



BOARD OF EDUCATION

Portland Public Schools Policy Committee Meeting October 26, 2020

VIRTUAL MEETING

*In light of current public health concerns related to COVID-19, this meeting will take place virtually.**

Under the provision of ORS 192.670, the meeting will be streamed live:
<https://www.youtube.com/user/ppscoms/live>

To request to sign-up for public comment please send an email with your first and last name, and topic to PublicComment@pps.net, or call Kara Bradshaw at 503-916-3906. Requests for Public Comment will be processed in the order that they are received, and should be received by 12:00 pm on the day of the meeting. Once your spot is confirmed, instructions for addressing the board will be sent to you via email.

Public comment related to an action item on the agenda will be heard immediately following staff presentation on that issue. Public comment on all other matters will be heard during the "Public Comment" time. This meeting may be taped and televised by the media.

AGENDA

- I. Introductions
- II. Staff Updates - 0 min.
- III. Items / Policies for Discussion
 1. 2020-2021 Policy Committee agenda and work plan - 30 min.
 2. Preservation, Maintenance, and Disposition of District Real Property 8.70.040-P - 70 min.
 3. Complaint Policy 4.50.032-P - 70 min.
- IV. Policies in Public Comment Period - 0 min.
- V. Public Comment - 10 min.
 - 5 Two-Minute slots

**To sign-up for public comment email PublicComment@pps.net or call Kara Bradshaw at 503-916-3906.*
- VI. Adjourn

Portland Public Schools Nondiscrimination Statement

Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society. The District is committed to equal opportunity and nondiscrimination based on race; national or ethnic origin; color; sex; religion; age; sexual orientation; gender expression or identity; pregnancy; marital status; familial status; economic status or source of income; mental or physical disability or perceived disability; or military service.

Category	Policy	Staff Workload	Board Workload	Deadline	Proposed (Next) Meeting Agenda	Estimated time for engagement	Target First Reading	Priority/ Timeframe	Description
Compliance	Title IX 4.30.060	heavy	light	Past due	11/16	Most engagement to happen after adoption	12/15	Staff drafts ready by 11/16	compliance with/reconciling state & fed laws/regs
	Student Suicide Prevention 4.xxxx	moderate	light	Past due	11/16	60 days	12/15	OSSS team to provide update on 11/16	NEW POLICY to implement new legislation
	All Students Belong OAR 581-022-2312	moderate	light	1/1/21	11/16	Most engagement to happen after adoption	12/15	Staff draft ready by 11/16	NEW POLICY ODE reg banning hate speech/symbols
	Comprehensive Sexuality Education 6.40.013	light	light		12/7	None anticipated	12/15	Staff draft ready by 11/16	clarify opt-out provisions based on ODE regs
	Foundation 7.10.030	heavy	heavy		1/25	80 days	4/13	Staff draft ready by 1/15/21	address policy structure, defining authority, ops
	Student Conduct & Discipline 4.30.010	heavy	moderate	Past due	TBD	TBD (significant engagement already completed)	TBD	On Hold until PAT negotiations complete; estimated start date is ____	address compliance, disp discipline, RESJ

Category	Policy	Staff Workload	Board Workload	Deadline	Proposed (Next) Meeting Agenda	Estimated time for engagement	Target First Reading	Priority/ Timeframe	Description
Discretionary	Formal Public Complaints 4.50.032	moderate	heavy		10/26	Focused engagement for 60 days	2/9	Board to discuss redline and engagement plan 10/26	improve clarity, family experience
	Real Estate policy 8.70.040	moderate	heavy		10/26	Focused engagement for 30 days	12/1 (sooner?)	Board to discuss redline and engagement plan 10/26	technical amendments for permitting; criteria for non-standard terms
	Indemnification	moderate	moderate		11/16	Limited, in consultation with HR	1/12	Board to provide conceptual direction to staff on [TBD]	NEW POLICY to address defense of certain empl-related claims not included in current policy or law
	Code of Ethics 5.xx.xxx	heavy	heavy		12/7	Focus group of employees; on-line comments for 45 days	2/23	Staff drafts ready by 11/16	NEW POLICY to complement Nepotism policy, conform to best practice, clarify conflicts of interest
	Professional Conduct btwn Adults & Students 5.10.064	moderate	moderate		12/7	TBD in consultation with HR	1/12	Staff drafts ready by 11/16	recommended changes to reflect distance learning tech and refine contractor requirements; RESJ Lens
	Climate Crisis Response	heavy	moderate		12/7	90 days	2/23	Board to provide conceptual direction to staff at 12/7 meeting	NEW POLICY student initiated
	OSBA section DB	light	light		12/7	None expected	12/15	Staff update ready by 12/7	consider changes recommended by OSBA
	Computer Use 8.60.040	moderate	light		1/25	None expected	2/9	Staff drafts ready by 1/25	updates needed to reflect best practices, tech changes
	OSBA revisions	moderate	light		TBD			Ongoing	
	Committee Charter	light	light		TBD			Staff draft ready by 12/7	
	Enrollment 4.10.051	heavy	heavy						parameters for changes to catchment boundaries, feeder patterns
Student Rep Duties 1.20.012	moderate	moderate					Students to provide proposed edits by ____	student-initiated amendments	

POLICY COMMITTEE WORK PLAN TIMELINE

		Com.	Reg.	Reg.	Com.	Reg.	Com.	Reg.	Com.	Reg.	Reg.	Com.	Reg.	Com.	Reg.	Com.	Reg.	Reg.	Com.	Reg.	Com.	Reg.	Reg.	Com.	Reg.	Com.	Reg.
Policy	Past Due	11/16	11/17	12/1	12/7	12/15	1/4	1/12	1/25	1/26	2/9	2/17	2/23	3/8	3/9	3/29	3/30	4/13	4/19	4/27	5/10	5/11	5/25	6/2	6/15	6/28	6/29
Real Estate policy 8.70.040				1st Reading																							
All Students Belong OAR 581-022-2312		1x on agenda			1st Reading			Due																			
Comprehensive Sexuality Education 6.40.013		1x on agenda			1st Reading																						
Student Suicide Prevention 4.xxxx	Past Due				1st Reading																						
Title IX 4.30.060	Past Due	1x on agenda			1st Reading																						
Indemnification		1x on agenda						1st Reading																			
Formal Public Complaints 4.50.032											1st Reading																
OSBA section DB					1x on agenda	1st Reading																					
Professional Conduct btwn Adults & Students					1x on agenda			1st Reading																			
Climate Crisis Response					1x on agenda											1st Reading											
Code of Ethics 5.xx.xxx					1x on agenda											1st Reading											
Committee Charter					1x on agenda																						
Computer Use 8.60.040									1x on agenda		1st Reading																
Foundation 7.10.030									1x on agenda																	1st Reading	
OSBA revisions																											
Student Conduct & Discipline 4.30.010	Past Due																										
Student Rep Duties 1.20.012																											
Enrollment 4.10.051																											

Compliance	In Progress	Projected First Reading	Date Due
Discretionary			



Preservation, Maintenance, and Disposition of District Real Property

The Portland Public Schools Board of Education recognizes that the District's real property assets have been bequeathed to us by previous generations to serve the students of Portland. We, therefore, has a fiduciary responsibility to preserve and maintain them in a manner that will ~~the District's real property assets to serve current students and to ensure~~ that the District ~~can is able to~~ serve not only its current students, but also students of future generations 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 to serve students enrolled in its schools and programs 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



Preservation, Maintenance, and Disposition of District Real Property

occur for other good or valuable consideration.

Sale or Long-Term Lease of Real Property

Under ORS 332.155, the District may lease, sell, and convey all property of the District 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 lease or sale on fulfillment of the District's educational mission over the long term. ~~Selling Sale of a District property without replacing it with an equivalent or better property shall be a last resort~~ be considered only in the absence of a viable alternative. —Whenever possible, Any long-term disposition of District property should take the form of a long-term lease- rather than a permanent sale. A long-term lease is defined as a lease of at least five years and shall provide the District termination rights in the event the property is needed for District use.

☐

The Board of Education directs the following:

1. Superintendent's Real Property Long-Term Lease or Sale Recommendation: The Superintendent shall develop and adopt an administrative directive establishing a process for developing recommendations to the Board on the long-term lease or 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 n analysis of implications for the District's ability to fulfill its responsibilities in the short-, medium-, and long-term; and a -market and needs analysis.

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. In the unlikely event ~~If~~ the Board determines that it is prudent or necessary to sell 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.

2. In the unlikely event that a sale is deemed necessary or prudent, eEvery effort should be made to ensure that the property remain within the public domain in



Preservation, Maintenance, and Disposition of District Real Property

perpetuity in support of the public good as originally intended.

- 3. Sale process: Once ~~the property is~~ the Board declares ~~that it is prudent or necessary to sell a District property 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.

3. _____

Presumption of Market Rate Terms:

When ~~selling, leasing, or otherwise~~ entering into transactions involving real property, the District shall pursue maximum market value and other then-current market terms. ~~Unless the Board adopts a resolution that makes an express finding that the disposition transaction involving of~~ District property for less than market ~~terms 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.~~ Any express finding justifying less than market terms shall be under exceptional circumstances, consider the following factors, and be assessed through the PPS Racial Equity & Social Justice lens^[EL1]:

- a. Extraordinary ~~General~~ economic or other unusual ~~conditions~~ circumstances beyond the control of all parties. In this case, the other party must provide ~~documentation evidence of the impact of these circumstances on their its~~ financial status, ~~evidence of prior prudent efforts to manage risks, and of efforts made to explore options other than~~ financial or other relief from ~~PPS~~the District, ~~such as recession or pandemic~~
- b. The costs and/or benefits to ~~PPS~~the District of offering below-market terms.
- c. ~~a substantial proportion of for~~ The communities being served by the other party include a substantial proportion of underserved students: students of color, students whose families qualify for free and reduced lunch, students with special needs, emerging bilingual students, and LGBTQ students; and
- a. _____
- d. _____
- 4. Official ~~c~~Connection of the other party to the District or its students (e.g., PPS charter school, an organization providing direct services to PPS students)^[EL2].



Board Policy

8.70.040-P

Preservation, Maintenance, and Disposition of District Real Property

These factors shall be applied more stringently in the case of sale or other permanent disposition of any real property other than granting rights of way or easements that are a condition of development imposed by the authorizing governmental agency or utility.

Notwithstanding any other part of this policy, if District property -in a contemplated real estate transaction was purchased with state, federal, or private grant funds, any transaction involving the property shall be made as required in -the grant or by state or federal regulations.

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), in which conveyance of real property rights-of-way or easements is imposed as a condition of approval of District development and maintenance projects, and-or in which the transaction can be terminated by the District within 390 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; Amd. _____.



Complaint Policy 4.50.032-P

Portland Public Schools recognizes students, parents/guardians, and the broader PPS community as essential partners ~~in the educational process~~. These important partners must have the opportunity to make their concerns known to the ~~e~~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 direct 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 e~~Complaints should be resolved as expeditiously quickly 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 PPS 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 shall be accessible to members of the school community ~~in a manner that is accessible and user-friendly~~, ~~and to~~ The District shall provide training for building administration and designated ~~e~~District staff ~~in the implementation of on~~ how to handle formal complaints under this policy and the administrative directive [insert number here]. ~~Since~~ Because 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 an assessment of the functioning of the formal complaint process.

- B.** A full explanation of the complaint procedure, including all forms, shall be available at the ~~d~~District's administrative office and on ~~the home page of~~ the ~~d~~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 ~~d~~District, whichever is later.

- B.** The time limitations for bringing formal complaints may be extended by the District for complaints concerning 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 COMPLAINT

A. STEP 1:

1. The written complaint must be filed with the District's complaint coordinator ~~via-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 ~~written~~ complaint. The District will recognize complaints in multiple formats: the written complaint form, letter or ~~through email~~[1].
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[2].

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 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 Superintendent or designee 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 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 District staff and the Complainant shall exchange all any other~~ written background information they intend to present to the Board at the appeal hearing at least 24 hours before the hearing appeal is to be heard. The complainant ~~may submit additional written information to the Board and may provide testimony during public comment when the complaint is heard~~. 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)(b) and OAR 581-002-000540.

C. Anonymous Other Types of Complaints

PPS accepts confidential anonymous formal complaints concerning Division 22 matters 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.

~~For e~~Complaints about Sexual Conduct and Sexual Discrimination should be directed to the, complainants should contact the Title IX Department here. [3][4]

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

More information about en conflict resolution and other resources [5] may be found here.

D. Other provisions

1. The District will provide limited the following resources to assist the complainants through the process: . These include Translation and interpretation services ~~are available to complainants,~~ and other reasonable accommodations to allow access to the process. The provision of legal services or Legal [6][7] advice is not a resource available through the provided by the District.

4.

2. ~~The District will provide resources for complainants who request assistance in preparing a written complaint. REQUEST ASSISTANCE~~ A list of resources can be found HERE [8][9]

3. The Superintendent [10] 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 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.

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 or student involved in the complaint. The Board will only hear complaints concerning students

and employees in a closed session unless the and will [11][12]not hear these types of complaints against employees in a session open to the public unless the an employee or family requests an open session.

7. If the ~~d~~District fails to meet the timelines stipulated [13] set forth in this process 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 the mutual consent agreement between 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 ~~d~~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, investigated, and responded to and for which appeals have been exhausted or the time for appeal has expired on behalf of the District and/or Board cannot be refiled when the complaint is regarding a particular incident or issue that has already been heard/addressed through the Formal Complaint process. per OAR XXXX.
13. Since Because the Board serves as the final decision maker at the Step 3 appeal venue of final appeal, Board members should not knowingly refrain from initiate or continue [14]ing or pursuing contact with complainants once a formal complaint has been filed or independently investigate allegations in the complaint.[15]

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~~ 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 ~~d~~District, or a person who resides in the ~~d~~District, may appeal a final decision by the ~~D~~istrict to the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581- 002-00540.

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 ~~d~~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 at the same time it to filing itth complaint with and~~ the Department of Education at the same time.

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](#)

DRAFT Formal Public Complaint Policy 4.50.032-P
Community Engagement Plan
September 10, 2020

The PPS Board Policy and Governance Committee is considering revisions and updates to Formal Public Complaints Policy 4.50.032-P in order to provide clarity for complainants and staff who respond to complaints and for members of the Board when appeals to complaint responses are considered.

Background

The PPS formal complaints process is an important tool for students, parents/guardians and families to pursue when resolving issues and concerns at school however, in most cases, it is recommended that families work directly with school-based staff, teachers and administrators to address problems where relationships between staff, students and families are strongest. When informal efforts aren't successful, the formal complaints policy may be an effective method for families.

In 2017, the PPS Board of Education considered and approved substantial revisions to Formal Complaints Policy 4.50.032-P. Now that the revised policy has been implemented for more than two academic years, staff and Board members have identified additional minor revisions to be considered by the Policy and Governance Committee.

Community engagement approach

Staff recognizes that there are established stakeholders (past complainants) who should be contacted to seek input regarding proposed revisions to the policy and also to ascertain what works well and identify areas for improvement as users of the policy. The community engagement process will provide an opportunity to gather feedback from a broader, more diverse set of students and families within the PPS community. A review of the total number of formal complaints filed since 2014 reveals a pattern of only one demographic (White families) accessing the district's formal complaint process. While some racial diversity was observed among the complainants who accessed this service during the 2019-2020 school year, it is likely that barriers exist for historically underserved and non-White populations. It is our intent to reach out to a variety of student and family groups during the engagement process to ensure that all students and families have the access, information and tools needed to resolve school-based issues effectively.

Stakeholders and audiences

The following table outlines the revisions and associated stakeholders and audiences staff proposes to include in the community engagement plan. Timeline TBD based on Committee input.

Current Policy Revision and Issue for Discussion	Suggested Language and/or Approach	Recommended Engagement for Students Most Impacted by Decision	Suggested Revisions to another policy (i.e. Administrative Directive)
<p>I. Page 4 section D #2: clarify the definition of “assistance” the district may provide a complainant when preparing a written complaint.</p> <p>II. Clarify that to be eligible, complainants must reside within the PPS boundary.</p> <p>III. State explicitly that once an issue has been considered at all levels, the same issue cannot be resubmitted for consideration by the same complainant.</p>	<p>I. Add to that section the following sentence: “A list of resources can be found <u>here</u> (with a hyperlink to a list of examples/types of resources offered).</p> <p>II. Add the following sentence to the policy: “The formal complaint policy and associated process applies to residents living within the PPS boundary.</p> <p>III. Add the following sentence to the policy: “Complaints that have been previously filed, investigated and responded to on behalf of the District and/or Board cannot be refiled per Oregon Administrative Rule.”</p>	<p>The following activities are recommended to solicit general feedback and for engagement regarding specific policy revisions:</p> <ul style="list-style-type: none"> ● Contact previous student complainants ● Contact previous BIPOC complainants ● Present and discuss policy and revisions with student affinity groups (TBD) ● Conduct a BIPOC family focus group (via CBOs Latino Network, IRCO, others) ● Survey all previous complainants ● Interview conflict resolution experts (PSU, City of Portland Ombudsman) 	