

Agenda

1. 12:00 pm - Introductions (5 minutes)
2. 12:05 pm - Staff Updates (0 minutes)
3. 12:05 pm - Items/Policies for discussion (2 hours 45 minutes)
 - 3.(a) 12:05 pm - 8.60.040-P Computer Use (Travis Paakii) (35 minutes)
 - Staff Recommends voting out of Committee for First Reading.
 - 3.(b) 12:40 pm - [New] Climate Crisis Response (Scott Bailey, Rita Moore, Aaron Presberg, Shanice Clark) (60 minutes)
 - Discussion about newest draft, engagement time, next steps.
 - 3.(c) 1:40 pm - [Multiple policies] Anti-Harassment Policies (Mary Kane) (35 minutes)
 - Discussion of technical amendments. Staff recommends voting out of Committee for First Reading.
 - 3.(d) 2:15 pm - Complaint Policy (Liz Large) (35 minutes)
 - Discussion of technical amendments. Staff recommends voting out of Committee for First Reading.
4. 2:50 pm - Policies in Public Comment Period (0 minutes)
5. 2:50 pm - Public Comment - 10 min.
5 Two-Minute slots
**To sign-up for public comment*
email PublicComment@pps.net
or call 503-916-3906.
6. 3:00 pm - Adjourn



Responsible Technology Use Policy- 8.60.040-P

Office of Technology & Information Services

Overview

Replaces the Acceptable Computer Use Policy Policy 8.60.040-P

The policy was written at a time when the assumption was that

- PPS owned computers were only issued to staff.
- Student computer use was in labs or via computer carts.
- Information/Services accessed would be on the PPS network.
- The policy should encompass penalties and name specific technologies

The Responsible Technology Use Policy will become a framework for
Administrative Directives

What Was Removed

The previous policy attempted to be used as a list of restrictions against technology misuse

Examples of removals

- Definitions of IT terms
- Guidance from specific laws
- System names
- Extensive lists of violations
- IT Governance procedures

What Was Added

Language that turns the policy into a Framework

- Purpose
 - Enhancement of Learning and Productivity
 - Equity and Inclusive Learning
 - Student Safety
- Responsible Deployment and Use
 - Supporting deployment in a fashion that furthers our purpose
- Fostering the Safety and Security of Users
 - No Expectation of Privacy
 - Cyberbullying and Anti-Harassment
 - Content Filtering
 - Community-Based Approach

Community Engagement

OTIS will be seeking engagement on this policy update from the extensive list of stakeholder groups affected by the change:

Discussions with school administrators via PAPSA

Survey to tech-adoption focused teachers for input

Special focus on McKinney-Vento and Title I school input

Parent survey for input regarding affected communities

District Student Council

Examples of Privacy Clauses - BSD

Beaverton Computer Use Policy, 11b

- . Files and other information, including e-mail, sent or received, generated or stored on district servers are not private and may be subject to monitoring. By using the district's system, individuals consent to have that use monitored by authorized district personnel. The district reserves the right to access and disclose, as appropriate, all information and data contained on district computers and district-owned e-mail system;

Examples of Privacy Clauses - WA schools

No Expectation of Privacy

The district provides the network system, e-mail and Internet access as a tool for education and research in support of the district's mission. The district reserves the right to monitor, inspect, copy, review, and store, without prior notice, information about the content and usage of:

- A. The district network, including when accessed on students' personal electronic devices and on devices provided by the district, such as laptops, netbooks, and tablets;
- B. User files and disk space utilization;
- C. User applications and bandwidth utilization;
- D. User document files, folders and electronic communications;
- E. E-mail;
- F. Internet access; and
- G. Any and all information transmitted or received in connection with network and e-mail use.

No student or staff user should have any expectation of privacy when using the district's network. The district reserves the right to disclose any electronic messages to law enforcement officials or third parties as appropriate. All documents are subject to the public records disclosure laws of the State of Washington.

Examples of Privacy Clauses - Eugene PS 4J

Staff and student users of 4JNet must be aware that information accessed, created, sent, received, or stored on the network is not private. It is subject to review by network system administrators, lawyers, and others who may investigate complaints regarding inappropriate or illegal material

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Examples of Privacy Clauses - SFUSD

viii. Expectation of Privacy

- 1 The District is the owner of all relevant hardware and software and asserts its right to review and exercise its ownership at any time by search of the system and its equipment, and any information on it. There is no expectation of privacy for users of the network. The District reserves the rights to review, copy, modify, delete or disclose to third parties any material created, saved or accessed under any user account and to monitor, review and inspect any computer files. Files subject to this provision may reside on any file or e-mail server, computer workstation, backup media, removable media, floppy disk or any other file storage located on District systems to make determinations as to whether specific uses of the network are inappropriate. Users have no privacy expectations in the contents of their personal files and records stored on District systems or of their online activity stored on District systems while using the District system.
- 2 The District may conduct searches of the District media/devices used by students. As a condition of using District technology or devices, the student and parents agree to such searches and monitoring of District systems.

8.60.040-P Responsible Technology Use**Computer Use****I. ~~Electronic Communications Network~~**

~~The district has established PPSNet, an electronic communications network (network) for electronic communication and access to, and use of, the World Wide Web. Use of the network for access and development on the World Wide Web, e-mail, chat rooms and other forms of direct electronic communication is intended for educational and administrative purposes.~~

II. ~~Definitions~~

- ~~(1) Educational and administrative purposes includes use of the network for teaching and learning in district classrooms, professional and career development, research and district-related administrative activities.~~

III. ~~Responsibilities~~

- ~~(1) The superintendent or designee will manage the district network.~~
- ~~(2) Each building principal or designee will be responsible to coordinate building level activities, including appropriate computer training for the use of the network, supervision of the use of the network, and enforcement of all computer use policies in compliance with this policy.~~
- ~~(3) The superintendent or designee is authorized to develop administrative directives and other guidelines for the use of the network that are in compliance with the Children's Internet Protection Act (CIPA), this policy and all other district policies. These regulations include but are not limited to acceptable use regulations, setting network account limits, network security and World Wide Web guidelines.~~
- ~~(a) The administrative directives shall be consistent with sound guidelines as may be provided by the education service districts, the Oregon Department of Education and/or the Government Standards and Practices Committee and will include a complaint procedure for reporting violations.~~

IV. ~~Access to Network~~

- ~~(1) The network, including hardware, software and data, is for the use of district students, employees, Board members and others with permission from the superintendent or designee. The district may determine the extent to which students at their respective grade levels are granted access to the network.~~
- ~~(2) Use of any electronic communication service provided by the district is conditioned upon acceptance of all guidelines found within this policy, as well as any administrative directive or other official regulation~~

8.60.040-P Computer Use

relating to computer use and acceptable use by employees and students.

- (3) District employees and students shall take reasonable precautions to prevent others from using their accounts. Passwords are issued to district employees and students and shall not be provided to any other person. District employees and students shall not allow another to use their password or use another person's password to access the network.

V. Internet Safety

- (1) In accordance with the Children's Internet Protection Act (CIPA), the Board authorizes staff to implement and operate technology protection measures, including filtering devices, specifically, in accordance with CIPA.
- (a) The district will prohibit access by minors to inappropriate material on the internet and World Wide Web, as defined by CIPA, through the use of filtering devices. Inappropriate access for minors includes materials that are obscene, child pornography or other material harmful to minors.
- (b) The district will enforce the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications (e.g., instant messaging services).
- (c) Unauthorized access, including so-called hacking and other unlawful activities, by district employees or students online is prohibited.
- (d) Unauthorized disclosure, use, and dissemination of personal identification information regarding minors are prohibited.

VI. Violations

- (1) All disciplinary procedures will be conducted in accordance with federal law, state law, applicable Board policies and administrative directives and, where applicable, appropriate collective bargaining agreements.
- (2) Failure to abide by district policies and administrative directives governing use of the network may result in the suspension or revocation of network access. Additionally, student violations may result in discipline up to and including expulsion. Employee violations may result in discipline up to and including dismissal. Fees, fines or other charges may also be imposed. When applicable, sanctions will be in accordance with the appropriate collective bargaining agreement. Violations of the law will be reported to law enforcement officials.

~~8.60.040-P Computer Use~~ **B**

~~VII. District Web Site~~ **O**

- ~~(1) In addition to the purposes set forth in this policy regarding educational and administrative purposes, the purposes of the district's Web site include providing information about the district and functioning as a district communication tool.~~
- ~~(2) All Web content shall be consistent with the purposes for which the computer network was created.~~
- ~~(3) All district information shall reside at the domain pps.k12.or.us. Material hosted at other domains or by outside Internet service providers is not to be construed as official district information.~~
- ~~(4) The superintendent or designee will designate a Web manger to oversee management of the district's Web site. See administrative directive District Web Site 8.60.043-AD.~~
- ~~(5) Schools may establish Web content within the district Web site. Content and management of those pages shall conform to the administrative directive District Web Site 8.60.043-AD.~~
- ~~(6) Departments and other district units, including schools or programs, may establish Web pages or other Web content within the district Web site. Content and management of those pages shall conform to the administrative directive District Web Site 8.60.043-AD.~~
- ~~(7) With the approval of the building principal or department director, school-related organizations such as classes, curricular clubs or PTAs may establish Web pages. Content and management of such pages shall conform to the administrative directive District Web Site 8.60.043-AD.~~

~~VIII. Limitations of Liability and Indemnification~~

- ~~(1) The district makes no warranties of any kind, either express or implied, that the functions or services provided by or through PPSNet will be error-free or without defect. The district is not responsible for any damage the user may suffer, including but not limited to loss of data or interruptions in service. Furthermore, the district is not responsible for the accuracy or quality of information obtained through or stored on PPSNet.~~
- ~~(2) The district is not responsible for financial obligations arising through the use of PPSNet unless the district has agreed to the obligation before it is incurred.~~

~~Responsible Technology Use~~**1. Scope**

The District provides access to District approved technology devices, networks, accounts, software, and internet-based resources (“Technology Resources”) in order to enhance the education of students. Technology Resources improve student communication and extend learning beyond the classroom walls while building digital citizenship skills. Students and staff accessing technology are expected to conduct themselves in a responsible, courteous, efficient, and legal manner as further outlined in this Policy.

2. Purpose**a. Enhancement of Learning and Productivity**

District Technology Resources will be deployed and used for teaching and learning in District classrooms, comprehensive distance learning, professional and career development, and research and district-related administrative activities.

b. Equity and Inclusive Learning

Equity considerations will drive District decisions about the development, distribution, and use of Technology Resources in order to ensure equitable access for every user.

c. Student Safety

Technology Resources will be deployed and used in a way that fosters a culture of safety and respect for everyone. Social, emotional, and physical well-being are crucial to academic and professional success.

3. Responsible Deployment and Use of Technology Resources

a. Technology Resources will be deployed and used in compliance with applicable laws and other District policies.

b. Technology Resources will be deployed and used in a manner that supports the District purposes of learning and productivity, equity and inclusive learning, and a safe and respectful environment.

c. The District will develop an Administrative Directive and acceptable use guidelines for users regarding the deployment and use of District Technology Resources, including access to Internet and social media, and regulation of use of District and personal electronic resources on District assets.

4. Fostering Safety and Security of Users

No Expectation of Privacy

The safety and security of District Technology Resources is the shared responsibility of the District. The District may monitor, intercept, and review, without further notice, activities occurring on the District's Technology Resources. Users should have no expectation of privacy while using District Technology Resources.

The District shall establish protocols for review of activity.

b. Cyberbullying and Anti-harassment

District policies prohibiting harassment and bullying apply to the use of District Technology Resources. Technology Resources will not be used in a manner that may be construed by others as bullying, harassing or offensive. [link to anti-harassment policy]

c. Filtering Software

As a component of District Internet safety measures, all District-owned technology resources, including computer networks in all District facilities capable of accessing the Internet will use filtering software to restrict access to obscene, racist, hateful or violent material. However, the District cannot ensure that a student will never be able to access objectionable material.

d. Community-based Approach

While District staff will make reasonable efforts to supervise student access and use of Technology Resources, fostering the safety and security of students and staff requires a community-based approach.[link to digital citizenship guidelines]

5. Violations

a. If a user violates District Policies, Administrative Directives, or guidelines for Technology Resources or Responsible Use, District staff will notify the Office of Technology and Information Services.

b. Violations may include discipline or other sanctions consistent with District Policies, Administrative Directives, guidelines, or Student's Rights and Responsibilities Handbook, up to and including expulsion or termination of employment.

6. Administrative Directive [hyperlink]

Legal References: ORS 30.765; ORS 163.435; ORS 164.345; ORS 164.365; ORS 167.060; ORS 167.065; ORS 167.070; ORS 167.080; ORS 167.087; ORS 167.090; ORS 167.095; ORS Chapter

8.60.040-P Computer Use

192; ORS 332.107; ORS 336.222; ORS 33.9250; ORS 339.260; ORS 339.270; OAR 581-021-0050; OAR 581-021-0055; OAR 584-020-0040; OAR 584-020-0041; Children's Internet Protection Act, 47 U.S.C. Section 254 (h) and (l); 47 CFR Section 54,520 (2001); Copyrights, Title 17, as amended. United States Code; 19 CFR Part 133 (2000); Oregon Attorney General's Public Records and Meetings Manual pp. 22-24, Appendix H, Department of Justice (1999); Drug-Free Schools and Communities Act of 1986, P.L. 99 570 20 U.S.C. Section 7105; Drug-Free Workplace Act of 1988. P.L. 100-690, Title V, Subtitle D, Sections 5151-5160, 102 Stat.4305-4308; Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226,103 Stat. 1928 et. seq.; Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213, 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000); Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g;34 CFR Part 99 (2000).

History:

PPS Climate Crisis Response Policy 3.30.080-P V.19

In response to the human-caused climate crisis currently underway and the direct harm being done to our District, society, and planet, Portland Public Schools is committed to immediately mobilizing resources and taking action to restore a safe climate. To this end, the District commits to reducing greenhouse gas (GHG) emissions and minimizing other environmental impacts; improving our school communities' health and wellness; and building a culture of learning, responsibility, and sustainability centered on our values of racial equity and environmental justice.

The District shall prioritize efforts that have the largest environmental return on investment for immediate action, while integrating environmental sustainability into our curriculum and developing a culture of environmental stewardship throughout our organization. Other goals which have a lower impact and require major changes in infrastructure can be implemented over the longer term.

The District aims to educate and empower students to be leaders in creating a sustainable city and society. The District wants all students to be environmentally literate and to understand the connections between their daily actions and the environment by using the environment as a context for achieving academic goals and civic action.

Our two overarching goals are:

Emissions Reduction and Resilience: PPS will reduce its carbon emissions by 50 percent from 2010 levels by 2030 and reach net zero emissions by 2050 while making PPS systems more resilient to environmental impacts that are now unavoidable.

Engagement and Preparedness: All PPS staff and students will have opportunities to learn about and engage in climate solutions, climate change preparedness, and climate justice practices.

We will align our work with the U.S. Department of Energy's Green Ribbon School Pillars. In accordance with those pillars, PPS is adopting the following goals.

Pillar 1: Reduce Environmental Impact and Costs

Goal 1.1: PPS will design, construct, and operate new schools and renovations that are energy-efficient and high-performance – conserving energy while reducing GHG emissions. The District will:

1. Use appropriate industry standards (e.g. LEED Gold, Net-Zero ready) when designing new and modernized buildings.
2. Prohibit the installation of fossil fuel infrastructure (gas-fired equipment) in all new buildings and major modernizations from here on out. Phase out fossil fuel infrastructure (gas-fired equipment) in all existing buildings by 2050.
3. Increase energy efficiency and minimize the indirect use of fossil fuels.
4. Limit the amount of refrigerants used.
5. Transition to building materials that generate less carbon when produced and are more sustainable (e.g. green concrete).
6. Design buildings to recover quickly from climate impacts (fires, floods, landslides, heat).
7. Design, renovate, and construct new facilities to maximize resiliency to heat, smoke, flooding, and storms to protect district assets and provide community respite during climate related emergencies.
8. Include infrastructure for reusable trays, utensils, and milk dispensers at new schools and add infrastructure for reusable trays and utensils in schools where feasible.

Goal 1.2: PPS will maximize reductions in GHG emissions from district operations, maintenance, and facilities management. The District will:

1. Maximize efficiency in fuel, electricity, and water use. Projects must advance current energy efficiency goals.
2. Establish standardized systems for waste prevention, reuse, recycling, and food waste in all campuses.
3. Minimize disposable materials and fully utilize all materials before disposal.

Goal 1.3: PPS will maximize the carbon-absorbing potential of grounds and increase the ability of grounds to adapt to climate extremes. The District will:

1. Maximize onsite stormwater infiltration capacity using techniques such as installing bioswales, rain gardens, de-paving projects, eco-roofs, and other stormwater management measures, in preparation for intense rain and potential flooding, while maintaining accessibility for those who use wheelchairs or need other walking assistance.
2. Phase out gas powered equipment used for grounds maintenance.
3. Decrease water consumption and phase out the use of pesticides and herbicides.
4. Increase shade trees, pollinator habitats, and de-pave projects, with highest priority in low-canopy neighborhoods.
5. Establish maintenance plans to care school grounds, including through community partnerships and student stewardship programs.
6. Study risk maps of district-owned sites and populations most vulnerable to climate impacts, and plan ADA accessible grounds improvements accordingly.

Goal 1.4: PPS will minimize greenhouse gas emissions from student and staff transportation. The District will:

1. Evaluate bus routes annually to improve route efficiencies and capacities.
2. Transition PPS and contracted vehicle fleet to electric or low emissions, renewable fuels, based on a vehicle life-cycle evaluation of carbon impact.
3. Improve the “no idle” policy to lessen emissions for fleet vehicles, buses, and family cars at schools.
4. Establish incentives for staff to walk, bike, bus or telecommute, in order to reduce single-occupant car commuting.

Goal 1.5: PPS will reduce the demand for new materials and resources, and procure materials, products, and services in a manner that integrates climate considerations, fiscal responsibility, and equity priorities. The District will:

1. Where feasible, divest banking investments from fossil fuel industries.
2. Purchase products based on long-term environmental and operating costs and include ecological and resulting social costs in purchasing decisions.
3. Implement a life-cycle analysis tool or criteria to evaluate and prioritize products based on durability, reusability, locally made, sustainably produced, biodegradable, responsibly packaged, recycled content, and non-toxic.
4. Incorporate climate impact standards and climate justice standards in all purchases, contracts, and RFPs for services and goods.
5. Transition from virgin paper to maximum post-consumer recycled content paper goods.
6. Transition to electronic communication for the District, (e.g., internal memos, pay stubs, HR paperwork, contracts, and agendas).
7. Use bulk serving over single-use plastic packaging when possible.
8. Incorporate management of durable trays, utensils, collecting food scraps, and recycling into staff responsibilities.
9. Donate excess food that would otherwise be collected as food waste.

Pillar 2: Improve Health and Wellness

Goal 2.1: PPS will address climate-based impacts on health, safety, and wellness. The District will:

1. Include climate change impacts as a risk in district asset management and assess district properties at risk of flooding, landslides, and wildfire-related problems.

2. In consultation with labor organizations, implement health and safety standards to ensure a climate-safe work environment (protected from heat, smoke, and pollution).
3. Work with partners to promote safe routes to schools and invest in walk and bike infrastructure on school property.
4. Prioritize foods that are local, organic, seasonal, plant-based, minimally processed and/or minimally packaged, and lower embodied carbon while meeting requirements of the National School Lunch Program.

Pillar 3: Provide Effective Environmental and Sustainability Education

Goal 3.1: PPS will empower frontline communities to build resiliency from climate change induced stresses and support preparation for and recover from these events. The District will:

1. Identify and monitor climate trends and impacts on district families, especially groups vulnerable to impacts of extreme heat and poor air quality.
2. Develop and distribute accessible and culturally appropriate communications to help families understand, prepare for, and respond to climate impacts such as heatwaves, smoke, heavy rain, and flooding. For families in areas susceptible to flooding or heat-island effect, provide targeted information and resources.
3. Host climate related emergency preparedness event(s) for students, staff, and teachers.

Goal 3.2: PPS will empower all PPS teachers and staff as allies for a healthy climate. The District will:

1. Identify climate considerations of various roles and add climate justice responsibilities to job descriptions.
2. Provide learning opportunities for all staff on key aspects of climate science/climate justice, and the mobilization needed to respond.
3. Provide annual training to custodians, kitchen staff, teachers, principals, and all school staff related to climate impacts and solutions relevant to their job, establish accountability and integrate sustainable practices into each position.
4. Review and remediate inadequate capacity and compensation for staff taking on extra responsibility for climate crisis response efforts.
5. Increase capacity of school and district staff to respond to climate-related crises to safeguard lives, health, facilities assets, and environment.
6. Create a site-based staff leadership program to support sustainability efforts at their schools and receive a small stipend for the additional required work. This program will develop a network of on-the-ground implementers that serve to rally school efforts and keep a pulse on what is working at each school.
7. Support all schools in working towards participating in the Oregon Green Schools certification program.

Goal 3.3: With the help of BIPOC students and communities, PPS will develop curricular learning opportunities, so PPS graduates know the causes and consequences of climate change, understand climate justice, and have opportunities to practice climate solutions. The District will:

1. Consider climate science and anti-racist climate justice content (that includes representation of people with disabilities) before approving new curricula and/or teaching materials.
2. Offer climate justice learning opportunities that are culturally relevant, solutions focused, designed to build a sense of personal efficacy, focusing on individual behaviors and understanding ways to make changes in bigger systems.
3. Increase workforce training in living-wage green jobs, with special opportunities for students from frontline communities.
4. Develop and deliver content to help students understand, prepare for and respond to likely climate change impacts, with special support and resources available to schools serving the most vulnerable populations.
5. Provide student opportunities to learn about the global food production system, its carbon impact, and related issues like hunger and food waste.
6. Support partner organizations that provide hands-on, place-based, experiential climate education for students.

Goal 3.4: PPS will create opportunities for students to engage in hands-on climate learning, preparation, and practice on a regular basis at all PPS schools. The District will:

1. Support development of youth leadership and engagement opportunities around climate solutions.
2. Create meaningful opportunities for BIPOC and low-income communities to shape the development and implementation of climate related programs.
3. Support student-led climate justice, climate action, and climate resiliency initiatives.
4. Support student and staff participation in non-partisan advocacy to local, state, and federal jurisdictions for common sense climate policies.
5. Update school emergency response plans to address climate-related hazards, including flood, extreme heat, landslides, and wildfire. Plans should emphasize protecting and serving low-income populations, communities of color, and people with disabilities.
6. Treat the grounds and garden of each school as a learning space and involve students in nature-based grounds improvements and design.
7. Create annual District-level opportunities to exhibit student projects related to sustainability and climate action.
8. Support youth leaders in their ongoing and critical role in ensuring student engagement practices become standardized in District processes.

To be moved to the resolution:

Reporting and Communications

The Superintendent shall develop a plan to implement this policy. The plan shall establish metrics to evaluate progress on each of the above goals. The plan will include a communications strategy to:

1. Communicate progress on the goals of the plan.
2. Share climate justice awareness materials (i.e., video, website) with staff and families.
3. Continually revise the effectiveness of the district's Climate Crisis Response Policy Administrative Directive as needed to reflect changing realities and innovations.
4. Transmit official copies of this policy and progress reports via the District Clerk to: The Superintendent, the State Superintendent of Education, the Oregon State Board of Education, the Congressional Climate Solutions Caucus, the Oregon School Board Association, our state and national representatives, and all district staff.

Climate Crisis Response Committee

The Superintendent shall establish a Climate Crisis Response Committee (CCRC). The CCRC will include representatives from frontline communities, students, parents, teachers, scientists, administrators, businesses, environmental non-profits, and the PPS Climate Justice Committee. CCRC will provide regular progress reports to the School Board. A PPS administrative position will be created to help with implementation, monitoring and reporting.

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9. Donate excess food that would otherwise be collected as food waste.

Pillar 2: Improve Health and Wellness

Goal 2.1: PPS will address climate-based impacts on health, safety, and wellness. The District will:

1. Include climate change impacts as a risk in district asset management and assess district properties at risk of flooding, landslides, and wildfire-related problems.

2. In consultation with labor organizations, implement health and safety standards to ensure a climate-safe work environment (protected from heat, smoke, and pollution).
3. Work with partners to promote safe routes to schools and invest in walk and bike infrastructure on school property.
4. Prioritize foods that are local, organic, seasonal, plant-based, minimally processed and/or minimally packaged, and lower embodied carbon while meeting requirements of the National School Lunch Program.

Pillar 3: Provide Effective Environmental and Sustainability Education

Goal 3.1: PPS will empower frontline communities to build resiliency from climate change induced stresses and support preparation for and recover from these events. The District will:

1. Identify and monitor climate trends and impacts on district families, especially groups vulnerable to impacts of extreme heat and poor air quality.
2. Develop and distribute accessible and culturally appropriate communications to help families understand, prepare for, and respond to climate impacts such as heatwaves, smoke, heavy rain, and flooding. For families in areas susceptible to flooding or heat-island effect, provide targeted information and resources.
3. Host climate related emergency preparedness event(s) for students, staff, and teachers.

Goal 3.2: PPS will empower all PPS teachers and staff as allies for a healthy climate. The District will:

1. Identify climate considerations of various roles and add climate justice responsibilities to job descriptions.
2. Provide learning opportunities for all staff on key aspects of climate science/climate justice, and the mobilization needed to respond.
3. Provide annual training to custodians, kitchen staff, teachers, principals, and all school staff related to climate impacts and solutions relevant to their job, establish accountability and integrate sustainable practices into each position.
4. Review and remediate inadequate capacity and compensation for staff taking on extra responsibility for climate crisis response efforts.
5. Increase capacity of school and district staff to respond to climate-related crises to safeguard lives, health, facilities assets, and environment.
6. Create a site-based staff leadership program to support sustainability efforts at their schools and receive a small stipend for the additional required work. This program will develop a network of on-the-ground implementers that serve to rally school efforts and keep a pulse on what is working at each school.
7. Support all schools in working towards participating in the Oregon Green Schools certification program.

Goal 3.3: With the help of BIPOC students and communities, PPS will develop curricular learning opportunities, so PPS graduates know the causes and consequences of climate change, understand climate justice, and have opportunities to practice climate solutions. The District will:

1. Consider climate science and anti-racist climate justice content (that includes representation of people with disabilities) before approving new curricula and/or teaching materials.
2. Offer climate justice learning opportunities that are culturally relevant, solutions focused, designed to build a sense of personal efficacy, focusing on individual behaviors and understanding ways to make changes in bigger systems.
3. Increase workforce training in living-wage green jobs, with special opportunities for students from frontline communities.
4. Develop and deliver content to help students understand, prepare for and respond to likely climate change impacts, with special support and resources available to schools serving the most vulnerable populations.
5. Provide student opportunities to learn about the global food production system, its carbon impact, and related issues like hunger and food waste.
6. Support partner organizations that provide hands-on, place-based, experiential climate education for students.

Goal 3.4: PPS will create opportunities for students to engage in hands-on climate learning, preparation, and practice on a regular basis at all PPS schools. The District will:

1. Support development of youth leadership and engagement opportunities around climate solutions.
2. Create meaningful opportunities for BIPOC and low-income communities to shape the development and implementation of climate related programs.
3. Support student-led climate justice, climate action, and climate resiliency initiatives.
4. Support student and staff participation in non-partisan advocacy to local, state, and federal jurisdictions for common sense climate policies.
5. Update school emergency response plans to address climate-related hazards, including flood, extreme heat, landslides, and wildfire. Plans should emphasize protecting and serving low-income populations, communities of color, and people with disabilities.
6. Treat the grounds and garden of each school as a learning space and involve students in nature-based grounds improvements and design.
7. Create annual District-level opportunities to exhibit student projects related to sustainability and climate action.
8. Support youth leaders in their ongoing and critical role in ensuring student engagement practices become standardized in District processes.

To be moved to the resolution:

Reporting and Communications

The Superintendent shall develop a plan to implement this policy. The plan shall establish metrics to evaluate progress on each of the above goals. The plan will include a communications strategy to:

1. Communicate progress on the goals of the plan.
2. Share climate justice awareness materials (i.e., video, website) with staff and families.
3. Continually revise the effectiveness of the district's Climate Crisis Response Policy Administrative Directive as needed to reflect changing realities and innovations.
4. Transmit official copies of this policy and progress reports via the District Clerk to: The Superintendent, the State Superintendent of Education, the Oregon State Board of Education, the Congressional Climate Solutions Caucus, the Oregon School Board Association, our state and national representatives, and all district staff.

Climate Crisis Response Committee

The Superintendent shall establish a Climate Crisis Response Committee (CCRC). The CCRC will include representatives from frontline communities, students, parents, teachers, scientists, administrators, businesses, environmental non-profits, and the PPS Climate Justice Committee. CCRC will provide regular progress reports to the School Board. A PPS administrative position will be created to help with implementation, monitoring and reporting.

1.80.020-P Anti-Harassment/NonDiscrimination Policy	Revise		Add Retaliation language.
4.30.060-P Anti-Harassment	Revise and rename	Required by ORS 339.356 and ORS 342.704	Incorporate parts of Teen Dating Violence Policy and requirements of ORS 342.704 as it relates to students. Amend the document to be student-centered.
4.30.070-P Teen Dating Violence/Domestic Violence Policy	Rescind	Required by ORS 339.366	Statute allows for incorporation of teen dating violence to be included in 4.30.060-P
5.10.030-P Grievance Procedure-Sex Discrimination	Rescind		This policy was developed in 1976 to outline T9 grievance procedures. It is out of date and should be rescinded. T9 procedure has been incorporated into the workplace harassment AD.
5.10.060-P Workplace Harassment	Revise	Make compliant with ORS 342.704 Required by ORS 659A and ORS 243	Adds the additional definition of sexual harassment from ORS 342.704 to the definition found in ORS 659A and ORS 243.
5.10.062 Sexual Harassment-Staff to Student	Rescind	Required by 342.704	This policy is woefully out of date and does not track with current language of statute.
5.10.064-P Professional Conduct Policy	Revise and renumber		This policy should be revised to include the language required by 342.704, including its definition of sexual harassment. May also want to include references to AD for guidance on process/appeal for sexual conduct (5.10.062-AD) and then develop an AD to address sexual harassment process under 342.704.

4.30.011-AD Student Conduct and Discipline Implementation Framework	Revised	
4.30.061-AD Transgender, Nonbinary and Gender Diverse Students	Revised	
4.30.071-AD Harassment, Sexual Violence, and Teen Dating Violence Procedures and Prevention-Students	Revise to conform with current procedures	
5.10.061-AD Sexual Harassment Complaint Procedure	Revised and renamed the Workplace Harassment AD	
5.10.063-AD Prohibition Against Employee Child Abuse and Sexual Conduct with Students	Review and revise if amendments made to SB 155 currently under legislative review	

Draft 4/21/21

5.10.060-P Workplace Harassment

- (1) All District work environments should be free from any form of harassment, including sexual harassment. All District employees, school board members, volunteers, and contractors, must avoid any conduct or action that could be characterized as harassment of another employee, whether that occurs in the workplace or off District premises.
- (2) Workplace harassment means conduct that constitutes discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status, age, disability, expunged juvenile record, and any other discrimination prohibited by law and includes sexual assault.
- (3) Sexual harassment ~~assault~~ means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation and includes any unwelcome sexual advances, requests for sexual favors, physical contact, or any other unwelcome conduct, verbal or nonverbal, of a sexual nature when:
 - (a) The employee's submission to, or rejection of, the conduct is made either an implicit or explicit term or condition of employment (including wages, evaluation, advancement, retention, assigned duties, or other employment-related matters);
 - (b) The conduct by supervisors or other District employees, school board members, contractors, and volunteers, that has the purpose or effect of substantially interfering with an individual's work performance; or
 - (c) The conduct by supervisors or other District employees, school board members, contractors, and volunteers, that has the effect of creating an intimidating, hostile, or offensive working environment.
 - (A) **Verbal conduct** includes sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, and threats.
 - (B) **Nonverbal conduct** includes sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting noises, obscene gestures, whistling, and leering.
 - ~~(C)~~ **Physical conduct** includes unwanted physical contact such as touching, pinching, brushing the body, coerced sexual intercourse, or assault.

(C) ~~(4)~~

(4) Sexual harassment also includes assault which occurs when sexual contact occurs without a staff member's consent because the staff member is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats.

~~(4)~~(5) No District employee, school board member, contractor, or volunteer may use the authority of their position to subject any employee to sexual harassment, as described above, or to coerce, encourage, or force another into a romantic relationship.

~~(5)~~(6) When it is brought to their attention, administrators and supervisors must take affirmative steps to stop workplace harassment, including sexual harassment of subordinates or non-employees, including warning, discipline, and recommending possible dismissal of the offending staff.

~~(6)~~(7) Any District employee who believes they have been subject to workplace harassment may file a report with

- (a) their supervisor
- (b) the Human Resources Department Complaint hotline
- (c) the Oregon Bureau of Labor and Industries' (BOLI) complaint resolution process [or](#)
- (d) ~~or~~ through other avenues available under civil or criminal law.

~~(e)~~ Any person who believes they have been subject to workplace harassment should also make a report of sexual harassment to the Title IX Director for the District.

~~(7)~~(8) All reports ~~incidents~~ of behavior that may violate this policy shall be promptly investigated. The District will make every reasonable effort to safeguard employee privacy and preserve confidentiality to the extent the investigative process allows.

~~(8)~~(9) The District will not tolerate retaliation by any District employee, school board member, contractor, or volunteer, against any person who in good faith reports conduct believed to constitute workplace harassment. The District may discipline employees who retaliate in violation of this policy, provide false information, or make a complaint in bad faith. The District may take any other action it deems necessary in response to similar conduct from a contractor or volunteer.

- (10) The District may not require or coerce an employee who makes an allegation of workplace harassment to enter into a nondisclosure or nondisparagement agreement unless it complies with ORS 659A.
- (11) District employees who makes a report of workplace harassment shall be provided all information required by law, including, timelines for

relief for available administrative or judicial remedies.

5.10.060-P

(12) All complaints of harassment directed toward non-employees should be addressed under the District's Nondiscrimination/Anti-Harassment Policy, 1.80.020-P.

Legal References: ORS 659A.001 et seq. ORS 342.700 to 342.708; ORS 342.865
Title VI of the Civil Rights Act of 1964,
Title VII of the Civil Rights Act of 1964,
Title IX of the Education Amendments of 1972, 20 U.S.C.A., 1681-1683 (2018)
Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

History: Adpt. 9/25/97; Amd. 2/99, 5/20

[INSERT Link to AD]



**Professional Conduct Between
Adults and Students**

Draft 4/21/21

PURPOSE

District staff show extraordinary dedication and care in their daily work with students. A hallmark of this commitment is the development of strong relationships between adults and students. We believe that:

- A. Children are always learning about healthy relationships, and their most significant learning about relationships comes from how adults behave.
- B. Consistent relationship boundaries help children feel safe. Boundaries help them trust adults and help them know what is healthy behavior.
- C. Children need adults to be adults. Adults’ behaviors set the conditions for healthy relationships.
- D. Adults are responsible for creating safe spaces.

The purpose of this policy is to establish common understanding and expectations for all adults in our District on setting consistent and safe boundaries with students. Those boundaries maintain the healthy relationships and safe spaces that students need to thrive.

GENERAL STANDARDS & DEFINITIONS

- A. For purposes of this policy, **except as specifically noted**, “adults” include any and all District employees, coaches, substitutes, contracted service providers, and volunteers in their interactions with students in District schools and programs.
- B. “Student” means any person: (1) Who is: (a) In any grade from pre-kindergarten through grade 12; or (b) Twenty-one years of age or younger and receiving educational or related services from an education provider that is not a post-secondary institution of education; or (2) Who was previously known to the adult covered under this policy as a



**Professional Conduct Between
Adults and Students**

student and who left school or graduated from high school within 90 days of any alleged conduct violating this policy.

- C. For purposes of this policy, the term “legitimate educational purpose” includes matters or communications related to teaching, counseling, athletics, extracurricular activities, social-emotional support that serves the interest of the student, treatment of a student’s physical injury or other medical needs, school administration, or other purposes within the scope of the adult’s employment or other District-related duties.

- D. A “boundary violation” is behavior or interaction by an adult with a student that has no legitimate educational purpose and has the potential to cause harm to the student.

- E. All adults should maintain the highest professional and ethical standards when interacting with students. These standards are defined by the Oregon Teacher Standards and Practices Commission and by District policy.

- F. Volunteers play unique and important roles in students’ lives, and many also have relationships outside the school setting. **This policy applies to volunteers in the context of their volunteer commitment with the District.** The District expects volunteers to maintain appropriate conduct with students when they are engaged in District-authorized activities as outlined in this and other policies.

GUIDELINES FOR INTERACTIONS BETWEEN ADULTS AND STUDENTS

A. General Guidelines and Required Training

The interactions and relationships between adults and students should be based upon respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the educational mission of our schools.

Adults may not intrude or appear to intrude on a student’s physical and



**Professional Conduct Between
Adults and Students**

emotional boundaries unless the purpose of the interaction is to serve a legitimate educational purpose.

Adults with direct, unsupervised contact with students are required to complete annual training provided by the District on sexual conduct prevention to provide guidance and establish appropriate professional boundaries for student-adult interactions.

We recognize that forming a relationship with students is an important aspect of teaching; however, adults should not engage in discussions with students when its purpose is to meet the adult’s personal needs rather than the student’s needs. If a student initiates a discussion about a significant personal or family problem, adults are encouraged to seek guidance from appropriate resources such as their principal or school counselors, as needed.

B. Conduct Outside a School Setting

Adults shall use good judgment in their relationships with students beyond their work responsibilities and/or outside the school setting. Informal and social involvements with individual students should be based on appropriate professional boundaries. Volunteers with community-based relationships with students are not subject to this provision in their relationships with those students in non-District settings. In addition to regular classroom instruction and extracurricular activities, staff members may also act in their professional capacity outside of the school day—for example, in providing before- and after-care, tutoring to improve students’ academic skills, mentoring that provides students with positive role models, answering questions about school assignments, hosting school-sanctioned or school-sponsored activities and events. We recognize that adults will also encounter students out in our community in the normal course of their personal lives.

Even during non-school hours, when District employees and third-party contractors are acting in their professional capacity, they must maintain at all times ethical standards consistent with Teachers Standards and Practices



**Professional Conduct Between
Adults and Students**

Commission (TSPC) standards and District policies.

One-to-one tutoring and mentoring offered during school or non-school hours must take place at the school unless the principal or appropriate supervisor has received prior notification of an off-site location and written permission from the parent/guardian has been obtained. Unless otherwise approved by the principal or other District administrator, volunteers on District property must be under the supervision of a District staff member.

C. Appropriate Personal and Community Relationships

There may be circumstances where there is an appropriate personal relationship between staff and a student's family that exists independently of the staff member's position with the District (*e.g.*, when the families' children are friends). This policy is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships.

The District understands that adults may be involved in other roles in the community through civic, religious, family, athletic, scouting, private tutoring, or other organizations and programs whose participants may include District students. This policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, staff members are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

D. Appropriate Use of Email, Websites & Social Media

The District allows and supports the use of technology to communicate transparently and for legitimate educational purposes. As with all forms of communication, adults are expected to maintain professional boundaries with students when communicating via electronic communications and social media.



**Professional Conduct Between
Adults and Students**

Staff or students may use approved educational websites if such sites are used solely for legitimate educational purposes.

1. Email Communication

All email communications from employees to students must be through a PPS-provided email address as described in the District’s Acceptable Use Policy (8.60.40) and Social Media Administrative Directive 8.60.045-AD.

2. Social Media

District employees who wish to use social media as a tool to assist them in their professional duties must maintain separate accounts for professional and personal social media use and may follow or accept requests to connect from students only through their professional social media presence established consistent with the requirements set forth in the Social Media Administrative Directive 8.60.045-AD. Staff should have no expectation of privacy when communicating to students, including on a social media platform (*e.g.* Facebook, Twitter). Staff should not promise students absolute confidentiality in their communications.

3. Group Text Messages

The use of group text messaging has become a convenient tool for coaches and other staff working with students to relay information. District employees and third-party contractors shall use this method of communication only with both District approval and parental knowledge. Text messages to individual students through District-approved platforms shall contain only information with a legitimate educational purpose.



**Professional Conduct Between
Adults and Students**

E. IN-PERSON INTERACTIONS

1. One-on-one meetings with students

There will be times when adults are alone with students to discuss legitimate educational issues, including discipline or academic performance, for example. When possible, adults should meet one-on-one with students in a public space, such as libraries, open classrooms, or in places observable by others, such as offices or classrooms with windows and unlocked, ajar doors. When supporting students with sensitive issues, as is common for staff such as counselors and social workers, it is appropriate to provide a private setting. To maintain transparency, it is also good practice to let others know when and where meetings with a student will occur.

2. Personal communication with students

Connecting with students and building rapport is an important component to the staff-student relationship, and adults should promote healthy relationships with all students.

There are many times when a staff member's request for personal information is for a legitimate educational purpose. For example, personal reflection, relationships, or experiences are often part of a journaling exercise, and this policy is not intended to interfere with or impede this type of educational activity. It is appropriate for adults to check in with students about their well-being and/or whether they need any support with their school work. This policy does not prohibit that kind of healthy support of students.

If a student discloses information about the student's significant personal or family problems, adults are expected to seek guidance from appropriate resources such as their principal or school counselor, as needed.



Professional Conduct Between Adults and Students

Adults are also expected to bring their concerns to their supervisor's attention when they have reason to believe a student is or may be becoming overly attached to or interested in them or other staff.

3. Traveling with or transporting students

When transporting students to athletic events and other extracurricular activities, adults need to notify the District and the student's parent/guardian of the travel itinerary and may not transport students in a personal vehicle in a non-emergency situation without advance authorization by the District or as defined by the Coaches Handbook (<https://www.pilathletics.com/page/show/5161432-hs-coach-s-handbook>).

If an emergency situation arises that requires a staff member to transport a student without prior approval, the staff member shall alert a direct supervisor and the parent of the situation as soon as practicable.

When traveling out of town, staff must follow the procedure outlined in the Field Trips Administrative Directive (6.50.011-AD). Adults are prohibited from entering a student's hotel room without another adult present, except in an emergency.

4. Physical contact with students

Adults should not initiate any physical contact without a legitimate educational purpose including offering public greetings, positive acknowledgments, or responding to a crisis. There are times when adults have a legitimate educational purpose to initiate physical contact with a student, and noninvasive contact, such as "high fives" or fist bumps to acknowledge a job well done are fine. In other instances, adults may be required to assist an injured student or a



Professional Conduct Between Adults and Students

student with special needs who requires physical assistance. Likewise, adults may need to touch a student's arms or hands to redirect them in an activity. Coaches, music teachers, and other instructors may have a need for physical contact as a method of instruction. Adults need to be aware of what kinds of physical contact with which a student is and is not comfortable and limit physical contact to only that which is necessary for a legitimate purpose. Any physical redirection of students must be pursuant to the District's Physical Restraint and Seclusion Administrative Directive 4.50.060-AD.

5. Respecting student privacy

Adults must honor a student's physical and emotional boundaries unless the interaction serves a legitimate educational purpose or is in response to an emergency.

Examples:

Physical Surroundings: Adults should not invade a student's privacy by entering a restroom, locker room, or other space where a student may not be fully clothed unless it falls within a staff member's regular job duties under an established written protocol, an emergency, or the staff needs to use the facility for a legitimate and intended purpose (*e.g.*, if it is not practical due to distance and time constraints to use a staff-only restroom).

Personal Space: Adults should respect a student's private space and be conscious of a student's cultural and personal boundaries when communicating (*e.g.*, adults should be conscious of standing too close to students when interacting with them).



Professional Conduct Between Adults and Students

6. Exceptions

An emergency or a legitimate educational purpose may justify deviation from professional boundaries set out in this policy. Adults shall be prepared to articulate the reason for any exception from the requirements of this policy and must demonstrate that an appropriate relationship was maintained with the student at all times. Adults must ensure that any exception is narrowly tailored to the circumstances and must report it to their supervisor within 24 hours.

BOUNDARY VIOLATIONS

A boundary violation is behavior or interaction by an adult in a position of power with a student that has no legitimate educational purpose, and has the potential to cause harm to the student.

A. Examples of boundary violations/prohibited conduct

Examples of conduct that violates professional adult/student boundaries in or outside of school hours include, but are not limited to, the following:

1. Any type of conduct that would be considered sexual harassment under the District's Non-Discrimination/Anti-Harassment Policy (1.80.020-P);
- ~~1.2.~~ [Sexual harassment that includes a demand or request for sexual favors in exchange for benefits \[Hyperlink to Sexual Conduct and Workplace Harassment Policies\];](#)
3. Having any sexual conduct, including verbal or physical conduct or contact through written or electronic communications, with a student that is a sexual advance or request for a sexual favor or is of a sexual nature and is directed toward the student or that has the effect of unreasonably interfering with the student's educational performance, or of creating an intimidating, hostile, or offensive educational environment; [and](#)
4. [Assault when sexual contact occurs without a student's consent](#)



**Professional Conduct Between
Adults and Students**

~~2.~~ because the student is under the influence of drugs or alcohol, is unconscious, or is pressured through physical force, coercion or explicit or implied threats.



**Professional Conduct Between
Adults and Students**

a. Examples of this behavior include, but are not limited to, the following:

- 1) Engaging in a romantic or sexual relationship with a student;
- 2) Dating, flirting with, or propositioning a student;
- 3) Showing pornography to a student;
- 4) Discussing, writing, texting, transmitting, and/or displaying material to students about sexual topics unrelated to curriculum or a legitimate educational purpose;
- 5) Banter, allusions, jokes, or innuendos of a sexual nature with students;
- 6) Patting buttocks or touching other intimate parts of a student;
- 7) Permitting students to engage in behaviors with an adult that cross appropriate physical boundaries, *e.g.*, allowing students to give shoulder massages to the adult or allowing students to sit on an adult's lap;
- 8) Singling out a particular student or students for favoritism, special privileges, or exchanging of gifts beyond the employee-student relationship;
- 9) Disclosing intimate or sexual matters to a student, unless necessary to serve a legitimate educational purpose.

~~3.5.~~ 5. Bullying or other violations of the District's Anti-Harassment Policy 4.30.060-P.

~~4.6.~~ 5. Favoring a student when its purpose is to meet the adult's personal needs rather than the student's needs;

~~5.7.~~ 5. Inviting individual students to the adult's home without parental



Professional Conduct Between Adults and Students

notice and approval unless otherwise noted in “Exceptions” section of the policy;

- ~~6.8.~~ 8. Being in the company of students who are consuming alcohol, drugs, or tobacco without intervening and reporting the conduct to appropriate personnel;
- ~~7.9.~~ 9. Sending or accompanying a student on personal errands or travel unrelated to any legitimate educational purpose;
- ~~8.10.~~ 10. Telling a student to keep something secret from other adults;
- ~~9.11.~~ 11. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner that may cross appropriate professional boundaries;
- ~~10.12.~~ 12. Giving a student a ride alone in a vehicle in a non-emergency situation; except as permitted under this policy and Field Trips 6.50.011-AD;
- ~~11.13.~~ 13. Engaging in prohibited social media and electronic communications between adults and students as defined by the District’s Acceptable Use Policy (8.60.40) and Social Media Administrative Directive 8.60.045-AD.

a) Examples of this behavior include, but are not limited to, the following:

- 1) District employees acting in their District capacity are prohibited from inappropriate online socializing with students, including phone calls, texting, skypeing, instant messaging, or use of any other telecommunications method, or from engaging in any conduct that violates the law, District policies, or other generally recognized professional standards.



**Professional Conduct Between
Adults and Students**

- 2) Adults shall not communicate with students, for any reason, through use of a medium, blog, or app (software or phone application) that is designed to eliminate all traces or records of the communication (e.g., Snapchat).
- 3) District employees and third-party contractors may not communicate with current students through social media directly or through private messaging tools without both written District approval and parental notice.

DUTY TO REPORT POSSIBLE VIOLATIONS

A. Adults shall discuss with their building administrator or supervisor whenever they suspect or are unsure whether their conduct, or the conduct of other adults, is inappropriate or constitutes a violation of this policy. If the adult is dissatisfied with the response of the building administrator or supervisor, or does not feel comfortable discussing the situation with those individuals, they may bring it to the attention of the Chief of Human Resources. If the alleged behavior deals with harassment, intimidation, or bullying, the process in Policy 4.30.060-P should be followed. The District will investigate all complaints.

Any District employee who has reasonable cause to believe that another adult has engaged in sexual conduct as defined by Prohibition Against Employee Child Abuse and Sexual Conduct with Students 5.10.063-AD or sexual abuse as defined by statute shall immediately report this behavior to their school compliance officer and to the District Title IX Director. Additionally, any District employee or other mandatory reporter of abuse/neglect who has reasonable cause to believe that a child has been abused must promptly fulfill the mandatory reporting requirements to law enforcement and the Department of Human Services and report the allegation to their principal or supervisor.

District employees whose conduct violates this policy or who fail to



**Professional Conduct Between
Adults and Students**

report violations of this policy, may face discipline and/or termination, consistent with the District's policies and applicable collective bargaining agreements.

Violations of this policy by volunteers or contracted service providers may result in a prohibition from working or serving on District properties or with District students in school programs, or may result in contract cancellation. The District shall notify law enforcement of any potentially unlawful conduct, as appropriate.

B. Student/Parent and Guardian Reporting

Students and/or parents/guardians are strongly encouraged to notify the principal or other appropriate administrator if they believe an adult may be engaging in conduct that violates this policy.

CONFIDENTIALITY AND NON-RETALIATION

Staff members making a report of potential boundary violations or other prohibited conduct are specifically advised of the following:

1. They must directly notify a supervisor of the conduct;
2. They are required to maintain confidentiality; and
3. They are neither permitted to investigate nor responsible for investigating whether the conduct is inappropriate.

Confidentiality protects the student(s) as well as the adult who is the subject of the report. Failure to maintain confidentiality may impede the investigation and foster untrue and potentially harmful rumors. False reports are regarded as a serious offense and may result in disciplinary action or other appropriate sanctions.



Board Policy

5.10.064

Professional Conduct Between Adults and Students

The District prohibits retaliation against anyone who makes a good-faith report under this policy. Any District employee who retaliates against any complainant, reporter, or other participant in an investigation may be subject to discipline, up to and including dismissal.

TRAINING

The Superintendent or his/her designee shall develop an annual training for all staff and ensure ongoing review of procedures to support this policy.

Adopted 10/15/2019; Amended 2/9/2021; [___/___/2021](#)

	<p>BOARD POLICY</p> <p>Non-Discrimination/ Anti-Harassment Policy</p>	<p>1.80.020-P</p>
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Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society.

The District prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race, color, religion, sex, sexual orientation, gender expression or identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran's status, or because of the perceived or actual race, color, religion, sex, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.

The District prohibits discrimination and harassment in all of its programs and operations, including but not limited to, employment, assignment, and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and in accommodating the public at public meetings.

Complaints regarding discrimination and harassment may be filed with any District administrator or manager, including Human Resources (complaint line: 503-916-2990 or hrlegal11@pps.net), PPS's Title IX Office (Titleix@pps.net), and ~~the Office of the Superintendent, at any time~~. In addition, complaints regarding discrimination may be filed with the United States or Oregon Departments of Education Office for Civil Rights ~~at any time~~. All complaints regarding sexual harassment and sexual violence shall ~~go also be forwarded~~ to the Title IX ~~Coordinator~~Office. Complaints may be made anonymously.

Retaliation against any person who in good faith reports, is thought to have reported, ~~files a complaint,~~ or otherwise participates in an investigation of discrimination or harassment is

strictly prohibited, regardless. This prohibition is independent of whether a complaint is substantiated. False reports shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. The good-faith initiation of any complaint of discrimination or harassment by an employee shall not adversely affect any terms or conditions of employment or work environment of the ~~staff~~ complainant. The good-faith initiation of any complaint of discrimination or harassment by a student will not adversely affect a student's school placement or educational learning environment.

The District shall investigate all complaints of discrimination, harassment, and retaliation.

~~District notices regarding non-discrimination and harassment will have contact information for the District's Title IX Coordinator, who shall track all district-related complaints regarding discrimination based on sex, sexual orientation, and gender expression or identity, including reports of sexual harassment and sexual violence. The~~

~~District's Title IX Office may be contacted at titleIX@pps.net.~~

~~The Superintendent will promulgate administrative directives outlining the complaint procedures providing for the prompt and equitable resolution of complaints from and against students, employees, vendors, and the public. These administrative directives will be available on the District's website.~~

Legal References: ORS 192.630; ORS 326.051; ORS 339.356; ORS 342.700; ORS 342.704; ORS 342.865; ORS 659.850; ORS 659A.006; ORS 659A.029; ORS 659A.030; ORS 659A.133; ORS 659A.270-.290; Title VII of the Civil Rights Act of 1964, as amended, Americans with Disabilities Act, Family Medical Leave Act, Age Discrimination in Employment Act

OSBA: AC

History: Adpt 2/13/97; Amd 9/9/02; Amd 6/17/13; Amd 4/10/18; [Amd 5 /21](#)



	<p>BOARD POLICY</p> <p><u>Anti-Harassment Student</u> <u>Anti-Harassment and Teen</u> <u>Dating Violence Policy</u></p>	<p>4.30.060-P</p>
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DRAFT 4/21/21

I. Overview and Scope

Portland Public Schools is committed to providing a safe, positive, and productive learning and working environment. Harassment, including intimidation or bullying, ~~acts of~~ cyberbullying, and sexual harassment, including teen dating violence and domestic violence, are strictly prohibited and shall not be tolerated ~~in the District~~.

This policy applies to student behavior on school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, and in all instances that student discipline applies as provided in Student Discipline Procedures 4.30.020-AD [insert hyperlink].

~~A.~~

~~B. — This directive policy applies:~~

~~— To student behavior on school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, and in all instances that student discipline applies as provided in Student Discipline Procedures 4.30.020-AD [insert hyperlink].~~

~~1. — To student behavior prohibited by this policy that substantially disrupts the school environment.~~

~~2. — To conduct by all district employees that is between adults, or between adults and students when the student is the victim.[1]~~

~~C. — Retaliation against any person who in good faith reports, is thought to have reported, files a complaint, or otherwise participates in an investigation of harassment is strictly prohibited regardless. This prohibition is independent of whether a complaint is substantiated. False reports shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. The good faith initiation of any complaint of harassment by an employee shall not~~



BOARD POLICY

4.30.060-P

~~Anti-Harassment~~ Student Anti-Harassment and Teen Dating Violence Policy

~~adversely affect any terms or conditions of employment or work environment of the staff complainant. The good faith initiation of any complaint of harassment by a student will not adversely affect a student's school placement or educational learning environment.~~

~~The district shall investigate all complaints of harassment and retaliation.~~

~~The District shall investigate all complaints of teen dating violence and shall incorporate age appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grade 7 through 12.~~

~~D. The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, teen dating violence and domestic violence.~~

~~E. Instances of harassment may also be referred to law enforcement.~~

~~II.~~ **II. Definitions**[2]

~~A.~~ **A.** "Harassment" means all forms of harassment, intimidation or bullying, ~~acts of~~ cyberbullying, and sexual harassment, including but not limited to:

~~1. 1. Harassment, i~~ Intimidation, or bullying of students: ~~is~~ any act that

a. substantially interferes with a student's educational benefits, opportunities, or performance and

~~1.~~ b. has the effect of physically harming a student or damaging a student's property, knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property, or creating a hostile educational



BOARD POLICY

4.30.060-P

~~Anti-Harassment~~ Student
Anti-Harassment and Teen
Dating Violence Policy

environment, including interfering with the psychological well-being of a student and

c. _____ may be based on, but not limited to, the protected class status of a person.

2. ~~Harassment, intimidation, or bullying of staff is conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.~~
3. Cyberbullying: ~~is~~ the use of any electronic communication device to harass, intimidate, or bully.
4. Sexual harassment of students: includes
 - a. _____ a demand for sexual favors in exchange for benefits; ~~or~~
 - b. _____ unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational performance or that creates an intimidating, offensive or hostile educational environment; and
 4. _____ c. _____ assault when sexual contact occurs without a student's consent because the student is under the influence of drugs or alcohol, is unconscious, or is pressured through physical force, coercion, or explicit or implied threats.
5. ~~Sexual harassment of employees includes a demand for sexual favors in exchange for benefits or unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an employee's performance or that creates an intimidating, hostile, or offensive work environment.~~
5. Teen dating violence: means:
 - a. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in, or has been in, a dating relationship with the person, where one or both persons are 13 to 19 years of age; or



BOARD POLICY

4.30.060-P

Anti-Harassment Student
Anti-Harassment and Teen
Dating Violence Policy

b. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

7. Domestic violence: abuse between family and household members as defined by ORS 107.705.

~~B.~~ B8. "Protected class:" a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income, or disability.

~~C.~~ C9. "Retaliation: experiencing an adverse impact after making or supporting a claim of Harassment, including teen dating violence or domestic violence, if the impact would deter a reasonable person from making such a claim.

~~D.~~ D. "Sexual orientation:" an individual's actual or perceived heterosexuality, homosexuality, bisexuality, or gender identity.

~~E.~~ E11. Gender identity:" a person's sense of being male or female regardless of whether the individual's appearance, expression, or behavior differs from that traditionally associated with the individual's sex at birth.



BOARD POLICY

4.30.060-P

Anti-Harassment Student
Anti-Harassment and Teen
Dating Violence Policy

III.II. All schools shall use evidenced-based strategies to maintain school-wide and classroom environments that are safe, promote learning and free of harassment[3]. **III. Notice of Policy and Resources]**

A. Notice: Signs, in age appropriate language, explaining the prohibition against harassment, intimidation or bullying, acts of cyberbullying, and retaliation shall be posted in all schools below grade 6. Signs posted in all grade 6 through 12 schools shall include the prohibition against sexual harassment on a sign at least 8.5 by 11 inches in size. It shall also be included annually in the *Guide*, readily available from the district office, and posted on the district website.

B. School-Wide Student Notification: Students shall be informed of the definition of, consequences for, and obligation to report Harassment and retaliation. This can be accomplished in the form of class discussion or activity.

B. **IV. Reporting Harassment**

C.1. Students who believe they have been subjected to harassment or retaliation are encouraged to immediately inform a teacher, counselor, administrator, or other district employee.

1. 2. Students who witness or have reliable knowledge of harassment or retaliation against any student should report their concerns to a teacher, counselor, administrator, or ~~the appropriate designated school~~ another district official as soon as possible.

2. 3. Any District employee[4] who becomes aware ~~witnesses or has reliable knowledge~~ of harassment against any student or who receives such a report shall immediately report the conduct to the school principal or ~~designee~~ other District



	<p>BOARD POLICY</p> <p><u>Anti-Harassment Student</u> <u>Anti-Harassment and Teen</u> <u>Dating Violence Policy</u></p>	<p>4.30.060-P</p>
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[administrator](#)[5].

IV.III. Consequences for Engaging in Harassment

A. Students who are found in violation of this directive are subject to disciplinary action ranging from a Level One conference to a Level Four expulsion/delayed expulsion/reassignment or referral. Disciplinary action depends on the number of occurrences and the severity of the offense and as provided in the *Guide to Procedures on Student Responsibilities, Rights and Discipline (Guide)*.

~~District employees found in violation of this directive are subject to discipline, up to and including dismissal. Licensed employees shall be reported to the Teacher Standards and Practices Commission as provided in OAR 584-020-0041.~~

~~B.~~



BOARD POLICY

4.30.060-P

Anti-Harassment Student
Anti-Harassment and Teen
Dating Violence Policy

V-IV. Procedures

Reports and complaints of Harassment, including teen dating and domestic violence, will be investigated by the District following the procedures outlined in the Harassment, Sexual Violence, and Teen Dating Violence Procedures and Prevention – Students Administrative Directive 4.30.071-AD. (HYPERLINK) Students and their parents will be notified in writing of the investigation and will be provided information about resources and supports, including information about civil and criminal remedies, to assist them in the process. [INSERT AD Hyperlink again]

Allegations of retaliation will also be investigated and, if substantiated, may result in discipline.

~~A. If a student is the alleged perpetrator of the harassment, the following procedures shall apply:~~

- ~~1. The principal or designee is responsible for investigating claims of student harassment.~~
- ~~2. Upon a report, or knowledge of, an incident of harassment or retaliation, the principal or designee shall assure it is promptly investigated.~~

~~3. Students may report Harassment anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.~~

~~4. Complainants not satisfied with the decision at the school level may request a review of the decision by following the appropriate step in the Complaint Procedure in 4.50.030-P and 4.50.031-AD[6].~~

~~5. If the complaint involves sexual harassment of a student, the District shall notify both the student who initiated the complaint and the student's parents when the investigation is concluded[7].~~

B. District employees who have reliable knowledge of prohibited conduct by a student or an adult against any student, shall immediately report their concerns to the appropriate designated school district



	<p>BOARD POLICY</p> <p><u>Anti-Harassment Student</u> <u>Anti-Harassment and Teen</u> <u>Dating Violence Policy</u></p>	<p>4.30.060-P</p>
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official. Reports of conduct violating this directive may be made anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.

~~If a district employee is the perpetrator of the alleged harassment, the complaint will be resolved through the appropriate Complaint Procedure. Employees not satisfied with the decision regarding their complaint, or employees receiving disciplinary or other consequences may request review through the grievance procedure otherwise generally applicable. [8]~~

~~C.~~

VI.V. Confidentiality

~~A.~~ Confidentiality: All complaints shall be handled so that the identity of the complainant and any information obtained as part of the investigation shall be kept confidential to the extent that confidentiality is compatible with a thorough investigation of the complaint and is permitted under the law. The District should strive to protect the identity of the person who files a complaint, encourage the reporting of any violations under this policy..



	<p>BOARD POLICY</p> <p>Anti-Harassment <u>Student</u> <u>Anti-Harassment and Teen</u> <u>Dating Violence Policy</u></p>	<p>4.30.060-P</p>
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~~B.~~ Confidentiality of student records: Any disciplinary action taken against a student shall be kept confidential to comply with federal requirements for confidentiality of student records.

[Legal References: ORS 339.356; ORS 339.366; ORS 107.705; 342.704](#)

[OSBA: JFCF and _____](#)

History: Replaces Harassment & Bullying Policy (4.30.060-P) and Anti-Harassment (4.30.061-AD) Amended 12/10; Amended 2/15



DRAFT 4/24/21

[DRAFT Alternative Preamble] 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. 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 [Family Resource Coordinator][1][2][3], who can help families access information, connect with District staff, and help resolve concerns[4].

We also make available to students, families, and all who reside within the PPS community a Formal Complaint process. This policy and the accompanying administrative [directive][5] 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.

[CURRENT Preamble] Portland Public Schools recognizes students, parents/guardians, and all who reside within- 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 dDistrict. 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, the District encourages members of the community to attempt to resolve 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~~The District will Complaints should be resolved complaints 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 District’s goal is to have a complaint process that is 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; Formal Complaints; Annual reports; Transparency and aAccessibility; 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[6][7]

~~B. 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 easily accessible to members of the school community in a manner that is accessible and user-friendly, and to~~

~~C. The District shall provide training for building administration and designated District staff in the implementation of on how to handle formal complaints under this policy, as well as and the administrative directive 4.50.031-AD insert number here. Since~~

~~A-D. 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, and district responses, as well as an assessment of the functioning of the formal complaint 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 Conflict Resolution website found here _____.~~

~~0. 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:~~

- ~~) Instructional standards and practices
 - ~~(0) Curriculum~~
 - ~~(0) Teaching strategies~~
 - ~~(0) Testing~~
 - ~~(0) Counseling~~
 - ~~(0) Class size~~
 - ~~(0) Alternative education programs~~
 - ~~(0) Instructional materials~~
 - ~~(0) Compliance with state standards~~~~
- ~~) Special education~~
- ~~) Health and safety~~
- ~~) Equitable education opportunities~~
- ~~) Sports safety~~
- ~~) Restraint and/or seclusion~~
- ~~) Discrimination in education~~
- ~~_____ Retaliation against a student or parent/guardian~~
- ~~a) Failure to investigate complaints of bias~~

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 **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 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 **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**. ~~The District will recognize complaints in multiple formats: the written complaint form, letter, or through email~~^[8]^[9]^[10]
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**^[11].
4. 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[12].

3.

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. If new information is offered after this period of time less than 24 hours before the Board hearing, the complainant may ask for an extension of time.~~ 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 ~~,~~ complainants should contact the Title IX Department [here](#). [13][14]~~

~~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 ~~on~~ conflict resolution and other resources [15][16][17] may be found [here](#).~~

D. Other provisions

1. ~~The District will provide limited the following resources to assist the complainants through the Formal Complaint 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 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](#)~~

3. ~~The Superintendent-District representative assigning staff to investigate and respond to a complaint 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~~[18].

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 and will not hear these types of complaints against employees in a session open to the public unless the an employee or student/family requests an open session.
7. If the ~~d~~District fails to meet the timelines stipulated [19] ~~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. 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.

15-14. Since Because the Board serves as the final decision maker at the Step 3 appealvenue of final appeal, Board members should not knowingly refrain from initiate or continue ing-or pursuing contact with complainants once a formal complaint has been filed or independently investigate allegations in the complaint.

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 reviewed-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 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 dDistrict, or a person who resides in the dDistrict, may appeal a final decision by the District to the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-000540.

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 dDistrict 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 filesing itth- complaint with- and~~ the Department of Education at the same time.

Adopted 11/2014; Amended 6/12/18, /2020

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](#)