregon Educational Act for the 21st Century, it is the policy of the Board to establish 21st Century Schools Councils in each of the district's schools. It is the Board's belief that when a group of people, who represent different parts of an educational community, come together to work in a collaborative manner to improve education, student achievement will increase.
- (a) The Board encourages and supports the implementation of locally developed innovative strategies and program designs that target the unique needs of students in each school community. Through the collaborative efforts of teachers, classified employees, principals, family members, students and community members, schools will benefit from increased participation in planning for school improvement.



## 7.10.010-P Citizen Involvement Process

- (b) The Board believes that all students can learn and should have the opportunity to achieve their maximum learning potential. Achieving this goal will best be accomplished through school-based decision making with equitable family/school/community partnerships.
- (2) Function of 21st Century Schools Councils. In compliance with the Oregon Educational Act for the 21st Century and to improve the student achievement, the duties of the council shall include:
- (a) The improvement of the school's instructional program;
  - (b) The development of plans to improve the professional growth of the school's staff;
  - (c) The development and coordination of plans for the implementation of programs covered under the Oregon Educational Act for the 21st Century at the school site;
  - (d) The administration of grants-in-aid for the professional development of teachers and classified district employees;
  - (e) Fostering family involvement in the schools.
  - (f) To accomplish these duties, each 21st Century Schools Council will:
    - (A) Assist in developing and implementing a process for preparing an annual school improvement plan. This process should include participation by staff, family members, community members, and students. The plan should focus on how the school will assist students to achieve the standards established by the state and district;
    - (B) Implement a school survey for assessing community opinions regarding the school program;
    - (C) Assist in developing and maintaining a current a local school profile which describes student performance information, identification of students meeting and exceeding state and district standards, characteristics of the school and its community, perception of school effectiveness by staff and family members, the school's goals and plans for improvement;
    - (D) Establish and prioritize student performance goals which are in accordance with district goals and state standards, particularly those contained in the Oregon Educational Act for the 21st Century;
    - (E) Develop plans to reach student performance goals utilizing current educational research, professional development of staff

## 7.10.010-P Citizen Involvement Process

focused on research-based effective instructional practices and staff and community input;

- (F) Develop and utilize a communication plan for involving the community in planning for school improvement and for informing the community about the plan and its progress;
  - (G) Support the plan's implementation by identifying and applying current resources and participating in efforts to acquire new resources.
- (3) Membership. The 21st Century Schools Council will be composed of teachers, adult family members of students, the principal and classified district personnel. The council may also include persons identified by the school community as having particular benefit for council membership, such as business representatives, community members, students or other district staff.
- (a) The following principles will govern council membership:
    - (A) The principal shall be a member of the council;
    - (B) Teachers will comprise not more than one-half of the council membership and shall serve voluntarily.
      - (i) Teachers are defined as all licensed employees of the public schools or employed by an educational service district who have direct responsibility for instruction, coordination of educational programs or supervision of teachers and who are compensated for their services from public funds.
      - (ii) Teachers will be elected in accordance with applicable provisions of the collective bargaining agreement.
    - (C) Classified employees will be represented on each council and serve voluntarily.
      - (i) Classified employees are any non-teaching or non-administrative staff members having contact with students at the local school to which they are affiliated and for whose employment an Oregon teaching license is not required.
      - (ii) Classified employees will be elected by direct vote of the classified employees affiliated with the local school.
    - (D) Adult family representatives of students attending the local school will comprise not more than half of the council membership.

## 7.10.010-P Citizen Involvement Process

- (i) Adult family representatives are defined as parents or guardians of students currently enrolled in a public school providing education in pre-kindergarten through grade 12.
  - (ii) A family is a group of individuals related by blood, marriage, or adoption or individuals whose functional relationships are similar to those found in such associations.
  - (iii) Adult family representatives serve on councils of the schools their students attend.
  - (iv) The council shall determine a process to select adult family members through open nomination and election by other adult family members of students attending the school.
  - (v) The process for conducting this election will be planned in consultation with representation from the collective bargaining units at the local school, the principal and established family and community representation groups.
- (E) At least one student representative will serve on each high school council. Elementary and middle schools may choose to include student representation. The specific method for selecting student representation will be determined at the local school.
- (F) The members of the council may appoint members of the community-at-large.
- (G) Each council will strive to reflect the diversity of the school community through elected representatives, appointed representatives and specific communication strategies to involve all families served by the school.
- (H) If the Board determines that a school site is unable to fulfill the requirement of the 21st Century Schools Council as outlined in this policy, or if the needs of a school site require a different composition, the Board shall establish the 21st Century Schools Council in a manner that best meets the educational needs of the district.
- (4) Duties of the 21st Century Schools Council Members. Each member of the 21st Century Schools Council at the local school site has responsibility to:

## 7.10.010-P Citizen Involvement Process

- (a) Commit to a process of collaboration to achieve school improvement and increase student achievement;
- (b) Learn about the school's instructional program, its curriculum goals and mission, the teaching strategies being used, student achievement test data and issues unique to the local school;
- (c) Learn about the Board goals for the Portland school district and the expectations for staff and students contained in the Oregon Educational Act for the 21st Century;
- (d) Coordinate and lead the process of setting the improvement goals for the school, deciding how best to achieve those goals, and determining how to monitor their progress;
- (e) Ensure good communication among all participants in the school;
- (f) Adopt a balanced perspective of the school program that reflects sensitivity to a variety of diverse viewpoints.

### IV. Guidelines for Decision Making.

- (1) Consensus is the desired decision-making procedure for councils. Each council should develop a process for reaching consensus on decisions facing the council. Council members should participate in training in consensus decision-making processes.
- (2) The 21st Century Schools Councils must work within the scope of state and federal law, Board policies and goals, Administrative Directives, budgetary restrictions, union contracts, and ethical standards and practices, however Oregon law provides procedures for requesting waivers of provisions of state law and rules, contracts, local policy and rules, and licensure provisions if such requests are intended to improve student achievement and to promote innovative practices.
  - (a) A request for a waiver of a contract provision must be submitted by the 21st Century Schools Council to the Association and Contract Administration for approval following guidelines agreed to by the association and district.
  - (b) A request for a waiver of an Administrative Directive must be submitted in writing to the superintendent for approval.
  - (c) A request for a waiver of Board policy must be submitted in writing to the superintendent. The superintendent will submit the waiver request and his/her recommendation to the Board for final approval. Policy waiver requests will be considered based on the district's mission statement, philosophy, Board adopted goals and effective schooling tenets.

## 7.10.010-P Citizen Involvement Process

- (d) All other waiver requests, as provided by law, will be reviewed in accordance with procedures established by the Oregon Department of Education to determine their efficacy in promoting student achievement and for their practicality.
- (3) Council activities include:
  - (a) Formulating a school vision and/or mission statement;
  - (b) Coordinating school study committees and task forces as deemed necessary to improve academic achievement, enhance student well-being, and promote family participation in the school;
  - (c) Developing specific plans and strategies to improve student achievement;
  - (d) Planning staff development activities for the school;
  - (e) Developing plans for implementation and monitoring of provisions of the Oregon Educational Act for the 21st Century;
  - (f) Promoting school/business partnerships;
  - (g) Monitoring student progress;
  - (h) Fostering family/school/community partnerships.
- (4) Council Meetings. Meetings of 21st Century Schools Councils are open meetings and are subject to Oregon's Public Meetings Law guidelines.
- (5) Relationship to Local School Advisory Committees. Development of 21st Century Schools Councils is not intended to eliminate pre-existing Local School Advisory Committees or other community representatives or organizations affiliated with the school. The Local School Advisory Committee maintains its advisory role to the principal in a variety of local school matters as outlined in earlier sections of this policy.

### V. Citizen Budget Review Committees (CBRC)

- (1) A Citizen Budget Review Committee will be established for the purpose of budget review and recommendations.
- (2) Members may be appointed by the Board or selected by the superintendent or designee from volunteer applicants. Wide geographical representation is preferred.
- (3) The Board will determine CBRC composition and terms of service.
- (4) The CBRC shall appoint a chair from among the members. The chair, with the assistance of the committee, shall review pertinent background materials, current and proposed district budget and prepare an annual budget recommendation for presentation to the Board.

## 7.10.010-P Citizen Involvement Process

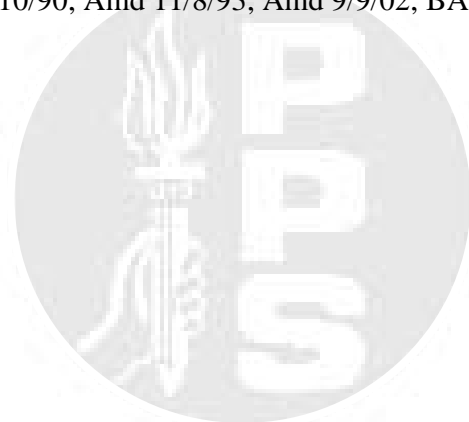
- (5) All meetings of the CBRC are open to the public. Minutes shall be taken, made available and retained in accordance with the Public Meetings Law.

### VI. Notification

The LSAC shall notify the local Neighborhood Associations of all meetings of the LSAC. The Board will notify the Office of Neighborhood Associations of major matters forthcoming that may have an impact on the entire community.

Legal References: ORS 192.660 - 192.690; ORS 342.513; OAR 581-020- 0105; ORS 243.650; ORS 342.545; OAR 581-020-0115; ORS 243.782; ORS 342.553; OAR 581-020-0130; ORS 329.125; ORS 342.608; ORS 329.675 - 329.745; ORS 342.610; ORS 332.105; ORS 342.613; ORS 332.107; ORS 342.650; ORS 332.172

History: Adpt 6/71; Amd 6/28/71; Amd 7/12/71; Amd 6/26/72; Amd 11/6/73; Amd2/25/74; Amd 2/25/75; Amd 10/24/76; Amd 11/8/76; Amd 2/12/79; Amd 6/25/79; Replaced 8/11/83; Replaced 5/9/85; Amd 11/6/89; Amd 12/10/90; Amd 11/8/93; Amd 9/9/02; BA 2422



**RESOLUTION No. 6554**

Resolution to Rescind Board Policies

Rescission of:

- i. 5.10.080-P Deferred Compensation
- ii. 5.20.010-P District Employment Practices
- iii. 5.30.030-P Education Student Training Programs
- iv. 5.50.060-P Leaves of Absence- Voluntary
- v. 5.60.070-P Administrative Salaries
- vi. 5.70.051-P Leaves of Absence
- vii. 6.10.090-P Private Schools- Request for Funding

**RECITALS**

A. On June 1, 2022 the Board of Education’s Policy Committee reviewed and considered the necessity and relevance of:

- i. 5.10.080-P Deferred Compensation
- ii. 5.20.010-P District Employment Practices
- iii. 5.30.030-P Education Student Training Programs
- iv. 5.50.060-P Leaves of Absence- Voluntary
- v. 5.60.070-P Administrative Salaries
- vi. 5.70.051-P Leaves of Absence
- vii. 6.10.090-P Private Schools- Request for Funding

B. On June 14, 2022, the Board presented the first reading of each of those policies for rescission.

C. The public comment period was open for at least 21 days for each of the policies, and no public comments were received.

**RESOLUTION**

The Board hereby rescinds each of the following policies:

- i. 5.10.080-P Deferred Compensation
- ii. 5.20.010-P District Employment Practices
- iii. 5.30.030-P Education Student Training Programs
- iv. 5.50.060-P Leaves of Absence- Voluntary
- v. 5.60.070-P Administrative Salaries
- vi. 5.70.051-P Leaves of Absence
- vii. 6.10.090-P Private Schools- Request for Funding

and instructs the Superintendent to rescind any administrative directives that are no longer accurate or relevant as a result of rescinding these policies.

# Portland Public School District 1<sup>st</sup> Reading

DATE OF FIRST READING: June 14, 2022

## **PUBLIC COMMENT FOR Rescission of the following policies:**

- 5.10.080-P Deferred Compensation
- 5.20.010-P District Employment Practices
- 5.30.030-P Education Student Training Programs
- 5.50.060-P Leaves of Absence- Voluntary
- 5.60.070-P Administrative Salaries
- 5.70.051-P Leaves of Absence
- 6.10.090-P Private Schools- Request for Funding

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The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

## **Last Date for Comment: July 05, 2022**

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**Summary:**                   **Rescission of the following policies:** 5.10.080-P Deferred Compensation, 5.70.051-P Leaves of Absence, 6.10.090-P Private Schools- Request for Funding, 5.30.030-P Education Student Training Programs, 5.20.010-P District Employment Practices, 5.50.060-P Leaves of Absence- Voluntary, 5.60.070-P Administrative Salaries

**1<sup>st</sup> Reading by:**       **Director Julia Brim-Edwards**  
Portland Public School Board, Policy Committee Chair

**Recommended for a 1st Reading by:**  
Portland Public Schools Board of Education  
Policy Committee

**Draft Policy Web Site:** <http://www.pps.net/draftpolicies>

**Contact:**                   **Rosanne Powell, Senior Board Manager**  
**Address:**                   P.O. Box 3107, Portland, OR 97208-3107  
**Telephone:**               503-916-3741  
**E-mail:**                     [schoolboard@pps.net](mailto:schoolboard@pps.net)

**Draft Policy Comment Form:**   <https://forms.gle/VqYbmVA36cqADj6n6>



<b>Included in Packet</b>	<b>Page</b>
Staff Report	03
5.10.080-P Deferred Compensation	05
5.20.010-P District Employment Practices	06
5.30.030-P Education Student Training Programs	20
5.50.060-P Leaves of Absence- Voluntary	21
5.60.070-P Administrative Salaries	23
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6.10.090-P Private Schools- Request for Funding	29



**PORTLAND PUBLIC SCHOOLS**  
**Office of the General Counsel**

501 N. Dixon, Portland, OR 97227  
(503) 916-3570 • Fax: (503) 916-2724

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**Date:** June 02, 2022  
**To:** School Board  
**From:** Mary Kane, Senior Legal Counsel  
**cc:** Guadalupe Guerrero, Superintendent  
Liz Large, Contracted General Counsel  
**Subject:** Recommended policy rescissions

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The Board Policy Committee met on May 11, 2022, and June 1, 2022 and discussed continuing to review policies to determine which needed updates and which should be rescinded. Seven policies were put forward by staff with recommendations that they be rescinded. After discussion, the Policy Committee recommended that the following policies, copies attached, be forwarded to the full Board with a recommendation for First Reading en route to rescission:

**a. 5.10.080-P Deferred Compensation**

This policy was adopted in 1976 and amended in 2003. The material does not constitute a policy and is covered in regular District practice as part of employees' benefits package.

**b. 5.70.051-P Leaves of Absence**

This policy was adopted in 1971 and last amended in 1987. The material is related to classified personnel and is governed by the Collective Bargaining Agreement.

**c. 6.10.090-P Private Schools- Request for Funding**

This policy was adopted in 1975 and last amended in 2002. The material does not constitute a Board policy.

**d. 5.30.030-P Education Student Training Programs**

This policy has an unknown adoption date. The material does not constitute a Board policy. It reflects a statement of values that does not provide meaningful guidance.

**e. 5.20.010-P District Employment Practices**

This policy was adopted in 1974 and last amended in 1995. The material is redundant, has outdated language and is covered by other policies.

**f. 5.50.060-P Leaves of Absence- Voluntary**

This policy was adopted in 1971 and amended in 1978. The content is not consistent with current practice, and is otherwise covered in collective bargaining agreements and the employee handbook.

**g. 5.60.070-P Administrative Salaries**

This policy was adopted in 1971 and last amended in 1979. The content is not comprehensive, and is otherwise covered in collective bargaining agreements or other areas of Board approval.

## 5.10.080-P Deferred Compensation

- I. The following is adopted as the amended Policy of the Board of Education effective as of January 1, 2002, with respect to compensation deferred pursuant to deferred compensation agreements entered into by authority of superseded forms of this Policy. This amended Policy supersedes all prior versions of this Policy.
  - (1) Effective January 1, 1991, no deferrals shall be made pursuant to existing agreements and no deferred compensation agreements shall be entered into pursuant to the deferred compensation plan authorized by the Board of Education pursuant to superseded versions of this Policy.
  - (2) Effective October 1, 1990, the Deputy Clerk is authorized to transfer deferred amounts to an asset management company as provided for in Resolution 1513 (September 27, 1990).
  - (3) Notwithstanding the selection of a Depository pursuant to a deferred compensation agreement, the District shall have absolute and uncontrolled discretion with respect to whether the amounts described therein are invested and, if invested, the institution or institutions in which they shall be invested. This Policy does not bind the District to comply with Participants' instructions regarding the deposit of deferred compensation. The Superintendent shall recommend to the Board any changes in deposit arrangements as shall appear prudent. The District shall have no fiduciary or other obligation to maximize earnings on deferred amounts for the benefit of Participants, and the measure of the District's obligations to the Participant involved shall be solely as set forth in the Agreement.
  - (4) Effective January 1, 1999, notwithstanding any provision in this Policy or its Exhibit A to the contrary, all assets and income of the deferred compensation plan established by this Policy shall be held in trust for the exclusive benefit of Participants and their beneficiaries. For purposes of the foregoing sentence, custodial accounts and annuity contracts described in Code Section 401(f) shall be treated as trusts under rules similar to the rules under Code Section 401(f).
  - (5) Effective January 1, 2002, the following provisions regarding rollover contributions are added to this Policy:

## 5.10.080-P Deferred Compensation

- II. **Rollover Contributions.** The District may in its discretion accept rollover contributions of cash or other property on behalf of a Participant, the amount of which shall be credited to the Participant's separate rollover account and which shall at times remain fully vested and non-forfeitable. A "rollover contribution" is:
- (1) An amount received by the District's deferred compensation plan (the "Plan") from a Participant who, having received an eligible rollover distribution, as defined in Code Section 402(c)(4), from an eligible retirement plan, transfers any portion of the property received in the distribution to the Plan on or before the 60th day after the day on that the Participant received the property;
  - (2) An amount received by the Plan on behalf of a Participant in a direct trustee-to-trustee transfer of an eligible rollover distribution from an eligible retirement plan in accordance with Code Section 401(a)(31); or
  - (3) An amount received by the Plan from a Participant that consists of the portion of a distribution from an individual retirement account or annuity described in Code Section 408(a) or 408(b) that is eligible to be rolled over and would otherwise be includible in gross income, provided that the Participant transfers the amount to the Plan on or before the 60th day after the day on which the Participant received the amount.
  - (4) For purposes of (1), (2), and (3) above, an "eligible retirement plan" means a qualified trust described in Code Section 401(a), a qualified annuity plan described in Code Section 403(a), an annuity contract described in Code Section 403(b), or an eligible deferred compensation plan described in Code Section 457(b) that is maintained by an eligible employer described in Code Section 457(e)(1)(A).
  - (5) Prior to accepting any rollover contributions, the District shall obtain a statement from the plan administrator of the distributing plan that the plan is intended to comply with the applicable Code provision, or such other statement or verification as may be required by the Internal Revenue Service.

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III. **Eligible Rollover Distributions.** Effective January 1, 2002, the following provisions regarding eligible rollover distributions are added to this Policy:

- (a) **General Rule.** To the extent required by law, and except as otherwise provided below, any portion of an eligible rollover distribution that would otherwise be includible in the distributee's gross income if not rolled over shall, at the election of and in lieu of distribution to the distributee, be paid directly to the eligible retirement plan specified by the distributee.
- (b) **Definition of Eligible Rollover Distribution.** Subject to the limitations in (d) below, an "eligible rollover distribution" is any distribution of Plan benefits to a Participant, a Participant's surviving spouse, or a Participant's spouse or former spouse pursuant to a qualified domestic relations order ("distributee"), except the following distributions:
  - (A) Any distribution that is one of a series of substantially equal periodic payments made at least annually over one of the following periods:
    - (i) For the life (or life expectancy) of the distributee, or the joint lives (or life expectancies) of the distributee and a designated beneficiary; or
    - (ii) For a specified period of ten years or more.
  - (B) Any distribution to the extent it is required under Code Section 401(a)(9).
  - (C) Any distribution made on account of hardship.

A distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions that are not includible in gross income. However, any such portion may be transferred only to an individual retirement account or annuity described in Code Section 408(a) or (b), or to a qualified defined contribution plan described in Code Section 401(a) or 403(a) that agrees to separately account for amounts so transferred, including separately accounting for the portion of the distribution that is includible in gross income and the portion of the distribution that is not includible in gross income. In the case of a transfer described in this

## 5.10.080-P Deferred Compensation

paragraph, the amount transferred shall be treated as consisting first of the portion of the distribution that is includible in gross income (determined without regard to Code Section 402(c)(1)).

The provisions of Code Section 401(a)(31)(D) and the regulations thereunder are incorporated herein by reference for the purpose of further defining and interpreting the term "eligible rollover distribution," and those provisions shall be controlling.

(c) Definition of Eligible Retirement Plan. For purposes of the provisions of this Policy regarding eligible rollover distributions, an "eligible retirement plan" is:

- (A) An individual retirement account described in Code Section 408(a);
- (B) An individual retirement annuity described in Code Section 408(b) (other than an endowment contract);
- (C) A qualified trust under Code Section 401(a) that is a defined contribution plan and permits the acceptance of rollover contributions;
- (D) An annuity plan described in Code Section 403(a);
- (E) An eligible deferred compensation plan described in Code Section 457(b) that is maintained by an eligible governmental employer described in Code Section 457(e)(1)(A); or
- (F) An annuity contract described in Code Section 403(b).

The provisions of Code Section 401(a)(31)(E) and the regulations thereunder are incorporated herein by reference for the purpose of further defining and interpreting the term "eligible retirement plan," and those provisions shall be controlling.

(d) Limitations. The foregoing provisions are subject to the following limitations:

- (A) The distributee may not elect to have an eligible rollover distribution paid directly to more than one eligible retirement plan.

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(B) The distributee may not elect to have an eligible rollover distribution paid directly to an eligible retirement plan if the total of all eligible rollover distributions payable to the distributee from this deferred compensation plan during the distributee's taxable year is reasonably expected to be less than \$200 (or such higher amount permitted under applicable federal law).

- IV. Effective January 1, 2002, the following provision shall apply to the distribution of a Participant's Account, notwithstanding any provision to the contrary in this Policy or its Exhibit A:
- (1) **Distributable Events.** A Participant is entitled to distribution of his or her Account, at the time and in the manner provided in this Policy, on the occurrence of one of the following events:
    - (a) The Participant's severance of employment with the District.
    - (b) The beginning of the calendar year in which the Participant reaches age 70½.
    - (c) The Participant is faced with an unforeseeable emergency.
  - (2) **Cash-Out of Small Accounts.** Notwithstanding the above, where the portion of a Participant's Account that is not attributable to rollover contributions, as defined in Code Section 411(a)(11)(D), does not exceed \$5,000, the Participant may elect to receive the Account in a single lump-sum payment, or the District may distribute the Account without the Participant's consent, provided that:
    - (a) No amount has been deferred under the Plan with respect to the Participant during the two-year period ending on the date of the distribution; and
    - (b) There has been no prior distribution to the Participant under this provision.
- V. Effective January 1, 2002, notwithstanding any provision to the contrary in this Policy or its Exhibit A, Participants may elect the date on which payments are to begin under this plan, and the form in which the payments are to be made, at any time before the selected commencement date, subject to the District's procedures for applying for benefits. The District's procedures may require, among



## 5.10.080-P Deferred Compensation

other things, that a written application for benefits be submitted at least a minimum number of days before the payment commencement date.

**VI.** Effective January 1, 2002, the following provision is added to this Policy:

A Participant, or a deceased Participant's death beneficiary, may elect at any time to have part of all of the Participant's Account paid in a direct trustee-to-trustee transfer to a defined benefit governmental plan (as defined in Code Section 414(d)) maintained by the state of Oregon or a political subdivision of the state of Oregon, provided that the transfer is:

- (1) For the purchase of permissive service credit (as defined in Code Section 415(n)(3)(A)) under the defined benefit governmental plan; or
- (2) A repayment to which Code Section 415 does not apply by reason of Code Section 415(k)(3).

**VII.** Effective January 1, 2002, the following provisions regarding required minimum distributions are added to this Policy:

- (1) **Required Minimum Distributions.** Effective January 1, 2002, distributions to Participants and their death beneficiaries will be made in accordance with Code Section 401(a)(9) and the regulations thereunder, including Treasury Regulation Section 1.401(a)(9)-2. Provisions in this Policy and the deferred compensation plan reflecting Code Section 401(a)(9) override any distribution options inconsistent with Code Section 401(a)(9). The requirements of this paragraph and subsections (a) through (d) below shall take precedence over any inconsistent provisions of this Policy or the deferred compensation plan. All distributions required under this section shall be determined and made in accordance with Code Section 401(a)(9) and the Treasury regulations thereunder, which are incorporated herein by this reference.
- (2) The provisions of subsections (a) through (d) below shall apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year:
  - (a) Time and Manner of Distribution.

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- (A) Required Beginning Date. The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's required beginning date.
- (B) Death of Participant before Distributions Begin. If the Participant dies before distributions begin, the Participant's entire interest will be distributed, or begin to be distributed, no later than as follows:
- (i) If the Participant's surviving spouse is the Participant's sole designated beneficiary, then, except as provided in (v) below, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the participant would have attained age 70½, if later.
  - (ii) If the Participant's surviving spouse is not the Participant's sole designated beneficiary, then, except as provided in (v) below, distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.
  - (iii) If there is no designated beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.
  - (iv) If the Participant's surviving spouse is the Participant's sole designated beneficiary and the surviving spouse dies after the Participant but before distributions to the surviving spouse begin, this paragraph (B), other than (B)(i), will apply as if the surviving spouse were the Participant.
  - (v) Participants or beneficiaries may elect on an individual basis whether the five-year rule described in (iii) above or the life expectancy rule

## 5.10.080-P Deferred Compensation

described in (i) and (ii) above applies to distributions after the death of a Participant who has a designated beneficiary. The election must be made no later than the earlier of September 30 of the calendar year in which distribution would be required to begin under (i) or (ii) above, or by September 30 of the calendar year which contains the fifth anniversary of the participant's (or, if applicable, surviving spouse's) death. If neither the Participant nor beneficiary makes an election under this subparagraph (v), distributions will be made in accordance with (i) or (ii) above, as applicable, and subsection (c)(B)(i) below.

For purposes of this paragraph (B) and subsection (c), unless (iv) above applies, distributions are considered to begin on the Participant's required beginning date. If (iv) above applies, distributions are considered to begin on the date distributions are required to begin to the surviving spouse under (i) above. If distributions under an annuity purchased from an insurance company irrevocably commence to the Participant before the Participant's required beginning date (or to the Participant's surviving spouse before the date distributions are required to begin to the surviving spouse under (i) above), the date distributions are considered to begin is the date distributions actually commence.

(C) Forms of Distribution. Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with subsections (b) and (c). If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Code Section 401(a)(9) and the Treasury regulations.

(b) Required Minimum Distributions during Participant's Lifetime.

## 5.10.080-P Deferred Compensation

- (A) Amount of Required Minimum Distribution for Each Distribution Calendar Year. During the Participant's lifetime, the minimum amount that will be distributed for each distribution calendar year is the lesser of:
- (i) The quotient obtained by dividing the Participant's Accounts by the distribution period in the Uniform Lifetime Table set forth in Treasury Regulation § 1.401(a)(9)-9, using the Participant's age as of the Participant's birthday in the distribution calendar year; or
  - (ii) If the Participant's sole designated beneficiary for the distribution calendar year is the Participant's spouse, the quotient obtained by dividing the Participant's Accounts by the number in the Joint and Last Survivor Table set forth in Treasury Regulation § 1.401(a)(9)-9, using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the distribution calendar year.
- (B) Lifetime Required Minimum Distributions Continue Through Year of Participant's Death. Required minimum distributions will be determined under this subsection (b) beginning with the first distribution calendar year and up to and including the distribution calendar year that includes the Participant's date of death.
- (c) **Required Minimum Distributions after Participant's Death.** If the Participant dies on or after the date distributions begin, the remainder of the Participant's Accounts shall be distributed at least as rapidly as under the distribution method being used as of the date of the Participant's death, and in accordance with the provisions of this subsection (c).
- (A) Death On or After Date Distributions Begin.
    - (i) Participant Survived by Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is a designated beneficiary, the minimum amount that will be

## 5.10.080-P Deferred Compensation

distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Accounts by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the Participant's designated beneficiary, determined as follows:

- (I) The Participant's remaining life expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.
  - (II) If the Participant's surviving spouse is the Participant's sole designated beneficiary, the remaining life expectancy of the surviving spouse is calculated for each distribution calendar year after the year of the Participant's death using the surviving spouse's age as of the spouse's birthday in that year. For distribution calendar years after the year of the surviving spouse's death, the remaining life expectancy of the surviving spouse is calculated using the age of the surviving spouse as of the spouse's birthday in the calendar year of the spouse's death, reduced by one for each subsequent calendar year.
  - (III) If the Participant's surviving spouse is not the Participant's sole designated beneficiary, the designated beneficiary's remaining life expectancy is calculated using the age of the beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.
- (ii) No Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is no designated beneficiary as of September 30 of the year after the year of the Participant's death, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by

## 5.10.080-P Deferred Compensation

dividing the Participant's Accounts by the Participant's remaining life expectancy calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

### (B) Death before Date Distributions Begin.

- (i) Participant Survived by Designated Beneficiary. Unless the Participant or beneficiary elects under subsection (a)(B)(v) to have the five-year rule apply, if the Participant dies before the date distributions begin and there is a designated beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's Accounts by the remaining life expectancy of the Participant's designated beneficiary, determined as provided in subsection (c)(A).
- (ii) No Designated Beneficiary. If the Participant dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the Participant's death, or if the Participant or beneficiary elects under subsection (a)(B)(v) to have the five-year rule apply, distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.
- (iii) Death of Surviving Spouse Before Distributions to Surviving Spouse Are Required to Begin. If the Participant dies before the date distributions begin, the Participant's surviving spouse is the Participant's sole designated beneficiary, and the surviving spouse dies before distributions are required to begin to the surviving spouse under subsection (a)(2)(a), this subsection (c)(B) will apply as if the surviving spouse were the Participant.

### (d) Definitions.

## 5.10.080-P Deferred Compensation

- (A) Designated Beneficiary. The individual who is designated as the beneficiary under the terms of the Plan and is the designated beneficiary under Code Section 401(a)(9) and Treasury Regulation § 1.401(a)(9)-4, Q&A-1.
- (B) Distribution Calendar Year. A calendar year for which a minimum distribution is required. For distributions beginning before the participant's death, the first distribution calendar year is the calendar year immediately preceding the calendar year that contains the Participant's required beginning date. For distributions beginning after the Participant's death, the first distribution calendar year is the calendar year in which distributions are required to begin under subsection (a)(B). The required minimum distribution for the Participant's first distribution calendar year will be made on or before the Participant's required beginning date. The required minimum distribution for other distribution calendar years, including the required minimum distribution for the distribution calendar year in which the Participant's required beginning date occurs, will be made on or before December 31 of that distribution calendar year.
- (C) Life Expectancy. Life expectancy as computed by use of the Single Life Table in Treasury Regulation § 1.401(a)(9)-9.
- (D) Participant's Accounts. The Accounts as of the last Valuation Date in the calendar year immediately preceding the distribution calendar year (valuation calendar year) increased by the amount of any contributions made and allocated or forfeitures allocated to the Accounts as of dates in the valuation calendar year after the valuation date and decreased by distributions made in the valuation calendar year after the valuation date. The Accounts for the valuation calendar year includes any amounts rolled over or transferred to the Plan either in the valuation calendar year or in the distribution calendar year if distributed or transferred in the valuation calendar year.

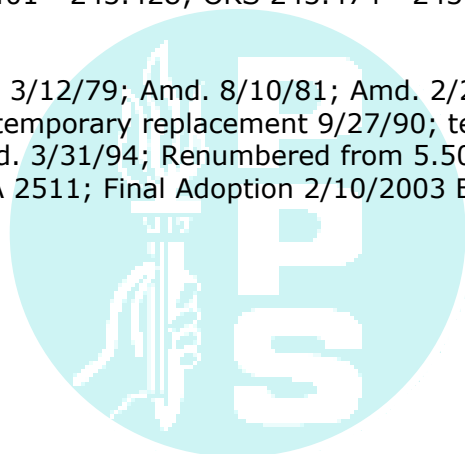
## 5.10.080-P Deferred Compensation

(E) Required Beginning Date. The required beginning date for a Participant is April 1 of the calendar year following the calendar year in which the Participant reaches age 70½ or retires, whichever occurs later.

- VIII.** This Policy may be terminated and modified by the Board in its sole discretion, provided that the termination or modification shall not affect rights acquired under deferred compensation agreements previously executed, except to the extent necessary to ensure that amounts deferred under the agreements are not includible in the Participants' taxable income before they are actually distributed.

Legal References: ORS 243.401 - 243.428; ORS 243.474 - 243.507; ORS 294.004; ORS 294.033

History: Adpt 6/14/76; Amd. 3/12/79; Amd. 8/10/81; Amd. 2/24/83; Amd 10/84; Amd 3/8/90; resolution adopting temporary replacement 9/27/90; temporary replacement repealed; Adpt 3/11/93; Amd. 3/31/94; Renumbered from 5.50.090 to 5.10.080 9/94; Emergency Amd 12/9/02, BA 2511; Final Adoption 2/10/2003 BA 2560





## 5.20.010-P District Employment Practices

- (1) The superintendent shall direct the development of a program of continuous staff recruitment and selection, the goals of which will be to hire, train, and advance the most qualified individuals in all employment categories to meet the educational and staff needs of the district regardless of race, color, religion, age national origin or sex. To implement this policy of equal opportunity and treatment:
  - (a) Inasmuch as the proportion of the district's students who are minority students substantially exceeds the proportion of the work force resident in the district who are minority workers, the percentage of minority workers in the work force of the community should not be any kind of a maximum target for the district. He shall report such goals, and the progress toward such goals, to the Board not less frequently than semiannually;
  - (b) The district shall not limit, segregate or classify its employees or applicants for employment in any way which would deprive any individual of employment, training or promotional opportunities or otherwise adversely affect any individual's status as an applicant or employee, because of the individual's race, color, religion, age (between 18 and 70), national origin, sex or physical handicap;
  - (c) The district shall not discharge or refuse to hire any individual or otherwise discriminate against any individual with respect to that person's compensation, terms, conditions, or privileges of employment, because of the individual's race, color, religion, age (between 18-70), national origin, sex, or physical handicap.
- (2) The foregoing provisions shall not be construed to impose quotas for employment, retention or advancement of individuals from different groups or to prevent the district from giving appropriate consideration to those bona fide educational or occupational requirements, including length of service, appropriate tests or other criteria, recognized by Title VII of the Civil Rights Act of 1964 (42 USC S2000e et seq.) and the Oregon Civil Rights Laws ORS 659.026, 659.030, and 659.425.
- (3) The superintendent shall continue to direct staff development programs for all employees of the district further to strengthen among all employees awareness and appreciation of cultural diversity, skills of communication and sensitivity to the feelings of all persons regardless of their race, color, religion, sex, age, or national origin.

Legal References: ORS 326.051; ORS 659.037; ORS 332.505; ORS 659.150; ORS 342.934; ORS 659.230; ORS 659.015; ORS 659.270; ORS 659.029; ORS 659.340; ORS 659.030; ORS

## 5.20.010-P District Employment Practices

659.410 - 659.430; ORS 659.035; OAR 581-021-0045; 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 504, 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. 4/29/74; Amd. 1/8/79; Amd. 3/82 ed.; Amd. 9/95 ed.



## 5.30.030-P Education Student Training Programs

The Board of Education recognizes the importance of educational personnel development programs and the cooperation of school districts in providing for prospective teachers and paraprofessionals field-centered activities in schools under the guidance of experienced personnel. The district shall, therefore, cooperate with institutions in this state, which have approved educational personnel preparation programs in providing education students with direct field-centered activities. District participation in such programs shall assure that the educational interests of the students and school programs affected determine all decisions as to the placement of personnel and the continuance of training programs. Responsibility and authority for establishing cooperative relationships with institutions with education student training programs and decisions relating to such programs operating in the district shall reside with the offices of the superintendent.

Legal References: ORS 332.107; ORS 332.505

History:



## 5.50.060-P Leaves Of Absence – Voluntary

- (1) **Board Authorization.** Sabbatical leaves, maternity leaves, study, exchange teaching, teaching in institutions of higher learning, restoration of health, military, adoption of a minor child, or association leave shall require approval of the Board of Education upon the recommendation of the superintendent. Except for military leave, such voluntary leaves shall be granted only to permanent teachers. "Maternity leaves" as used in this policy do not include use of accumulated sick leave for pregnancy disabilities or "change of status" for maternity purposes.
- (2) **Superintendent Authorization.**
  - (a) **Paid Short Leaves.** Paid leaves of absence under the provisions for sick leave, funeral leave, emergency leave, mandatory court appearances, jury duty, professional leave, religious holidays, and military leave shall be authorized within the established Board policies by the office of the superintendent.
  - (b) **Unpaid Short-Term Leaves.** Short-term unpaid leaves for personal reasons shall require authorization and approval of the office of the superintendent.
- (3) **Length of Leaves.** Long-term leaves without pay may be granted, for terms not exceeding one year but may be renewed for additional one-year periods upon recommendation of the Superintendent and approval of the Board. Successive leaves shall not exceed five years.
- (4) **Periods of Leaves.** In situations not calling for continuity for the entire year, teachers returning from a voluntary leave of absence granted for a period of one-half a year or longer ordinarily shall not be reinstated until the beginning of the term following the expiration of such leave. In the case of other situations, ordinarily reinstatement will not be made until the end of the school year. Exceptions shall depend upon needs for continuity of instruction or other staffing needs as determined by the Office of Personnel Services.
- (5) **Notification of Return.**
  - (a) Any permanent teacher whose voluntary leave of absence expires at the end of the school year shall notify the office of the superintendent on or before March 15 preceding his/her intention to return to service. Any teacher whose leave of absence expires at the end of the first semester of any school year shall give notice to the office of the superintendent on or before November 15 of his/her intention to return.
  - (b) The office of the superintendent shall notify teachers by mail of the expiration of their leave and that failure on the part of the teacher to

## 5.50.060-P Leaves Of Absence – Voluntary

notify the office of the superintendent in accordance with the above provision shall constitute evidence of insubordination against such teacher.

Legal References: ORS 332.107; Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq., 29 CFR Part 1630

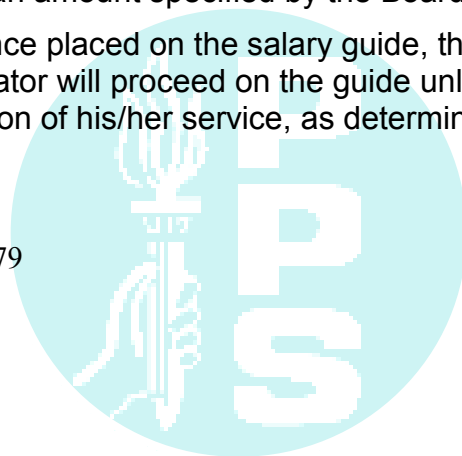
History: Adpt. 6/71; Amd. 3/73; Amd. 4/10/78



## 5.60.070-P Administrative Salaries

- (1) **Administrative Salaries and Compensation - General**. Administrative salaries and compensations shall be according to salary guides as adopted by the Board.
- (2) **New Appointees**. An appointee to a new administrative classification shall be placed on the salary guide according to evaluation of his/her training, experience, and the nature of the assignment.
- (3) **Substitutes**. An administrator authorized by the superintendent to substitute in a higher paying position will receive in addition to his/her regular salary an amount specified by the Board.
- (4) **Administrative Assistants**. Administrative assistants to the principal will work on a 190-day work year and be paid, in addition to their appropriate teaching salary, an amount specified by the Board.
- (5) **Guide Steps**. Once placed on the salary guide, the basic assumption is that an administrator will proceed on the guide unless there is substantial negative evaluation of his/her service, as determined by the office of superintendent.

History: Adpt. 6/71; Amd. 1/8/79



## 5.70.051-P Leaves Of Absence

- (1) **Funeral Leave.** Classified personnel (not including hourly maintenance workers) shall be eligible for the same funeral leaves as described for certificated employees in another section of these rules and regulations, except that classified personnel shall be eligible for three additional days (instead of two) funeral leave at two-thirds salary when absent because of a death in the immediate family.
- (2) **Sick Leave.**
  - (a) **Applicability.**
    - (A) Regular classified personnel shall be eligible for sick leave.
    - (B) Day-to-day substitutes are not entitled to any sick leave.
    - (C) Hourly employees are eligible for sick leave only after their employment exceeds one month.
  - (b) **Amount of Sick Leave.** The number of hours worked each day multiplied by the number of months employed shall equal the number of hours of sick leave granted each year.
  - (c) **Accreditation of Sick Leave.**
    - (A) Regular Classified Personnel. If an employee leaves the employ of the District before the end of a fiscal year, any remuneration for sick leave taken in excess of that actually earned at the rate of one day for each month from July 1 to the time of departure shall be withheld from his/her last payroll check.
    - (B) Hourly and Daily Rate Classified Personnel. Personnel who are paid on an hourly or daily rate shall be accredited sick leave after the term of employment; i.e., after one month's work, they shall be accredited with one day of sick leave, etc.
  - (d) **Accumulation of Sick Leave.**
    - (A) Regular classified personnel may accumulate sick leave on an unlimited basis.
    - (B) Hourly and daily-classified personnel shall be permitted to accumulate sick leave up to 125 days.
  - (e) **Notice and Commencement.**
    - (A) As soon as an employee becomes aware of a physical or mental condition, including pregnancy, which will require absence from duty for more than five days, the employee shall

## 5.70.051-P Leaves Of Absence

submit a completed form stating the period of expected absence. The employee shall submit an amended form whenever such expectations change.

- (B) The commencement date and duration of sick leave shall be based on the ability of the employee, as determined by the immediate supervisor, to carry out his or her assignment in an effective manner. A physician's recommendation, if any, will be taken into consideration in reaching such determination. The supervisor may require such physician's recommendation. Particular types of conditions, such as pregnancy, may be subject to more specific procedural steps relevant to the particular illness or condition in order to effectuate the foregoing principle.
  - (C) Requests for charge against accumulated sick leave shall be made in writing to the Personnel Department and in the case of use of sick leave for more than five days shall be accompanied by a physician's statement verifying the period of personal disability.
  - (D) The recommendation of a physician referred to in this policy ordinarily will be by the employee's own physician; but the superintendent or his/her designee may, in the exercise of discretion, determine in a particular case that it must come from a physician appointed by the district.
- (f) When Sick Leave is Depleted.
- (A) When an employee (other than classified — hourly and daily) has exhausted his/her sick leave, he/she shall be entitled to additional credits of one day for each year of service at two-thirds his/her daily rate of pay.
  - (B) An employee who has accumulated sick leave during employment in another Oregon school district, and who was so employed during the preceding year, shall, upon proper verification, be allowed the number of sick leave days so accumulated, except that: (a) no more than 75 days shall be credited to the employee; and (b) the allowance is not effective until the employee has completed 30 working days employment with this district.
- (3) **Family Illness.** Employees, other than day-to-day substitutes, working four hours or more shall receive three days per school year for family illness.



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- (4) **Emergency Leave**. All regular classified employees who work four hours per day or more are eligible for emergency leave of three days per school year without loss of pay. Emergencies shall be considered unanticipated circumstances beyond the employee's control and for which prior planning cannot be made.
- (5) **Jury Duty**. Classified employees, other than day-to-day substitutes, are excused without loss of pay provided the jury fee is submitted to the Business Office. If jury duty occurs during a non-school day (such as holidays, spring vacation, etc.), the employee normally not working at this time need not return the jury money received for that day. On days when the employee is excused from jury duty, he/she will report to the school to work.
- (6) **Court Witness**. Classified employees are excused without loss of pay provided the witness fee is submitted to the district, along with a copy of the subpoena.
- (7) **Military Leave**. Classified employees shall be eligible for the same military leave as described for certificated personnel in another section of these rules. (See Military Leave, Administrative Regulation 5.50.062.)
- (8) **On-the-Job-Accident**. All employees of the district are eligible for state workers' compensation benefits. An employee injured on the job shall retain his/her tax-free compensation check, which he/she receives from the state for time lost. The district will make supplemental payment in an amount equal to the difference between compensation check and the employee's regular check during the period of payment under the Workers' Compensation Act, and no charge is made against the employee's sick leave, nor shall it exceed 180 days.
- (9) **Extended Unpaid Leave of Absence**. Employees who have been continuously employed for two or more years may apply for a special leave of absence without pay. The superintendent shall exercise his/her discretion in the granting of such leaves. Such leaves shall not exceed one year without special authorization of the Board. Employees on such leaves shall not be permitted to engage in remunerative service without the approval of the superintendent.
- (10) **Maternity Leave**.
- (a) Absence due to disabilities resulting from pregnancy or childbirth shall be deemed absence due to illness for purposes of applying the sick leave policies of the district. "Maternity leave" referred to in this policy means a leave related to the employee's pregnancy or childbirth beyond the period of actual disability. Maternity leaves as

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so defined shall be unpaid. Regarding the period of disability, see the policies on sick leave.

- (b) Maternity leave shall be granted to any classified employee. The maximum and minimum initial planned terms of the leave shall be based on staffing needs, as determined by the Board. The superintendent shall in each case recommend such term based on such criteria. The maximum planned term ordinarily shall not exceed six months, but the superintendent may, on written request, extend such leave for additional periods of time. For employees whose work year is less than twelve months, such leave ordinarily shall not extend beyond the remainder of the fiscal year for any pregnancy; but the superintendent may, on written request, extend such leave for additional periods of time.
- (c) In the case of a request for maternity leave, as soon as any classified employee becomes aware of her pregnancy, she shall submit a completed maternity leave form or resignation stating the expected period of absence.
- (d) Unless an earlier date is approved by the employee, her immediate supervisor, and the Board, the commencement date of the unpaid leave shall correspond to the end of the period of disability or the exhaustion of accumulated sick leave, whichever first occurs, as determined by her immediate supervisor. Such determination shall have the same effect as provided in the sick leave policies of the district.
- (e) A classified employee desiring to return to regular employment prior to the expiration date of a maternity leave may so request in writing to the Personnel Department. Thereupon, or (in the absence of such request) when the maternity leave expires, the superintendent will reassign the employee as soon as a position for which the employee is qualified becomes available. Rejection of such assignment will constitute a resignation.
- (f) Upon returning to duty, a classified employee shall be paid at the next salary step on the then current salary guide above the one, which she occupied during the last continuous period of at least six months' work immediately prior to the beginning of such leave.
- (g) The recommendation of a physician referred to in this policy ordinarily will be the employee's own physician, but the superintendent or his/her designee may in the exercise of his/her discretion determine in a particular case that it must come from a physician appointed by the district.

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- (h) Nothing herein shall preclude the Board from discharging a classified employee on other grounds permitted by law.
- (11) **Paternity Leave**. For continuous periods during which the newly-born child will not have the care of the mother, the father shall be entitled to paternity leave and rights upon return to work on the same terms and conditions as herein provided for maternity leave.

Legal References: ORS 332.507; ORS 342.545; ORS 659.010; ORS 659.121; ORS 659.470 - 659.494; OAR 839-009-0200 to -0320; Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630; Family and Medical Leave Act of 1993, 29 U.S.C. Section 2601 et seq. 29 CFR Part 825

History: Adpt. 6/71; Amd. 9/11/72; Amd. 12/72; Amd. 8/23/76; Amd. 4/10/78; Amd. 5/22/87



## 6.10.090-P Private Schools – Requests for Funding

The Board has received requests from private schools, which are not church schools, for resources (staffing, materials, supplies and/or funding) to assist such private schools. While the Board has complete discretion whether, and has no obligation, to respond to such requests, it is appropriate to state the governing principles and general conditions applicable to such requests.

### I. Governing Principles

- (1) The principles which guide district schools in these matters are as follows:
  - (a) It is the central and primary responsibility of the public schools to provide at public expense within the public schools a secular education, which is open on a full-time basis to all children in the community.
  - (b) Under state law, parents have the right to send their children at private expense to private schools as an alternative to accepting a full-time public school education for their children.
  - (c) Cooperation between the public schools and private schools must meet constitutional limitations, must not encourage a dual system of education at public expense, nor cause the fragmentation of the public school system, nor interfere with the administration of the public schools, nor reduce the quality and effectiveness of public education.
  - (d) The Board will continue to develop within its public schools alternative and varied educational programs at all grade levels to meet the diverse interests and needs of its students.
  - (e) The Board will not consider providing resources to a private school unless it finds the conditions stated under section II below are met.

### II. General Conditions

- (1) The staff of the school is qualified to conduct the program.
- (2) The private school has defined its goals, they are consistent with the goals of the district, and the private school seeks to integrate the students attending the school into the public school system.
- (3) The private school shall by contract agree to:
  - (a) Cooperate with the district in the provision of educational services;
  - (b) Conduct evaluations of staff, program and results, and provide this as required by OAR 581-022-1350 and the district;

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- (c) Provide the district with routine reports and any additional reports required by the district;
  - (d) Comply with conditions (1) through (3) above and with such other terms and provisions as the Board shall require.
- (4) This policy does not apply to religious schools, nor commit the Board to provide resources to any private school whatsoever.

Legal References: ORS 332.107; OAR 581-022-1350; ORS 345.505 (2)

History: Adpt 5/12/75; Amd 3/10/88; Amd 12/12/91; Amd 9/95; Amd 9/9/02; BA 2421

