

Agenda

- I. Opening
- II. Staff Updates (5 min)
 1. Suicide Prevention policy - update on engagement efforts
 2. Student Conduct and Discipline - status update
- III. Items/policies for discussion (105 min)
 1. User Guide and Community Engagement Plan
 2. 8.70.040-P Preservation, Maintenance and Disposition of District Real Property
 3. Complaint Process - End-of-year report and discussion of potential policy revisions, process improvement
- IV. Public Comment - (5) Two-minute slots (10 min)
- V. Adjourn



Portland Public Schools

User Guide to Writing Policies

INTRODUCTION

The Legal and Community Engagement teams are here to support your efforts to recommend new or revised Policies or Administrative Directives (AD). We can guide you through the full policy/AD development, review, and maintenance process. Please contact Rachel Lent, rlent@pps.net (503) 916-3705 to get started.

You, as the policy/AD writer or subject matter expert, have the important task of reaching your intended audience with policies/ADs that are clear, concise, and provide the right level of information. Policies and ADs set and communicate our values, culture, and expectations across the District.

DEFINITIONS

Board Policy- High-level, governing document that is approved by the Board and lasts multiple years. Sets forth the purpose and prescribes in general the organization and program of a school system.

Administrative Directive- Detailed direction that implements the Board policy and is approved by the superintendent.

Procedures and processes, Handbooks and Plans- Department-level instruction and guidance on specific procedures and processes.

OVERALL GUIDELINES FOR POLICY/AD DEVELOPMENT OR REVISION

- Engage and meet with internal stakeholders and subject matter experts
- Engage the relevant community groups throughout the full policy/AD development process. Ensure the process includes opportunities for thoughtful feedback and discussion. This may include students, parents, teachers, administration, unions, and/or community groups. Develop an engagement and communication plan. Work with Shanice Clarke, Director of Community Engagement, sclarke@pps.net.
- Comply with applicable law, including any recent changes.
- Use as few words as possible to make a statement.
- Use simple language whenever possible.

- Use warm and inclusive language and remember that we're communicating to our own communities about children, learning, and supportive environments.

POLICY DEVELOPMENT PROJECT PLAN - PHASES 1-4

Policy/AD revision work may take anywhere from 2-8 months from the beginning of Phase 1 (Planning) to end of Phase 4 (Approval and Implementation). The phases of policy revision are also designed to ensure you are using the Racial Equity and Social Justice Lens, relevant robust engagement opportunities, a meaningful implementation plan, and evaluation and incorporation of feedback received.

PHASE 1 (Planning)

The first phase in the revision process is to develop a plan. This will include using the PPS Racial Equity and Social Justice Lens (RESJ) and protocols form, and may also include a plan for community engagement.

A. The PPS RESJ Lens is a critical-thinking tool which will be applied to PPS's internal systems, processes, resources, and programs to create increased opportunities for all students by evaluating burdens, benefits, and outcomes to underserved communities. Through consistent utilization of the RESJ Lens, we intend to strengthen equitable outcomes for every student.

The following RESJ Lens questions are a guide and will be considered when making decisions. [PPS RESJ Lens](#). Complete the form and meet with Dani Ledezma dledezma@pps.net to review the lens and alignment with RESJ.

B. Depending on the subject and breadth of changes, PPS staff, students, families, and/or community should be actively informed and engaged about proposed revisions and the implementation of new or revised policies/ADs. A Community Engagement Plan ensures the district informs key relevant stakeholders, seeks input, and makes information accessible.

The following [Community Engagement Project Planning Worksheet](#) is the comprehensive plan you will use to engage stakeholders. Complete the plan and meet with Shanice Clarke sclarke@pps.net to review, make any changes or additions, and generate ideas for engagement.

C. (Optional) If the Policy/AD creation and/or revision will have a fiscal impact, we encourage you to meet with our Finance Team to review. You will also need to be sure that the functional budget owner has input and sign off on the proposed changes.

- D. Create a timeline for implementation/evaluation and a communication plan to stakeholders after the Policy/AD is adopted.

PHASE 2 (Performing)

The second phase in the revision process is to implement the planning phase. This includes following the Community Engagement Plan and drafting proposed language to implement the policy/AD objective.

PHASE 3 (Review)

The third phase includes gathering further feedback, if needed, and using stakeholder input received to modify the draft policy/AD language.

PHASE 4 (Board Policy Committee/Superintendent review and approval)

The fourth phase is preparing documents for presentation to the Superintendent and, for policies, the Board Policy Committee. The following are requirements to begin review by the committee.

REQUIRED DOCUMENTS

Each proposed revised Policy or AD has three documents that are required to be completed before presenting to the Superintendent and Board.

1. A **redlined** document showing the changes made to the current version (unless it is a new policy or AD).
2. A clean, formatted document that incorporates the proposed revisions.
3. A Staff Analysis and Report.

The Staff Analysis and Report will provide a detailed summary of the thinking behind the proposed changes and will inform the Board and/or Superintendent of the planning, analysis, and engagement done throughout the process. The answers should provide complete and relevant information. The report will also help to guide the work that you do and ensure the important areas of analysis are covered in the proposed revision.

STAFF ANALYSIS REPORT FOR POLICIES and ADs

The following are suggested questions and tips for completing a thorough analysis in the staff report:

BACKGROUND

History of the policy revisions, timing issues, legal updates. What is the reason for the revision?

RELATED POLICIES/BEST PRACTICES

What are related policies and administrative directives? What is the best practice in this subject matter? Describe any best practice research used to support the recommendation.

ANALYSIS OF SITUATION

What will happen if the revisions are made or not made? What are the implications?

FISCAL IMPACT

Outline the financial impact. Include implications such as extra staff time, materials, training.

COMMUNITY ENGAGEMENT

Portland Public Schools seeks to provide internal and external stakeholders transparency and voice in district decision-making and policy change. PPS also gains insight that positively impacts policy creation by considering the lived experiences of diverse students, parents, and communities.

1. Describe the level of advisory, influence, or partnership the proposed revision has from stakeholders, including but not limited to:
 - a. [Internal audiences] SUN Program Managers, PAPSA, SEIU, PAT, PAPSA, District Student Council/Student Board Representative. [External audiences] District-wide Advisory Councils, School or Community-based Parent Equity Groups, student organizations, PTAs, culturally specific community partners, community/national experts.
2. Articulate how the proposed revision achieves mutually beneficial relationships with students, parents, staff, and community.

RACIAL EQUITY AND SOCIAL JUSTICE LENS

- 1) How have you intentionally involved stakeholders who are affected by this policy, program, practice, or decision? Is there support or opposition? Why?
- 2) Does the proposed policy/AD address barriers to equitable outcomes?
- 3) Describe how the policy/AD revisions critically examine and alter practices.

TIMELINE FOR IMPLEMENTATION/EVALUATION AND COMMUNICATION PLAN

- 1) What is your communication plan to stakeholders after the policy/AD is approved?
- 2) How will the revisions to the drafted policy be implemented after community engagement? Timeline?
- 3) How will progress be measured on goals?
- 4) What cultural cycles, norms, patterns, and practices are expected to change after this policy/AD revision?

- a) What is the transition plan to support the proposed change to staff or student cycles, norms, patterns, or practices?

STAFF RECOMMENDATION

Convey the specific recommendation on any and all of the options listed or overall recommendation regarding the revision.

PROCESS FOR APPROVAL OF REVISIONS

When you have completed the policy or AD development process, you can proceed forward with review to the Superintendent and Board.

POLICIES

The senior lead responsible for the policy will review and sign the final Staff Analysis Report to the Board. Superintendent review followed by the Board Policy Committee is the first step to begin review of your suggested revisions. Please contact Rachel Lent in the Office of General Counsel rlent@pps.net to start this step. Once the revisions are reviewed and approved by the Policy Committee, the Board Office will schedule a First Reading at a regular meeting of the Board, which means the policy will be posted on the District website and discussed at the meeting. The public may comment on the policy for 21 days after the First Reading. There may be additional revisions to discuss as a result of the public comment period. After the public comment period is over, a Board vote is required to adopt the policy in the final form. [1.30.020-P Policies and Administrative Directives](#).

ADMINISTRATIVE DIRECTIVES

The senior lead responsible for the administrative directive will review and sign the final Staff Analysis Report to the Superintendent. Once the report is signed, please provide the required documents (Staff Analysis Report, redlined revisions, and clean formatted final copy) to Rachel Lent in the Office of General Counsel rlent@pps.net. Our office will move the work forward to the Superintendent for signature. Once the revisions have been approved by the Superintendent, our office will notify the senior lead, department lead, and/or staff lead and also share the revisions with the Board as an information item.

AFTER BOARD ADOPTION OR SUPERINTENDENT APPROVAL

When the revisions to a policy are adopted, or an AD is approved, the General Counsel's office will place the revised version on the District's policies webpage. The original documents are submitted to our office where the documents are maintained and archived.

It is the responsibility of the senior lead, department lead, and staff lead to ensure the communication and implementation plans that were developed during the process are completed on time, including ensuring that both internal and external stakeholders are notified and that any other implementation practices (training, written procedures, other) are put into action.

We also recommend that you review District web pages for links to the former policy and ensure the new policy is linked correctly. Please notify others who have links on department webpages to do the same and review any other public-facing web content or collateral materials that need to be updated or removed.

As always, please contact us with any questions throughout the development process. We are here to help!

Contacts:

Policy Development Process

Rachel Lent rlent@pps.net (503) 916-3705

Racial Equity and Social Justice Lens

Dani Ledezma dledezma@pps.net (503) 916-3769

Community/Stakeholder Engagement and Communication Plan

Shanice Clarke sclarke@pps.net (503) 916-3962

[RESJ Lens](#)

[Community Engagement Project Planning Worksheet](#)

[Staff Analysis Report to the Board](#)

[Staff Analysis Report to the Superintendent](#)



Preservation, Maintenance, and Disposition of District Real Property

The Portland Public Schools Board of Education has a fiduciary responsibility to preserve and maintain the District's real property assets to serve current students and to ensure the District can serve its students for decades to come. For that reason, transactions involving the District's real property shall preserve as much as possible the District's ability to use assets for its own students and educational services now and in the future and, only on rare occasions, will the District sell a property without replacing that property with an equivalent or better property.

Duty to Maintain and Preserve Real Property

The Board of Education recognizes that the District's real property assets must be maintained in a sufficient physical condition to preserve their value and utility. The Board shall take necessary steps, taking into account budgetary constraints, to preserve and maintain the physical integrity of District real property.

Objectives in Real Property Transactions

District properties that are not currently needed for District purposes will be managed to carry out the following objectives:

- Reflect the District's short-, intermediate-, and long-term educational and operational needs, considering long-term population and enrollment projections for the Portland area;
- Maintain flexibility in lease terms to allow for early termination to adjust to enrollment fluctuations or other District needs for the property; and
- Provide revenue and other support for District needs; in this case, the District must seek maximum long-term financial and other benefits. The District recognizes that conveyance of real property rights-of-way or easements may be imposed as a condition of approval of District development projects without compensation or may occur for other good or valuable consideration.

Sale of Real Property

Under ORS 332.155, the District may lease, sell, and convey all property of the District



Preservation, Maintenance, and Disposition of District Real Property

that will not be required for the District's educational purposes in the long term. In the unlikely event that District property does not support the District's mission now or in the future, the Superintendent shall recommend to the Board the disposal of such property, including a thorough analysis of the implications of any property sale on fulfillment of the District's educational mission over the long term. Selling a District property without replacing it with an equivalent or better property shall be a last resort.

The Board of Education directs the following:

1. **Superintendent's Real Property Sale Recommendation:** The Superintendent shall develop and adopt an administrative directive establishing a process for developing recommendations to the Board on the sale of any District property. The process shall include at a minimum the following components:
 - a. Notification of the Board of Education.
 - b. A summary of the factors considered in the development of the recommendation, including a market and needs analysis.
2. **Sale of District Property Recommendation-Public Hearing:** Any process to consider the sale of the property shall be a transparent and public process, and at least one public hearing shall be held by the Board prior to declaring any real property or portion thereof appropriate for sale. If the Board determines that a District property is appropriate for sale, it shall pass a resolution identifying the property, how relinquishing property promotes both the District's mission and the public interest, and the terms and conditions under which it may be sold.
3. **Sale process:** Once the property is declared appropriate for sale by the Board, the Superintendent, or such persons as may be designated by the Superintendent, shall establish and conduct a process for sale or other conveyance of the property. The Superintendent will market and negotiate a proposed sale or other conveyance of the property and bring a recommended agreement to the Board for the Board's review and approval.
4. **Presumption of Market Rate:** Unless the Board makes an express finding that the disposition of District property for less than market rate confers significant benefit to the District and the communities it serves, the District shall pursue maximum market value for any sale, lease, or disposition under this policy.



Board Policy

8.70.040-P

Preservation, Maintenance, and Disposition of District Real Property

The Board delegates authority to the Superintendent or his/her designee to approve and execute real estate transactions in which the total value of the transaction is at or below applicable delegation thresholds for District expenditure and revenue contracts, as set forth in PPS Public Contracting Rule 45-0200 (Authority to Approve and Execute District Contracts) and in which the transaction can be terminated by the District within 30 days or less. All other real estate transactions shall require Board approval. The Superintendent will provide a quarterly report to the board regarding leases signed below the delegation threshold.

Legal References: ORS 271.330 ORS 332.155

History: Adopted 6/71; Amended 12/13/76; Amd. 8/28/78; Amd. 10/13/83; Amd. 8/31/95; Amd. 10/28/02 BA2463; Amd. 1/12/09 BA 4019; Amd. 11/13/18

Formal Public Complaints Annual Report

July 1, 2019 – June 30, 2020



Introduction

This report satisfies the PPS Board Policy 4.50.032-P, which requires the district to provide an annual report on the formal complaint process at the culmination of each school year. The findings below represent data, trends and information related to the formal complaints process for the 2019-20 school year.

In classrooms, schools, and departments, our staff, parents and students work together frequently to solve issues and improve our processes with the goal of creating the best possible educational experience for students. The district encourages parties to work together to reach resolution at the school or department level whenever possible. If this approach does not resolve the concerns, the district provides a formal complaint process.

During the 2019-2020 school year, Portland Public Schools received 54 formal complaints. The district receives formal complaints through web form, email, mail and in person. During the 2019-2020 school year, a resource web page was created for parents/guardians to have all the necessary information in one location. The PPS Board Policy 4.50.032-P was also translated into the five major languages (Spanish, Somali, Russian, Chinese, Vietnamese) and French.

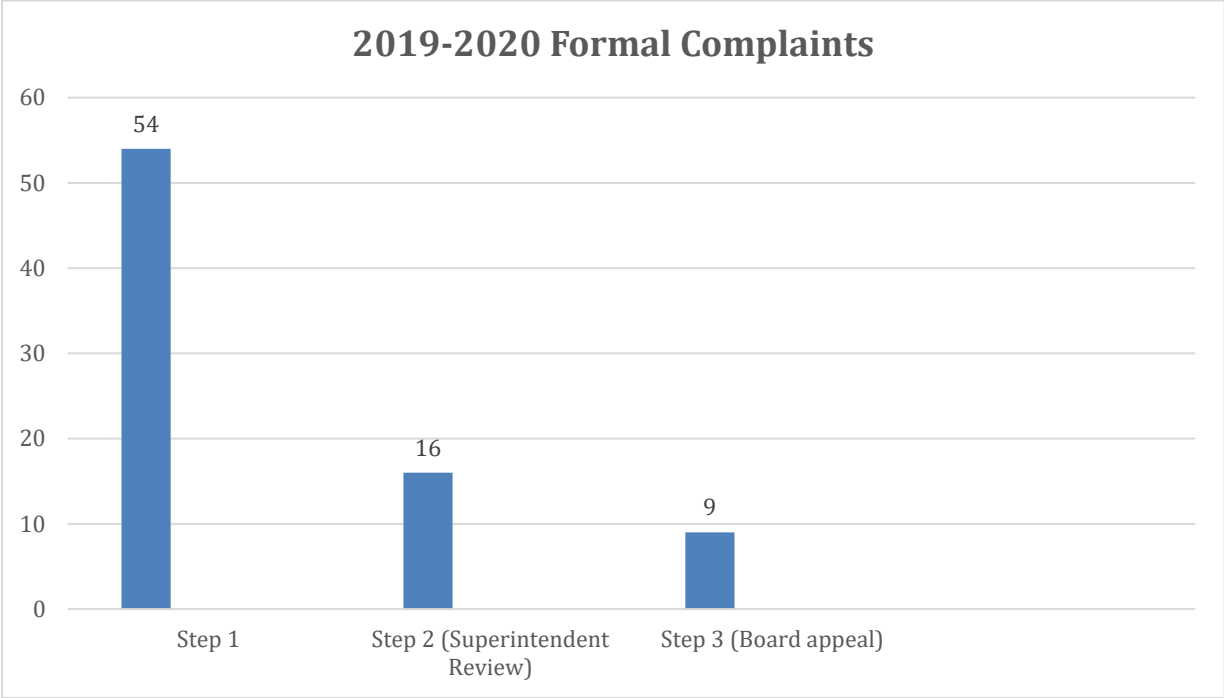
Types of complaints

The Portland Public Schools Formal Public Complaints Policy 4.50.032-P provides a process for resolving complaints as required by Oregon Administrative Rule 581-022-2370, including, but not limited to complaints related to:

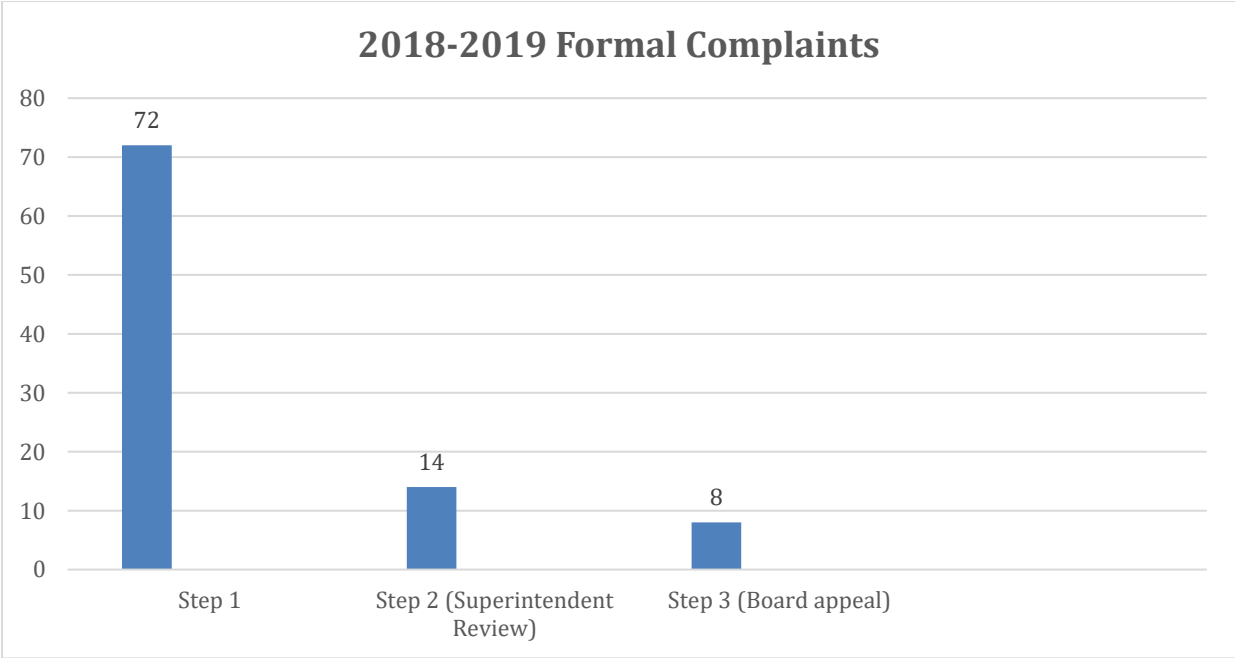
- a) Instructional standards and practices
 - (1) Curriculum
 - (2) Teaching strategies
 - (3) Testing
 - (4) Counseling
 - (5) Class size
 - (6) Alternative education programs
 - (7) Instructional materials
 - (8) Compliance with state standards
- b) Special education
- c) Health and safety
- d) Equitable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

Complaint numbers

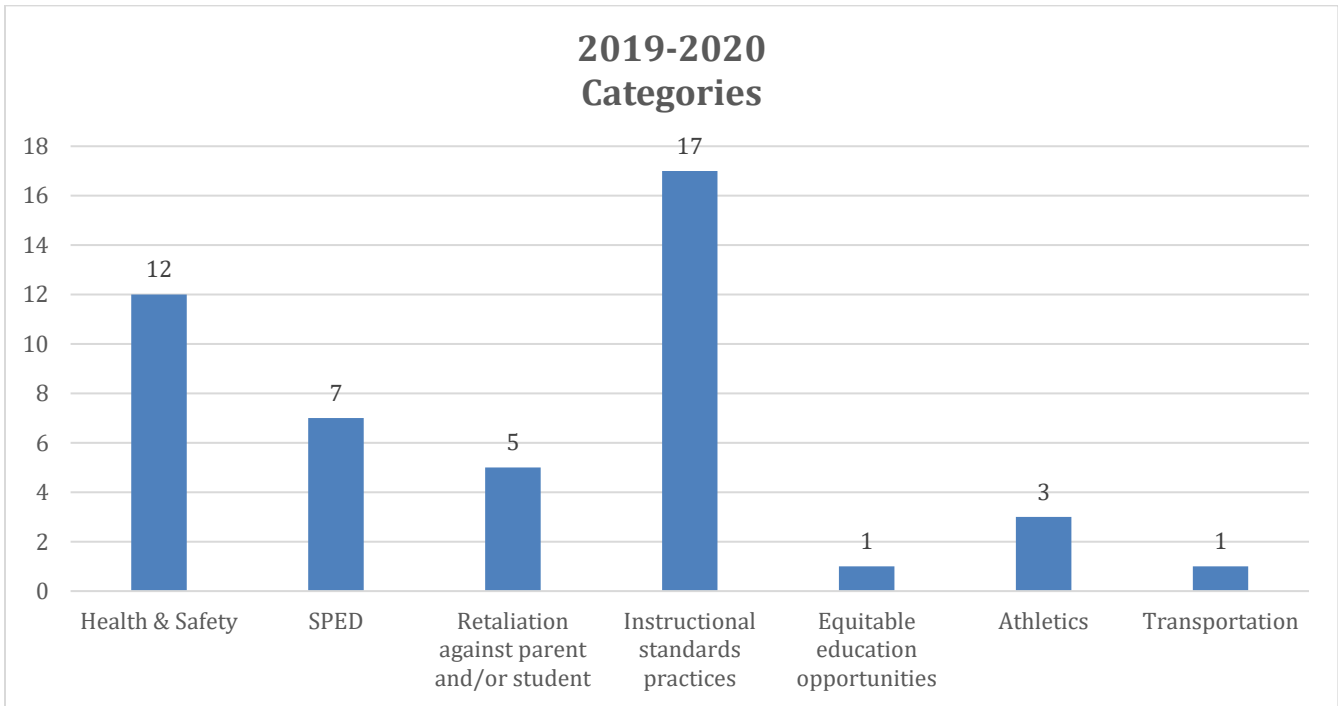
Portland Public Schools received 54 formal public complaints during the 2019-2020 school year. Sixteen of the 54 complaints were appealed to the Superintendent and 9 of those were further appealed to the Board of Education.



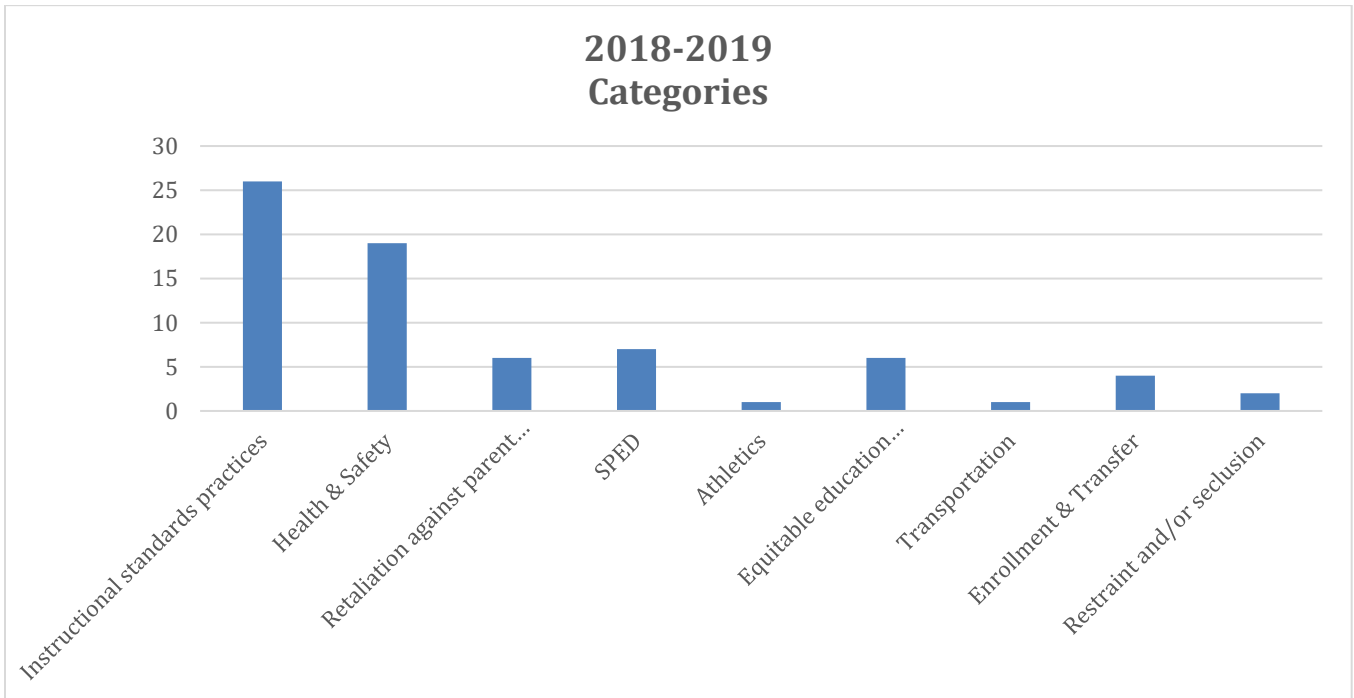
The following chart shows the number of complaints that were filed during the 2018-2019 school year.



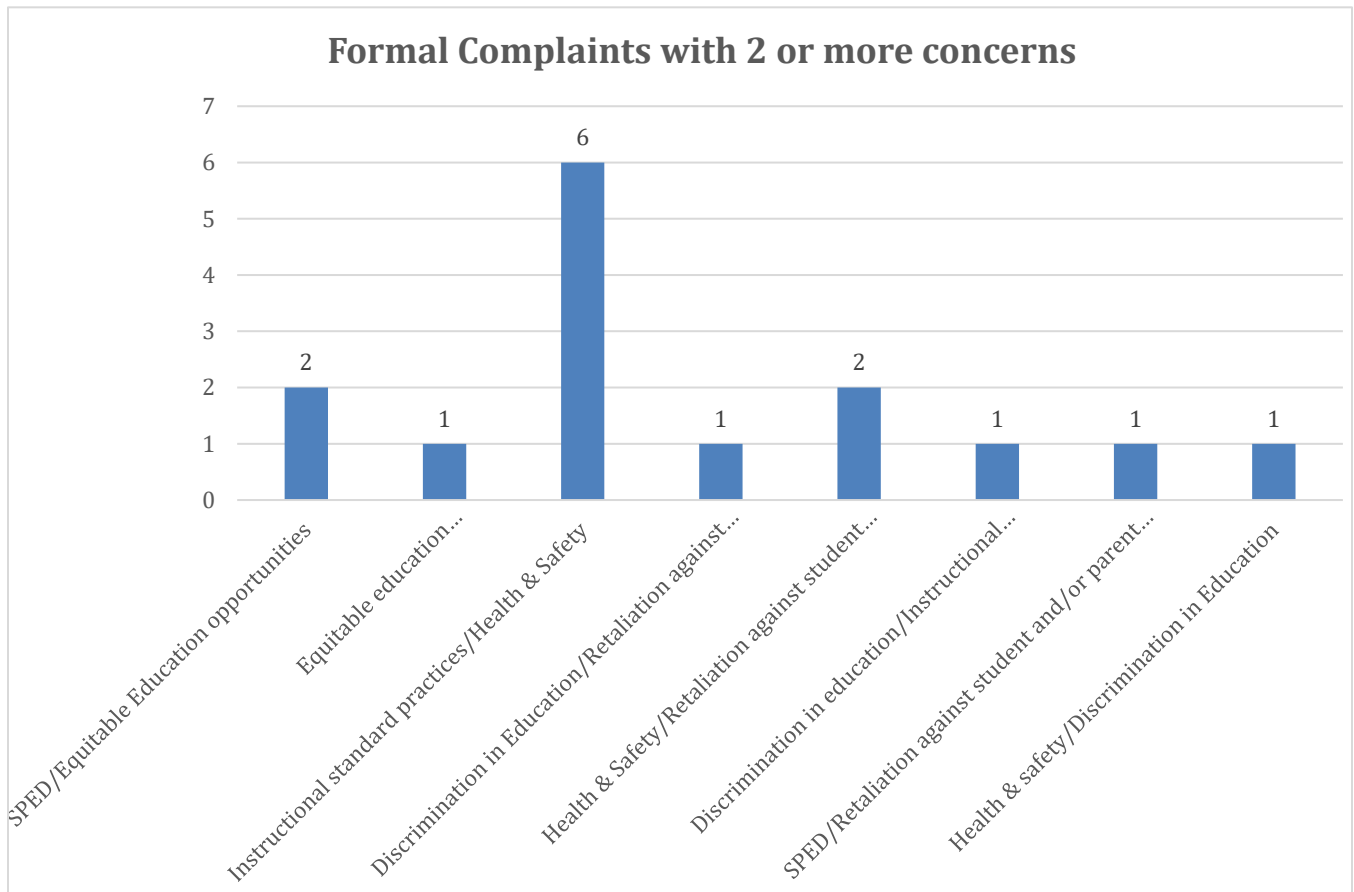
Below you will see the number and type of formal complaints Portland Public Schools received in each category.



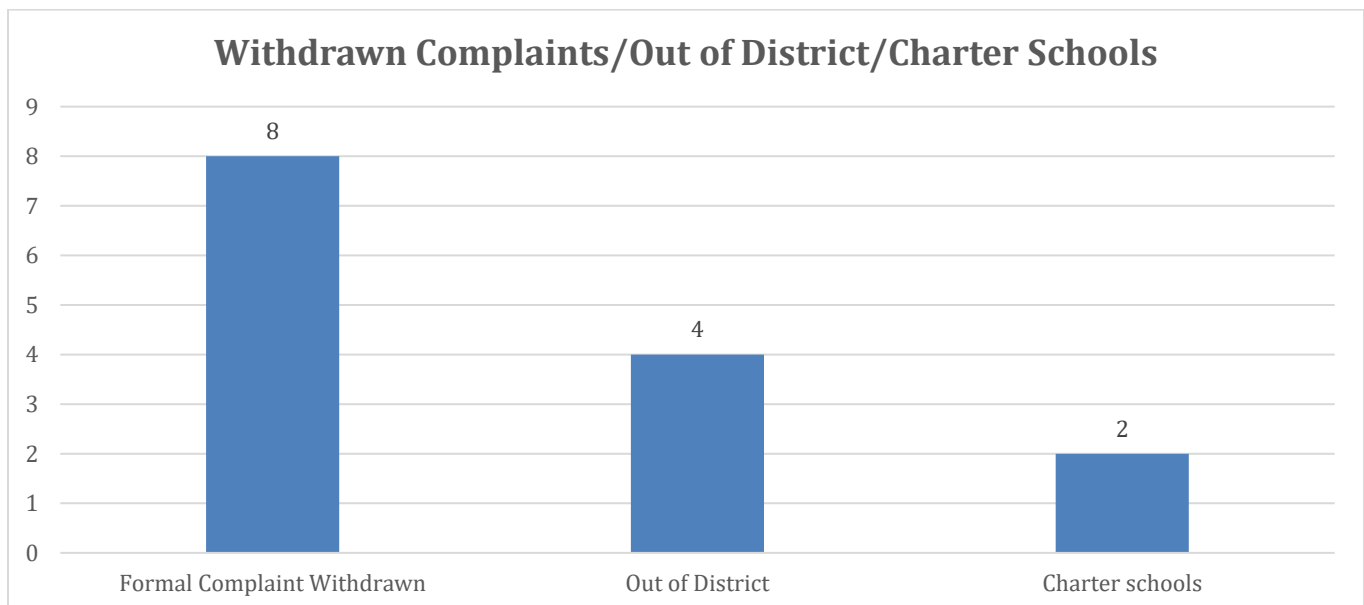
In comparison, the following chart shows the number of complaints received in each category in 2018-2019.



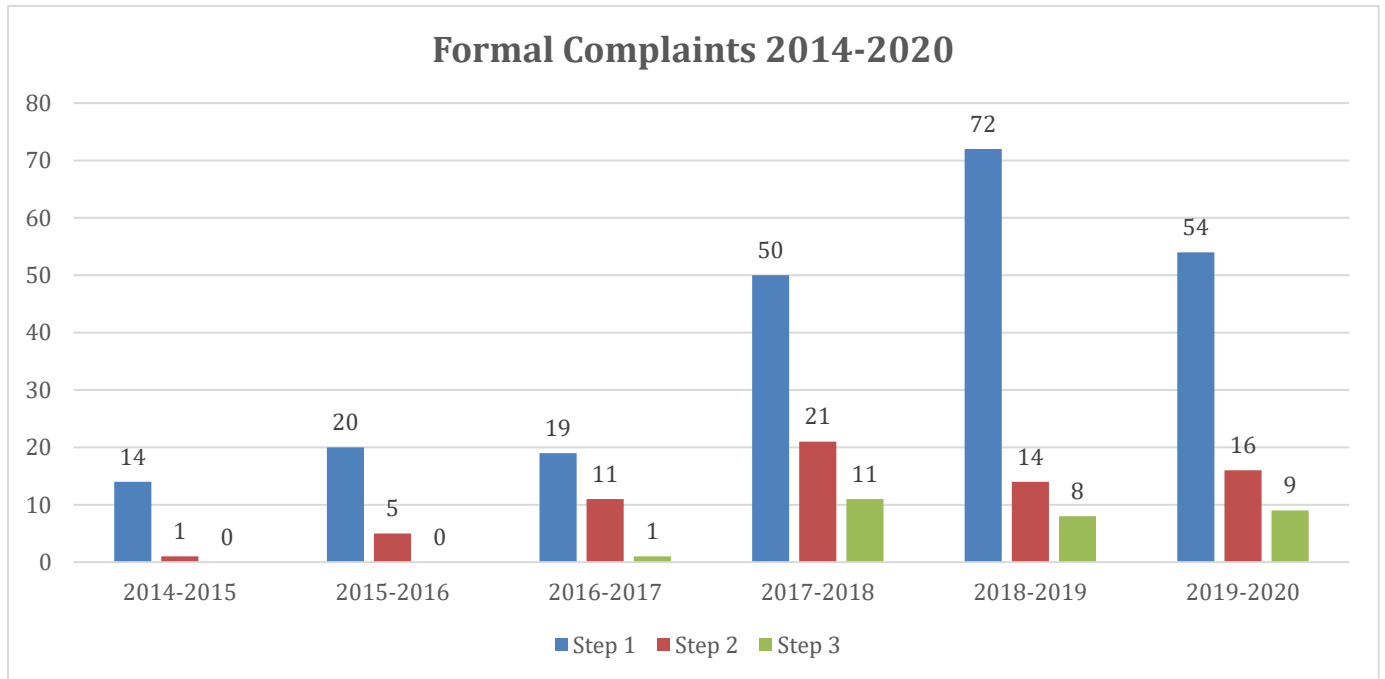
PPS received 15 complainants that expressed more than 1 concern within their formal complaint, which included:



Portland Public Schools received several formal complaints that were filed, but later withdrawn due to staff being able to resolve the concern. The chart below also includes the number of complaints that were out of PPS jurisdiction.



Since the Formal Complaint Policy’s inception, below you will see the number of formal complaints that have been filed each school year.



Recommendations

Over this past year, several questions emerged as staff processed formal complaints that are not explicitly answered in PPS Board Policy 4.50.032-P or the associated administrative directive. In an effort to provide clarity it is recommended that the Board Policy and Governance Committee consider the following recommendations:

- I. The PPS Board Policy 4.50.032-P on page 4 section D #2 could be more clear as to what the District means by “assistance in preparing a written complaint” to complainants.
- II. The policy could be more specific as to who can file a formal complaint. For example, should someone who lives outside of the District and has concern(s) about Portland Public Schools be able to file a formal complaint?
- III. The District has received numerous formal complaints submitted by the same person that are duplicate and/or repeats of previously resolved complaints. It would be helpful to update the policy to specify that once the Board has ruled on a subject matter that the complainant cannot file a new formal complaint with the same concern(s).

Conclusion

The District’s formal complaint policy and process continues to be an appropriate venue for PPS families to resolve school-based concerns and issues when other, informal processes are not successful. As complaints were

processed during the 2019-20 school year, staff identified three areas for the Board of Education to add specificity in Board Policy 4.50.032-P which are listed above. In addition, internal process improvements were identified that can improve the experience of families, most notably providing training for staff who respond to complaints so that communications are authentic and lead with empathy. A training module is currently under development to accomplish this. In addition, the District continues to search for ways to expand the ways students and families can resolve differences that occur at the school level. A status report of these improvements will be reported on in the 2020-21 annual report.



Board Policy

4.50.032-P

Formal Public Complaints

Portland Public Schools recognizes students, parents/guardians, and the broader community as essential partners in the educational process. These important partners must have the opportunity to make their concerns known to the district. Maintaining strong relationships 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.

Whenever possible, concerns should be resolved informally through communication with the school or department directly involved in the issue. If this approach does not resolve the concerns, the District provides a formal complaint process. The Board intends that complaints be resolved as expeditiously as possible and in compliance with state law.

The District serves a diverse community of students and parents/guardians. The Racial Educational Equity Policy 2.10.010-P provides: “The District shall welcome and empower students and families, including underrepresented families of color (including those whose first language may not be English) as essential partners in their student’s education, school planning and District decision-making. The District shall create welcoming environments that reflect and support the racial and ethnic diversity of the student population and community.” The complaint process must be implemented in a manner that is accessible to, and welcoming of, all of our students, parents/guardians, and community members. All parties to the complaint process will be treated, and will treat others, with dignity and respect.

- I. **Administrative Directive creation and review; Annual reports; Transparency and accessibility**
 - A. The Board of Education directs the Superintendent to implement an administrative directive that sets forth the specific process and procedure for complaint resolution. The administrative directive and any changes that are subsequently made will be submitted to the Board for review. The Board further directs the Superintendent to make information regarding the complaint process to members of the school community in a manner that is accessible and user-friendly, and to provide training for building administration and designated district staff in the implementation of the policy and administrative directive. Since complaints can be an important indicator of the health of an organization, the Superintendent will provide to the Board at least annually a document that provides data on trends and emerging issues, as well as the functioning of the process.

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 website.

1. Types of 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) Discrimination in education
- h) Retaliation against a student or parent/guardian

II. TIMELINES

- A. In order to investigate a complaint while memories are recent and witnesses and documents are likely more available, a complaint may be filed within the following time limits established by state law:
 - 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 limitation 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 limitations for bringing formal complaints may be extended by the District for complaints concerning 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 COMPLAINT

A. STEP 1:

1. The written complaint must be filed with the District's complaint coordinator via 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 written 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

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 notice of resolution from 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 each concern raised and the reason for the decision and provide the 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 Superintendent or designee 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 substance of 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. The complainant may submit additional written information to the Board and may provide testimony during public comment. The Board shall decide that the Superintendent's final 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) and OAR 581-002-0040.

C. Anonymous Complaints

PPS accepts confidential anonymous complaints by email at 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.

D. Other provisions

1. [Translation and interpretation services](#) are available to complainants.
2. The District will provide resources for complainants who request assistance in preparing a written complaint. [REQUEST ASSISTANCE](#)
3. The Superintendent shall avoid any conflicts of interest, or the appearance of conflicts of interest, in assigning the district representative to investigate and respond to a complaint.
4. Complainants may bring an advocate or support person to any meeting or proceeding.
5. Retaliation against any person who files or participates in the complaint process is strictly prohibited. Retaliation is any 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.

6. 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 involved in the complaint. The Board will not hear complaints against employees in a session open to the public unless an employee requests an open session.
7. If the district fails to meet the timelines set forth in this process, the complainant may appeal to the PPS School Board or to the Oregon Department of Education. The timelines may be extended by the mutual consent of 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.

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

Any complaint about the Superintendent shall be reviewed 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 school board members

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) 581-002-0040.

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 simultaneous to filing it with the Department of Education.

Adopted 11/2014; Amended 6/12/18

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](#)