

Policy Committee Meeting
Thursday, January 26, 2023 4:00 PM

Virtual

Agenda

- I. Introductions
- II. CUB Policies/ADs Discussion of the student priority school use language
- III. Complaint Policy 4.50.030-P Contemplated action: Discussion of policy amendments in pursuit of vote out in 1/26 meeting for First Reading.
- IV. Field Trip Policy 6.50.010-P
- V. Religious Holidays
- VI. Public Comment 5 Two-Minute slots
**To sign-up for public comment email PublicComment@pps.net or call 503-916-3741*
- VII. Adjourn

Community Use of School Buildings and Facilities

We believe that the primary use of our buildings and facilities should be for the support of the District's mission and its commitment to academic excellence and personal success for all its students.

The public is welcome to use the District's buildings and facilities for short-term use or rental through the Civic Use of Buildings process if such use does not conflict with District use. The public shall be expected to reimburse the District for such use to ensure that funds intended for education are not used for other purposes and that the District receives fair value for the use of its buildings and facilities. The public use of school grounds may be limited or prohibited at the discretion of the District in order to maintain the safety of our students and the preservation of District assets.

Authorization for use of District buildings and facilities shall not be considered as endorsement of or approval of the activity or organization or for the purposes it represents.

The Superintendent shall implement administrative directives that implement this policy create a custodial-fee waiver process for organizations (e.g., PTA, PTO, or Booster Clubs) directly affiliated with a PPS Title I schools, schools with a majority of historically underserved students, and schools identified for improvement as designated by the District that shall allow the District to grant a limited number of custodial waivers for community events as more fully defined in the administrative directive.

The Superintendent shall provide information to the public regarding the CUB process in a manner that is equitable, accessible, and user friendly.

Legal References: ORS 332.172

History: Adpt. 9/24/73; Amd. 8/12/74; Amd 7/1/75; Amd 7/1/76; Amd, 7/1/77; Amd 6/26/78; Amd.8/28/79; Amd 4/12/82; Amd. 4/14/88; Amd 8/12/02, BA 2384; New Policy 8/2016; Amd 5/2019, Amd ___/23

Community Use of School Buildings and Facilities^[1]

~~Portland Public Schools~~ We believes that the primary use of ~~its~~ our buildings and facilities should be for the support of the District's mission and its commitment to academic excellence and personal success for all its students.

~~The District encourages the development of robust out-of-school-time programs for youth education, the mission of its schools, and the use of its buildings and facilities by these programs. Such out-of-school-time programs may be offered as a school program or by other organizations and community partners.~~

~~The District School Board has charge to preserve order, protect school property, and do all things necessary in its capacity to carry out the provisions of this policy, including the limitation or closure of a district property for public use. The District School Board authorizes the superintendent or their designee to make such determinations for closing or limiting access to specific District properties at its sole discretion in order to maintain the safety of our students and the preservation of our assets~~

~~The District encourages the development of robust out-of-school-time programs for youth education, the mission of its schools, and the use of its buildings and facilities by these programs. Such out-of-school-time programs may be offered as a school program or by other organizations and community partners.~~

The public is welcome to use the District's buildings and facilities for short-term use or rental through the Civic Use of Buildings UB process if such use does not conflict with District ~~or school~~ use. The public shall be expected to reimburse the District for such use to ensure that funds intended for education are not used for other purposes and that the District receives fair value for the use of its buildings and facilities. The public use of school grounds may be limited or prohibited at the discretion of the District in order to maintain the safety of our students and the preservation of our District assets.

Authorization for use of District buildings and facilities shall not be considered as endorsement of or approval of the activity or organization or for the purposes it represents.

The ~~Board directs the~~ Superintendent ~~to~~ shall implement administrative directives that implement this policy ~~through the Office of the Civic Use of Buildings (CUB), including procedures for reserving space in accordance with priority among users, rental rates, supervisory requirements, insurance, nondiscrimination, safety and security and other~~

~~requirements as may be needed. Through administrative directive, the Superintendent shall~~ create a custodial-fee waiver process for organizations (e.g., PTA, PTO, or Booster Clubs) directly affiliated with a PPS Title I schools, schools with a majority of historically underserved students, and schools identified for improvement as designated by the District that shall allow the District to grant a limited number of custodial waivers for community events as more fully defined in the administrative directive.

The ~~Board further directs the~~ Superintendent ~~to~~ shall provide information to the public regarding the CUB process in a manner that is equitable, accessible, and user-friendly.

Legal References: ORS 332.172

History: Adpt. 9/24/73; Amd. 8/12/74; Amd 7/1/75; Amd 7/1/76; Amd, 7/1/77; Amd 6/26/78; Amd.8/28/79; Amd 4/12/82; Amd. 4/14/88; Amd 8/12/02, BA 2384; New Policy 8/2016; Amd 5/2019, Amd /232



Board Policy

3.30.010-P

Community Use of School Buildings and Facilities

Portland Public Schools believes that the primary use of its buildings and facilities should be for the support of the District's mission and its commitment to academic excellence and personal success for all its students.

The District encourages the development of robust out-of-school-time programs for youth education, the mission of its schools, and the use of its buildings and facilities by these programs. Such out-of-school-time programs may be offered as a school program or by other organizations and community partners.

The public is welcome to use the District's buildings and facilities for short term use or rental if such use does not conflict with District or school use. The public shall be expected to reimburse the District for such use to ensure that funds intended for education are not used for other purposes and that the District receives fair value for the use of its buildings and facilities.

Authorization for use of District buildings and facilities shall not be considered as endorsement of or approval of the activity or organization or for the purposes it represents.

The Board directs the Superintendent to implement administrative directives that implement this policy through the Office of the Civic Use of Buildings (CUB), including procedures for reserving space in accordance with priority among users, rental rates, supervisory requirements, insurance, nondiscrimination, safety and security and other requirements as may be needed. Through administrative directive, the Superintendent shall create a custodial fee waiver process for organizations (e.g., PTA, PTO, or Booster Clubs) directly affiliated with a PPS Title I school, schools with a majority of historically underserved students, and schools identified for improvement as designated by the District that shall allow the District to grant a limited number of custodial waivers for community events as more fully defined in the administrative directive.

The Board further directs the Superintendent to provide information to the public regarding the CUB process in a manner that is equitable, accessible, and user-friendly.

Legal References: ORS 332.172

History: Adpt. 9/24/73; Amd. 8/12/74; Amd 7/1/75; Amd 7/1/76; Amd, 7/1/77; Amd 6/26/78; Amd.8/28/79; Amd 4/12/82; Amd. 4/14/88; Amd 8/12/02, BA 2384; New Policy 8/2016; Amd 5/2019

Draft 10/17/22 11/9/22

3.30.01320-AD-P Limitations and Prohibitions On Use Of Buildings and Facilities and Facilities – All Groups or Individuals

Portland Public Schools believes that the primary use of its buildings and facilities should be for the support of the District’s mission and its commitment to academic excellence and personal success for all its students. The District welcomes the public to use of the District’s buildings and facilities for short-term use or rental through the Civic Use of Buildings (CUB) process if such use does not conflict with District or school use. The District also welcomes

The special requirements of the educational setting, school programs, and the welfare and safety of students and District personnel ~~compel judicious utilization limit the types and times of use~~ of school buildings and ~~school grounds~~ facilities. Accordingly, when school is not in session and during non-school hours from 6pm to 9pm Monday through Friday when school is in session, all groups or individuals on District property shall be subject to the following requirements, in addition to other applicable Board policies, Administrative Directives and school rules designed to maintain public order in school buildings and on school grounds. All school grounds are closed to the public after 9pm.

~~Accordingly, all groups or individuals on District property shall be subject to the following requirements, in addition to other applicable Board policies, Administrative Directives and school rules designed to maintain public order in school buildings and on school grounds.~~

1) Limitations on Use

The following uses are permitted with limitations:

(1) Political Activities: Invitations to Address Students Extended to Public Officials, Candidates for Public Office and to Opposing Sides of Ballot Measure.

(a) In furtherance of their education for citizenship, students should have the opportunity in school to hear from opposing sides with respect to ballot measures. The Board welcomes the expression of diverse viewpoints on political issues and ballot measures.

(b) If a teacher intends to extend an invitation to a public official, candidate for public office or proponent or opponent of a ballot measure to appear before a class, the teacher shall proceed in accordance with Board policies and Administrative Directives for

inviting resource speakers to speak to class and shall, to the extent practicable, offer reasonably equivalent opportunities to opposing candidates and sides.

(c) With respect to other invitations from either a teacher or a student, the teacher or student shall make arrangements with the principal or an established assembly committee of the student body, prior to extending the invitation, as to the time and place of the appearance and shall offer reasonably equivalent opportunities to opposing candidates and sides. Such a meeting shall not interfere with the school program, and attendance at such meetings shall be voluntary. Should the principal conclude that in unusual circumstances the appearance of a particular speaker would endanger the safety of students, they shall deny the request and report this decision immediately to the superintendent, the assembly committee involved, and the individual making the request.

(d) If the principal or the assembly committee extends an invitation, reasonably equivalent opportunities shall be offered opposing candidates and sides.

(e) There shall be no soliciting of funds, distribution of literature or other activities for political purposes by employees of the district while on duty.

(2) Advertising Performances in Schools. No material of any nature advertising the performance to be presented under the auspices of any person or organization shall be placed or distributed on school premises by persons not students, unless the proceeds of such performance are to be used for benefits of the schools of this district, except as provided below:

(a) The offices of the superintendent may grant to organizations desiring to advertise concerts and similar activities the privilege of placing folders in the teachers mail boxes in the various schools;

(b) In instances when the performance may be providing a significant educational experience for the students, the offices of the superintendent may grant permission to place announcements on hall bulletin boards designated by the principal of each school.

(3) Deleted

(4) The Use of School Equipment. In order to assure that equipment provided in the schools for the education of young people shall be most beneficially used for that purpose, school equipment shall not be loaned or rented for use outside the building or off the grounds of the school to non-school organizations with the exception of audiovisual equipment used to

provide information about the Community School Program.

II) Prohibitions on Use

The following uses are strictly prohibited in PPS buildings and on PPS grounds:

(1) **Solicitation for Funds — Gifts**

(a) The use of District buildings or or grounds shall not be granted to any organization or individual for the purpose of soliciting PPS_students except as authorized by the Board. ~~that the District determines in its sole discretion that the organization or individual will use said the facilities for or in the promotion of illegal or unlawful activities.~~

~~No person shall solicit, receive or permit to be solicited or received from PPS students in public schools, or on any public school premises any subscription, donation of money, or other things of value for presentation of testimonials to school officials or for any purpose except such as authorized by the Board. (ORS 339.880) All teachers and all other employees are expected to abide by both the letter and the spirit of state law.~~ The only exceptions authorized by the Board must be those of educational value to the students, such as those stated below:

~~(A) Educational values may be more fully realized in gifts to the school rather than in gifts to the individual;~~

~~(B) Floral pieces for funerals;~~

~~(C) Gifts in case of illness.~~

~~(b) Acceptance of gratuities of any kind by any district personnel shall be prohibited.~~

(2) **Illegal and Unlawful Activities.** The use of ~~d~~District buildings or ~~or grounds~~properties of the district shall not be granted to any organization or individual if ~~there is a prima facie showing the~~ District determines in its sole discretion that the organization or individual will use ~~said the~~ facilities for or in the promotion of illegal or unlawful activities.

(3) **Alcohol/Tobacco/Drugs.** The use of alcoholic ~~liquors~~, tobacco and illegal drugs in any form shall be prohibited in school buildings and on school grounds.

(4) **Gambling.** Gambling of any sort including bingo, games of chance, and raffles shall be prohibited in school buildings, ~~and on grounds at any time.~~

(5) **Motorized Equipment and Horses.** Because of the risk of injury and ~~related district liability~~ and because of disturbances of neighbors to school property, the operation of drones, helicopters, mini-bikes, motorized airplanes and similar motorized recreational equipment, horseback riding and pony rides on school grounds or school parking lots is prohibited.

(6) **Rocket Propulsion Devices/Fireworks.** The use of rockets and similar jet propulsion devices, ~~unless including~~ the use of such devices is for instructional

Projects and under staff supervision, is prohibited on school premises by students or student groups. The use of fireworks on school grounds is prohibited.

(7) **Advertising or Sale of Merchandise.** The advertising or sale of merchandise in the building or on the school grounds by non-students shall not be permitted except with the consent of the Superintendent Board provided that this shall not apply to merchandise which is in whole or part the product of the student of any school and where such product is advertised and sold by students with the approval of the principal; provided further that the Office of the Superintendent may authorize the sale in school of certain articles deemed by him/her as essential to the successful operation of the educational program.

(a) Recycling projects are permitted on school grounds on designated days under supervision of school-sponsored groups (PTA's/PTO's, Dad's Club, etc.) or community schools. Dump boxes may not be placed on school grounds. Collected material cannot remain on school grounds unless secured. Sales of used clothing are not permitted.

(b) School (student) store are not to compete with existing businesses in the sale of merchandise other than that necessary to the successful operation of the schools.

~~(8) **Acknowledgment of Contributions.** Appropriate acknowledgment of cash or in-kind contributions may be allowed at the administrative discretion of the Superintendent.~~

(9) **Discriminating Admissions.** Any activities to which admission may be prohibited on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex or sexual orientation, shall not be conducted in the schools.

(10) **Unauthorized Parking.** Unlawfully parked motor vehicles on parking lots of the district may, upon the request of the administrative officer in charge of the respective parking lot, be towed to storage by various towing companies pursuant to provisions of ORS 98.805 - 98.992. Written permission to private towing companies to enter lots on behalf of the district for the purpose of towing vehicles as specified above shall be granted by the Office of the Superintendent.

(11) **Religious Activities.**

(a) A group may use a school building and facilities for a religious service (which includes a baccalaureate service) on the same basis school facilities and grounds are made available to other non-school groups and individuals if:

- (A) The service is held after regular school hours;
- (B) Attendance is voluntary; and

(C) The rental and other charges paid are in accordance with the schedule of charges established by the Civic Use of Buildings Office.

(b) These provisions shall not be interpreted to permit the use of school buildings or facilities for any other religious purpose after regular school hours or for any religious purpose as part of the public school program, and no religious service, exercise or program shall be conducted, sponsored or arranged by the school at any time. See also Administrative Regulation 4.40.061, Student Assembly.

(c) The distribution in any manner of any book, testament, pamphlet, tract or other printed matter of any religious character whatsoever on the school premises during the school day by non-students shall not be permitted. This rule, however, does not apply to the use of Bibles and other religious documents in either the school libraries or classrooms for their appropriate use in an instructional program. See Also Board policy 4.40.050 (1) (d), Student Clubs and Assembly.

(12) **Gang Activity.** Individuals shall not in school buildings or on school grounds wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other items which are evidence of membership or affiliation in any gang; use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity.

(13) **Weapons.** Possession of an ~~unauthorized~~ loaded or unloaded firearm or any other instrument which, under the circumstances in which it is designed or readily capable of causing death or serious physical injury. used as a dangerous or deadly weapon as defined in ~~law and Board Policy, unless otherwise specifically accepted by law and Board Policy, is prohibited in school buildings and on school grounds.~~

(14) **Disruptions.** Disrupting, impeding or otherwise interfering with the orderly conduct of district programs or any other authorized activity taking place in school buildings or on school grounds is prohibited.

(15) **Miscellaneous Activities.** For reasons of health, safety and appropriate use of school buildings, the following activities are prohibited: funerals or memorials; Weddings or wedding receptions; games of chance; dances by non-school groups; public dances, unless for senior citizens and sponsored by Community Schools; animal shows or obedience classes; barbecue classes; PTA/PTO and other school related group-sponsored barbecues and dances sponsored by such groups for district students may be permitted.

(16) **Attendance Limits.** The maximum number of people permitted in auditoriums in the various buildings shall be restricted to their seating

capacity as specified by the Portland Fire Bureau.

(17) Dogs. For reasons of health, safety and appropriate use of district buildings and grounds, as well as in compliance with Multnomah County ordinances, dogs must be on leash at all times when on District property and shall be prohibited during all school hours unless allowed as defined in Administrative Directive 3.80.011-AD.

(18) Skate Boards. For reasons of safety and damage to district buildings and grounds, skateboards are not allowed on district property **with the exception of use as a mode of transportation to and from school.**

(19) Unauthorized Organized Events. Recurring events must be permitted through the Civic Use of Building office.

Legal References: ORS 260.432; ORS 260.605; ORS 294.100; ORS 329.125; ORS 332.107; ORS 332.172

History: Adpt 1/15/96; Adpt 6/71; Amd 8/28/72; Amd 6/23/80; Amd 11/10/83; Amd 7/95; Amd 1/15/96; Amd 9/9/02; BA 2419

Legal References: ORS 332.172 ORS 161.015; ORS 166.155 -166.165; ORS 164.245; ORS 166.210 -166.370; ORS 164.255; ORS 332.107; ORS 166.025; ORS 339.880

Multnomah County Ordinances: 13.305 and 13.303

History: Adpt 6/71; Amd 9/24/73; Amd 6/23/80; Amd 9/12/91; Amd 7/95; Amd 5/30/96; Amd 9/9/02; BA 2419; Amd. ___/2022

3.30.020-P Limitations On Use Of Facilities and Grounds – All Groups or Individuals

The special requirements of the educational setting, school programs, and the welfare and safety of students and district personnel compel judicious utilization of school facilities and school grounds. Accordingly, all groups or individuals on district property shall be subject to the following requirements, in addition to other applicable Board policies, Administrative Directives and school rules designed to maintain public order in school buildings and on school grounds.

(1) **Solicitation for Funds — Gifts.**

(a) Gifts or Presentations. No person shall solicit, receive or permit to be solicited or received from students enrolled in public schools, or on any public school premises any subscription, donation of money or other things of value for presentation of testimonials to school officials or for any purpose except such as authorized by the Board. (ORS 339.880) All teachers and all other employees are expected to abide by both the letter and the spirit of state law. The only exceptions authorized by the Board must be those of educational value to the students, such as those stated below:

- (A) Educational values may be more fully realized in gifts to the school rather than in gifts to the individual;
- (B) Floral pieces for funerals;
- (C) Gifts in case of illness.

(b) Acceptance of gratuities of any kind by any district personnel shall be prohibited.

- (2) **Illegal Activities.** The use of buildings or properties of the district shall not be granted to any organization or individual if there is a prima facie showing that the organization or individual will use said facilities for or in the promotion of illegal activities.
- (3) **Alcohol/Tobacco/Drugs.** The use of alcoholic liquors, tobacco and illegal drugs in any form shall be prohibited in school buildings and on school grounds.
- (4) **Gambling.** Gambling of any sort including bingo, games of chance and raffles shall be prohibited in school buildings and on grounds at any time.
- (5) **Motorized Equipment and Horses.** Because of the risk of injury and related district liability and because of disturbances of neighbors to school property, the operation of helicopters, mini-bikes, motorized airplanes and

3.30.020-P Limitations On Use Of Facilities and Grounds – All Groups or Individuals

similar motorized recreational equipment, horseback riding and pony rides on school grounds or school parking lots is prohibited.

- (6) **Rocket Propulsion Devices/Fireworks**. The use of rockets and similar jet propulsion devices, including the use of such devices for instructional projects, is prohibited on school premises by students or student groups. The use of fireworks on school grounds is prohibited.
- (7) **Advertising or Sale of Merchandise**. The advertising or sale of merchandise in the building or on the school grounds by non-students shall not be permitted except with the consent of the Board provided that this shall not apply to merchandise which is in whole or part the product of the student of any school and where such product is advertised and sold by students with the approval of the principal; provided further that the office of the superintendent may authorize the sale in school of certain articles deemed by him/her as essential to the successful operation of the educational program.
- (a) Recycling projects are permitted on school grounds on designated days under supervision of school-sponsored groups (PTA's/PTO's, Dad's Club, etc.) or community schools. Dump boxes may not be placed on school grounds. Collected material cannot remain on school grounds unless secured. Sales of used clothing are not permitted.
- (b) School (student) store are not to compete with existing businesses in the sale of merchandise other than that necessary to the successful operation of the schools.
- (8) **Acknowledgment of Contributions**. Appropriate acknowledgment of cash or in-kind contributions may be allowed at the administrative discretion of the superintendent.
- (9) **Discriminating Admissions**. Any activities to which admission may be prohibited on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex or sexual orientation, shall not be conducted in the schools.
- (10) **Unauthorized Parking**. Unlawfully parked motor vehicles on parking lots of the district may, upon the request of the administrative officer in charge of the respective parking lot, be towed to storage by various towing companies pursuant to provisions of ORS 98.805 - 98.992. Written permission to private towing companies to enter lots on behalf of the district for the purpose of towing vehicles as specified above shall be granted by the office of the superintendent.

3.30.020-P Limitations On Use Of Facilities and Grounds – All Groups or Individuals

(11) Religious Activities.

- (a) A group may use a school building and facilities for a religious service (which includes a baccalaureate service) on the same basis school facilities and grounds are made available to other non-school groups and individuals if:
 - (A) The service is held after regular school hours;
 - (B) Attendance is voluntary; and
 - (C) The rental and other charges paid are in accordance with the schedule of charges established by the.
- (b) These provisions shall not be interpreted to permit the use of school buildings or facilities for any other religious purpose after regular school hours or for any religious purpose as part of the public school program, and no religious service, exercise or program shall be conducted, sponsored or arranged by the school at any time. See also Administrative Regulation 4.40.061, Student Assembly.
- (c) The distribution in any manner of any book, testament, pamphlet, tract or other printed matter of any religious character whatsoever on the school premises during the school day by non-students shall not be permitted. This rule, however, does not apply to the use of Bibles and other religious documents in either the school libraries or classrooms for their appropriate use in an instructional program. See also Board policy 4.40.050 (1) (d), Student Clubs and Assembly.

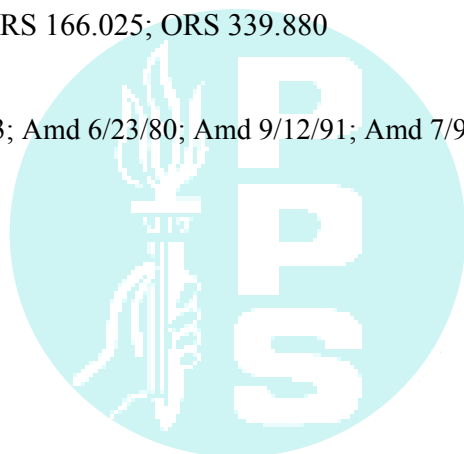
- (12) Gang Activity. Individuals shall not in school buildings or on school grounds wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other items which are evidence of membership or affiliation in any gang; use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity.
- (13) Weapons. Possession of an unauthorized loaded or unloaded firearm or any other instrument used as a dangerous or deadly weapon as defined in law and Board Policy, unless otherwise specifically accepted by law and Board Policy, is prohibited in school buildings and on school grounds.
- (14) Disruptions. Disrupting, impeding or otherwise interfering with the orderly conduct of district programs or any other authorized activity taking place in school buildings or on school grounds is prohibited.

3.30.020-P Limitations On Use Of Facilities and Grounds – All Groups or Individuals

- (15) **Miscellaneous Activities**. For reasons of health, safety and appropriate use of school buildings, the following activities are prohibited: funerals, weddings; games of chance; dances by non-school groups; public dances, unless for senior citizens and sponsored by Community Schools; animal shows or obedience classes; barbecue classes. Memorials; wedding receptions; PTA/PTO and other school related group-sponsored barbecues and dances sponsored by such groups for district students may be permitted.
- (16) **Attendance Limits**. The maximum number of people permitted in auditoriums in the various buildings shall be restricted to their seating capacity as specified by the Portland Fire Bureau.

Legal References: ORS 161.015; ORS 166.155 -166.165; ORS 164.245; ORS 166.210 -166.370; ORS 164.255; ORS 332.107; ORS 166.025; ORS 339.880

History: Adpt 6/71; Amd 9/24/73; Amd 6/23/80; Amd 9/12/91; Amd 7/95; Amd5/30/96; Amd 9/9/02; BA 2419



3.30.030-P Limitation On Use Of Facilities And Grounds – (Non-students)

- (1) **Political Activities:** Invitations to Address Students Extended to Public Officials, Candidates for Public Office and to Opposing Sides of Ballot Measure.
- (a) In furtherance of their education for citizenship, students should have the opportunity in school to hear from opposing sides with respect to ballot measures. The Board welcomes the expression of diverse viewpoints on political issues and ballot measures.
 - (b) If a teacher intends to extend an invitation to a public official, candidate for public office or proponent or opponent of a ballot measure to appear before a class, the teacher shall proceed in accordance with Board policies and Administrative Directives for inviting resource speakers to speak to class and shall, to the extent practicable, offer reasonably equivalent opportunities to opposing candidates and sides.
 - (c) With respect to other invitations from either a teacher or a student, the teacher or student shall make arrangements with the principal or an established assembly committee of the student body, prior to extending the invitation, as to the time and place of the appearance and shall offer reasonably equivalent opportunities to opposing candidates and sides. Such a meeting shall not interfere with the school program, and attendance at such meetings shall be voluntary. Should the principal conclude that in unusual circumstances the appearance of a particular speaker would endanger the safety of students, they shall deny the request and report this decision immediately to the superintendent, the assembly committee involved, and the individual making the request.
 - (d) If the principal or the assembly committee extends an invitation, reasonably equivalent opportunities shall be offered opposing candidates and sides.
 - (e) There shall be no soliciting of funds, distribution of literature or other activities for political purposes by employees of the district while on duty.
- (2) **Advertising Performances in Schools.** No material of any nature advertising the performance to be presented under the auspices of any person or organization shall be placed or distributed on school premises by persons not students, unless the proceeds of such performance are to be used for benefits of the schools of this district, except as provided below:

3.30.030-P Limitation On Use Of Facilities And Grounds – (Non-students)

- (a) The offices of the superintendent may grant to organizations desiring to advertise concerts and similar activities the privilege of placing folders in the teachers' mail boxes in the various schools;
 - (b) In instances when the performance may be providing a significant educational experience for the students, the offices of the superintendent may grant permission to place announcements on hall bulletin boards designated by the principal of each school.
- (3) **Cafeteria Service Facilities.**
- (a) Organizations may be permitted to use the cafeteria and kitchen facilities in keeping with Civic Use of Buildings policy and application procedures and the following provisions:
 - (A) Nonprofit organizations (fraternal, church, community) may use the kitchen facilities for serving or assembling of food prepared outside.
 - (B) All functions requiring the use of an elementary, middle or high school kitchen and/or equipment for the preparation of foods shall be supervised by Nutrition Services staff. Employee costs shall be paid by the organization;
 - (C) Use of the facilities will be limited to the warming of food prepared outside, under the supervision of cafeteria employees.
 - (b) Elementary and middle school kitchen facilities may not be used for serving or assembling of food prepared outside the district without the supervision of Nutrition Services employees. Use of such facilities will be limited to warming of food prepared outside or foods determined by the Director of Nutrition Services which require minimal preparation such as making coffee or warming hot dogs. When major food preparation is required, such organizations will employ Nutrition Services staff to supervise the use of the facilities;
 - (c) Equipment may be operated only by Nutrition Services employees;
 - (d) All such applicants requesting use of cafeteria or kitchen facilities shall, following district facility approval, contact the Office of Nutrition Services to review use specifics, special needs and any additional requirements imposed by the district.
- (4) **The Use of School Equipment.** In order to assure that equipment provided in the schools for the education of young people shall be most beneficially used for that purpose, school equipment shall not be loaned or rented for use outside the building or off the grounds of the school to non-

3.30.030-P Limitation On Use Of Facilities And Grounds – (Non-students)

school organizations with the exception of audiovisual equipment used to provide information about the Community School Program.

Legal References: ORS 260.432; ORS 260.605; ORS 294.100; ORS 329.125; ORS 332.107; ORS 332.172

History: Adpt 1/15/96; Adpt 6/71; Amd 8/28/72; Amd 6/23/80; Amd 11/10/83; Amd 7/95; Amd 1/15/96; Amd 9/9/02; BA 2419



Complaint Policy

4.50.030-P

~~11/10/22 Draft~~ 1/2323

We know that when families are engaged with their children's schools, children are more likely to have academic success, graduate from high school, develop self-confidence, and demonstrate strong social behaviors. When we put children at the center of our decisions and actions, we can deliver better experiences for all students and families. We also know that our school district can be complex and that families and students will have questions and sometimes concerns about our curriculum, classrooms, programs, and other experiences.

Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students. We welcome those conversations and expect that all adults, including PPS educators and other staff, will model our core values--including respect, relationships, honesty and integrity, collaboration, and a strong commitment to racial equity and social justice--when we have those conversations.

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

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

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

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

1. District Complaints

The District has a common complaint form (hyperlink here) for complaints that will be addressed by specific departments within the District, such as concerns or complaints regarding enrollment and transfer, transportation, educational records, Title IX, and 504 accommodations. Complainants will receive a final written decision from the Superintendent's designee within 60 days of receipt of the complaint.

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

24. ~~Division 22~~ Formal Complaints

Formal complaints under the Oregon Department of Education's Division 22 regulations [insert link to ODE website] include those about instructional standards and practices (class size, curriculum, etc.), special education programs (but not individual complaints), health and safety, equitable education opportunities, sports safety, restraint and/or seclusion, bias or discrimination in education, retaliation against a student or parent/guardian, and failure to investigate complaints of bias.

If a complainant is not satisfied after exhausting ~~local~~ the District's complaint procedures, the District fails to render a written decision within 30 days of submission of the complaint at any step, or the District fails to resolve the complaint within 60 days of the initial filing of the complaint, complainants~~they~~ may appeal the District's final decision to the Oregon Department of Education. An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

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

~~a) Instructional standards and practices~~

~~(1) Curriculum~~

- ~~(2) Teaching strategies~~
- ~~(3) Testing~~
- ~~(4) Counseling~~
- ~~(5) Class size~~
- ~~(6) Alternative education programs~~
- ~~(7) Instructional materials~~
- ~~(8) Compliance with state standards~~

- ~~b) Special education~~
- ~~c) Health and safety~~
- ~~d) Equitable education opportunities~~
- ~~e) Sports safety~~
- ~~f) Restraint and/or seclusion~~
- ~~g) Bias or discrimination in education~~
- ~~h) Retaliation against a student or parent/guardian~~
- ~~i) Failure to investigate complaints of bias~~

CBb) —Because Division 22 complaints can be an important indicator of the health of an organization, the Superintendent will provide to the Board at least annually data on trends, emerging issues, and district responses, as well as an assessment of the formal complaint process.

c) The District shall provide training for designated District staff on how to handle Formal Complaints under Division 22.

II. TIMELINES FOR ALL COMPLAINTS

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

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in

nature, the time limit runs from the date of the most recent incident; OR

2. Within one year after the affected student has graduated from, moved away from, or otherwise left the District, whichever is later

B. The time limits for bringing formal complaints may be extended by the District for complaints about significant student safety issues, including those arising out of employee misconduct, sexual abuse or conduct, or other allegations of harm to students.

~~**C.** The receipt of a written complaint starts the 60-day timeline for resolution of complaints under this policy.~~

C. 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.

III. FILING A DIVISION 22 FORMAL COMPLAINT

A. STEP 1:

1. The written complaint must be filed with the District's complaint coordinator by letter, email, or the [written complaint form](#). The written complaint should include the name and contact information for the complainant, a description of the concern, and the student's name, if applicable. It is helpful if the written complaint also includes the names of any other parties involved, including witnesses; a description of efforts to resolve the concern; and suggestions for resolution. The complainant shall receive a written acknowledgement of receipt of the complaint within 5 days of submitting the complaint.

2. All Division 22 Formal Complaints processed under this policy 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.

and resolution the decision will include information about next steps in the complaint process. ~~The resolution will include information about next steps in the complaint process. District responses substantiating allegations raised in the complaint shall be considered final decisions and may be not be appealed to ODEthe Board.~~

~~3. 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.~~

IV. FILING AN APPEAL FOR OF A DIVISION 22 FORMAL COMPLAINTS UNDER DIVISION 22 DECISION

A. STEP 2: APPEAL TO THE PPS SCHOOL BOARD

If a Formal Complaint about a Division 22 matter is not substantiated the issue is not resolved to the complainant's satisfaction, the complainant may request a review by the PPS School Board. The request for review shall be submitted in writing within 10 days of the complainant receiving the decision in Step 1.

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

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

Complainants may bring an advocate or support person to any meeting or proceeding. For hearings before the Board, the District will inform the complainant which PPS staff will be attending the hearing.

Because the Board makes the final decision at the Step 1 appeal, Board members should not knowingly initiate or continue contact with complainants about the topic of a complaint or independently investigate allegations in the complaint once they have notice that a Division 22 fFormal eComplaint has been filed. District staff will regularly notify Board members about new Division 22 fFormal eComplaints that are filed.

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

1. Affirmed and no further action will be taken;
2. Not affirmed~~Reversed~~ in whole or in part and may direct the Superintendent to take alternative steps or other courses of action. ~~To the extent the Board modifies the District's Step 1 decision, it will issue a final decision that addresses each concern raised in the complaint and contains reasons for the District's decision; or~~

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

The District will make all reasonable attempts to schedule a special meeting to consider the appeal of the Division 22 Formal Ccomplaint at a time that is convenient for the complainant. If, after multiple attempts and at least 90 days has passed since the appeal was made, it has not been

possible to coordinate a time for the meeting with the complainant, the Board may meet to consider the appeal on the written materials submitted and will give notice to the complainant that it is doing so.

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

D. Other provisions

1. The District will provide translation and interpretation services and other reasonable accommodations to assist complainants ~~through the Formal Complaint process~~. Legal advice is not a resource provided by the District.
2. The District representative assigning staff to investigate and respond to a complaint shall avoid any conflicts of interest, or the appearance of conflicts of interest.
- ~~3. Complainants may bring an advocate or support person to any meeting or proceeding. For hearings before the Board, the District will inform the complainant which PPS staff will be attending the hearing.~~
4. Retaliation against any person who files or participates in ~~the~~ [the District](#) complaint process is strictly prohibited. Retaliation is any intentional action that would deter a reasonable person from participating in the process. Anyone who believes they have suffered retaliation should immediately report it to the Superintendent or PPS Board of Directors.
5. The District will share with complainants as much information as possible about the findings of the investigation and will, in all cases, share the outcome of its investigation of complaints. However, PPS is often prohibited from disclosing specific information about disciplinary action taken against an employee or student involved in the complaint.
6. The Board will hear appeals of complaints that involve confidential student records in a session closed to the public and media unless the student or family requests the appeal be heard in a session open to the public.
- ~~7. If the District fails to meet the timelines stipulated in this policy, the complainant may appeal to the PPS School Board or to the Oregon Department of Education. The timelines may be extended by agreement between the complainant and the District. For~~

~~example, this may be needed if there are many witnesses to interview, key witnesses are unavailable because of holidays, medical leave, etc., or if a particular Board meeting does not work for the complainant.~~

8. As used in this policy, “days” will be counted as “calendar days.” Any period for response under this policy that falls on a weekend or legal holiday shall be extended to the next business day.

9. The District may not be able to assure confidentiality of the names of persons who file complaints under this policy.

10. If a complaint alleges employee misconduct that is outside the scope of this policy, the complaint coordinator will notify the Superintendent in writing of that filing, and the District will endeavor to respond in a timely manner to the ~~complaint~~allegation.

11. Current and former employees may not bring a complaint under this policy regarding the terms, conditions, or status of their employment.

12. Complaints that have been previously filed by a complainant, investigated, and responded to and for which appeals have been exhausted or the time for appeal has expired cannot be refiled when the complaint is regarding a particular incident or issue that has already been addressed, ~~through the Formal Complaint process.~~

~~13. Because the Board makes the final decision at the Step 1 appeal, Board members should not knowingly initiate or continue contact with complainants about the topic of a complaint or independently investigate allegations in the complaint once they have notice that a formal complaint has been filed. District staff will regularly notify Board members about new formal complaints that are filed.~~

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

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

Board members are volunteers serving in an elected capacity and are accountable to the citizens in the Portland Public Schools district for their actions and policy positions. Complaints alleging ethics violations or violations of the law against an individual Board member should be made to the Board Chair who will refer these

issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. Complaints related to ethics violations or violations of the law against the Board Chair should be made to the Board Vice-Chair(s) who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. If a third party investigates a complaint, after receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

F. Complaints submitted to members of the Board of Education

School board members who receive Division 22 ~~f~~Formal ~~e~~Complaints from constituents or staff shall forward complaints to the District's complaint coordinator. Board members shall forward all other ~~informal~~ complaints to the appropriate school or department in order to address the concern.

V. FURTHER APPEAL RIGHTS

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

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

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

Adopted 11/2014; Amended 6/12/18, 6/15/2021, 7/12/2022, / /2023

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](#)



CALENDAR



ENROLL



CONTACT

Conflict Resolution

Best practices for reporting concerns at school

During the school year, issues and/or concerns may develop for families, students or third parties relating to any number of issues, including their students' schools or classrooms. It is best practice to attempt to resolve issues at the school level first, beginning with the classroom teacher. Below is the order in which issues may be escalated (including for special education). Our family engagement and special education family engagement liaisons can help support families through this process.

Steps to Resolution

1. The classroom teacher

Portland Public Schools believes that the best and most effective method for resolving conflicts is by starting with the classroom teacher first.

2. The Principal and/or School Administrator

If contacting your teacher doesn't resolve the issue, it is recommended that families contact their principal or school administrator next.

3. The Principal Supervisor (Area Senior Director)

These positions are called Area Senior Directors and are organized by high school catchment enrollment area. The list of Area Senior Directors and schools they manage can be found on the [webpage for Office of School Performance](#).

4. The Regional Superintendent

Three Regional Superintendents supervise Area Senior Directors and their teams are listed in the staff link provided above. If your issue is not resolved by working with the Area Senior Director you can contact the Regional Superintendent, listed on the [webpage for Office of School Performance](#).

5. The Chief of Schools

Regional Superintendents are supervised by the Chief of Schools. In circumstances when the steps listed above have not resolved a family issue, the Chief of Schools, Jon Franco, should be contacted.

6. File a Complaint with PPS

If the methods above do not result in a satisfactory resolution or if you believe it to be more appropriate to file a complaint directly with the District, you may use the [Unified Complaint Form](#). More information below.

Resources & Special Considerations

Family Engagement Liaisons

PPS makes available Family Engagement Liaisons in order to help with resolution of issues. Liaisons may assist families in the resolution of issues, including meeting with school staff, and addressing classroom concerns. For more information about Family Engagement Liaisons, please contact: [Jeff Wisner](#).

Special Education concerns

Concerns about special education services may also be addressed first by contacting the student's case manager and then to the [Program Administrator](#). Family Engagement Liaison Noel Sisk can assist families through this process.

Discrimination complaints

Any PPS employee, student, parent, community member, concerned citizen, or other individual may file a complaint of discrimination. Please see the options below for how to report a complaint of discrimination.

- Report to PPS using the [Unified Complaint Form](#).
- Complaints about discrimination may be reported directly to [the Office of Civil Rights \(OCR\)](#).

Unified Complaint Form

Portland Public Schools recommends the escalation of complaints as shown on this page under "Best practices for reporting concerns at school." The District also offers the use of the Unified Complaint Form in order for community members to submit complaints.

PPS Online
Unified Complaint Form

How are complaints handled by Portland Public Schools?

As part of the complaint process, the person assigned to investigate (which may be the School Compliance Officer, school or district administrator) will ask all involved parties

questions about what happened in order to understand and, when possible, try to resolve the matter. Once the investigator has concluded their fact finding, having gathered all the relevant information about what occurred, the investigator will provide a written response of findings. Unless a particular process has a different timeline, a final decision will be provided no later than 60 days from the initial complaint.

Types of Complaints

Discrimination	>
Workplace Harassment	>
Enrollment and Transfer	>
Educational Records	>
Division 22: Formal Complaint	>
Special Education	>

Contacts

School org charts showing Area Senior Directors and Regional Superintendents

Dr. Cheryl Proctor

Deputy Superintendent, Instruction & School Communities
cproctor@pps.net

Dr. Jon Franco

Chief of Schools
jfranco@pps.net

Liane O’Banion

Title IX Director
(503) 568-2646
lobanion@pps.net

Jey Buno

ADA Director
(503)278-2105
jbuno@pps.net

Marquita Guzman

504 Coordinator
(971)393-8633
mguzman@pps.net

Jeffrey Wiser

Family Engagement Liaison
jwiser@pps.net

Noelle Sisk

PPS Special Education Family Engagement Specialist

(503) 916-3723
nsisk@pps.net

Alex Orazio

Complaint Coordinator

(503) 916-3462

complaintcoordinator@pps.net

Teri Brady

Director of Transportation

tbrady@pps.net

Judy Brennan


Director of Enrollment & Transfer

(503)916-2000 x71168

jbrennan@pps.net

Translate



Select Language 

PORTLAND PUBLIC SCHOOLS



501 N. Dixon St
Portland, OR 97227



(503) 916-2000

Connect with PPS



[Site Map](#) • [Terms and Conditions](#)
[Questions or Feedback?](#)

The District is committed to equal opportunity and nondiscrimination in all its educational and employment activities. The District prohibits discrimination based on perceived or actual race; national or ethnic origin; color; sex; religion; age; sexual orientation; gender expression or identity; pregnancy; marital status; veteran's status; familial status; economic status or source of income; mental or physical disability or perceived disability; or military service.

504 Coordinator: Marquita Guzman, mguzman@pps.net 971-393-8633

ADA Coordinator: Jey Buno, jbuno@pps.net, 503-916-3360

Title IX Director: Liane O'Banion, lobanion@pps.net, 503-568-2646

Accessibility Statement

Conflict/Complaint Resolution Process

District Offices: 501 N. Dixon St. Portland, OR 97227
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PPS Unified Complaint Form

You may choose to submit an Anonymous complaint. However, if you do so, you will not receive updates on the status.

 **kbradshaw@pps.net** (not shared) [Switch account](#)



* Required

How would you like to submit this complaint? *

- I would like to receive updates about the complaint. I will provide my contact information.
- I would like to remain anonymous. I understand I will not receive updates about the complaint.

[Next](#)

[Clear form](#)


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Google Forms



PPS Unified Complaint Form

 kbradshaw@pps.net (not shared) [Switch account](#)



* Required

Your Information

First Name *

Your answer

Last Name *

Your answer

Email Address *

Your answer

Phone Number *

Your answer



What is your preferred method of contact? *

Email

Phone

Back

Next

Clear form


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PPS Unified Complaint Form

 **kbradshaw@pps.net** (not shared) [Switch account](#)

 Saving...

* Required

Information about the incident

Date and time of incident, if known. If there was more than one related incident, include all dates and times. *

Your answer

 This is a required question

Does this complaint concern a school or department? *

Choose 

[Back](#)

[Next](#)

[Clear form](#)

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PPS Unified Complaint Form

 kbradshaw@pps.net (not shared) [Switch account](#)

 Draft saved

* Required

Individuals Involved

Does this complaint concern a staff member, administrator, or student? *

Staff Member

Administrator

Student

No / Don't Know

 This is a required question

If the complaint is against a staff member or administrator, please provide their name(s) below.

Your answer

If the complaint is against a student, please provide their name(s) below.

Your answer



What kind of complaint are you filing? *

Back

Next

Clear form

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Google Forms



PPS Unified Complaint Form

 kbradshaw@pps.net (not shared) [Switch account](#)

 Draft saved

* Required

Was discrimination a factor?

If discrimination was a factor for this complaint, please provide details below.

Your answer

What happened during the incident? *

Choose 

 This is a required question

Was anybody physically hurt? *

- No.
- Yes. Medical attention NOT required.
- Yes. Medical attention required.
- Don't know.



Names of witnesses (if any)

Your answer

Do you have any evidence related to your complaint? (For example: photos, emails, texts, etc.) *

Yes

No

If you have already spoken to someone about the incident, indicate those people below.

Teacher/Employee

Counselor

Principal/Assistant Principal/Vice Principal

Central Office Administrator

Deputy Superintendent for Teaching & Learning

Deputy Superintendent for Operations

Superintendent

Other:

Please provide the names of the individuals with whom you have spoken.

Your answer



What was the result of the discussion?

Your answer

Please provide any additional relevant information below.

Your answer

If you have a suggested resolution, please describe that below.

Your answer

Today's date

Date

mm/dd/yyyy

[Back](#)

Submit


[Clear form](#)

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Google Forms



 [An official website of the State of Oregon »](#)

(<http://www.oregon.gov>)



About Us

Information about the Oregon Department of Education
(/ode/about-us)

(/ode/)

[Home \(/ode/Pages/default.aspx\)](#) > [About Us \(/ode/about-us/Pages/default.aspx\)](#) > [Complaints and Appeals](#)

ODE's offices in Salem are open!

Note that many staff members are still teleworking and can be contacted by telephone and online. Visit our [Contact Us page](#) for details: <https://www.oregon.gov/ode/about-us/Pages/Contact-Us.aspx> (/ode/about-us/Pages/Contact-Us.aspx)



Complaints and Appeals

 Site Navigation


[File a Complaint](#)

<https://app.smartsheet.com/b/form/d8444c7999b04759860b398f4750ca0d>

Use the form linked above to file a complaint regarding Division 22 Standards, discrimination, restraint and seclusion, retaliation or religious entanglement.

To file a complaint regarding the Individuals with Disabilities Education Act (IDEA), email [Special Education Legal Specialist Mike Franklin](mailto:mike.franklin@ode.state.or.us) (<mailto:mike.franklin@ode.state.or.us>).

Child Nutrition Program Civil Rights complaints [can be made on a separate web page \(/ode/students-and-family/childnutrition/Pages/CivilRights.aspx\)](#).

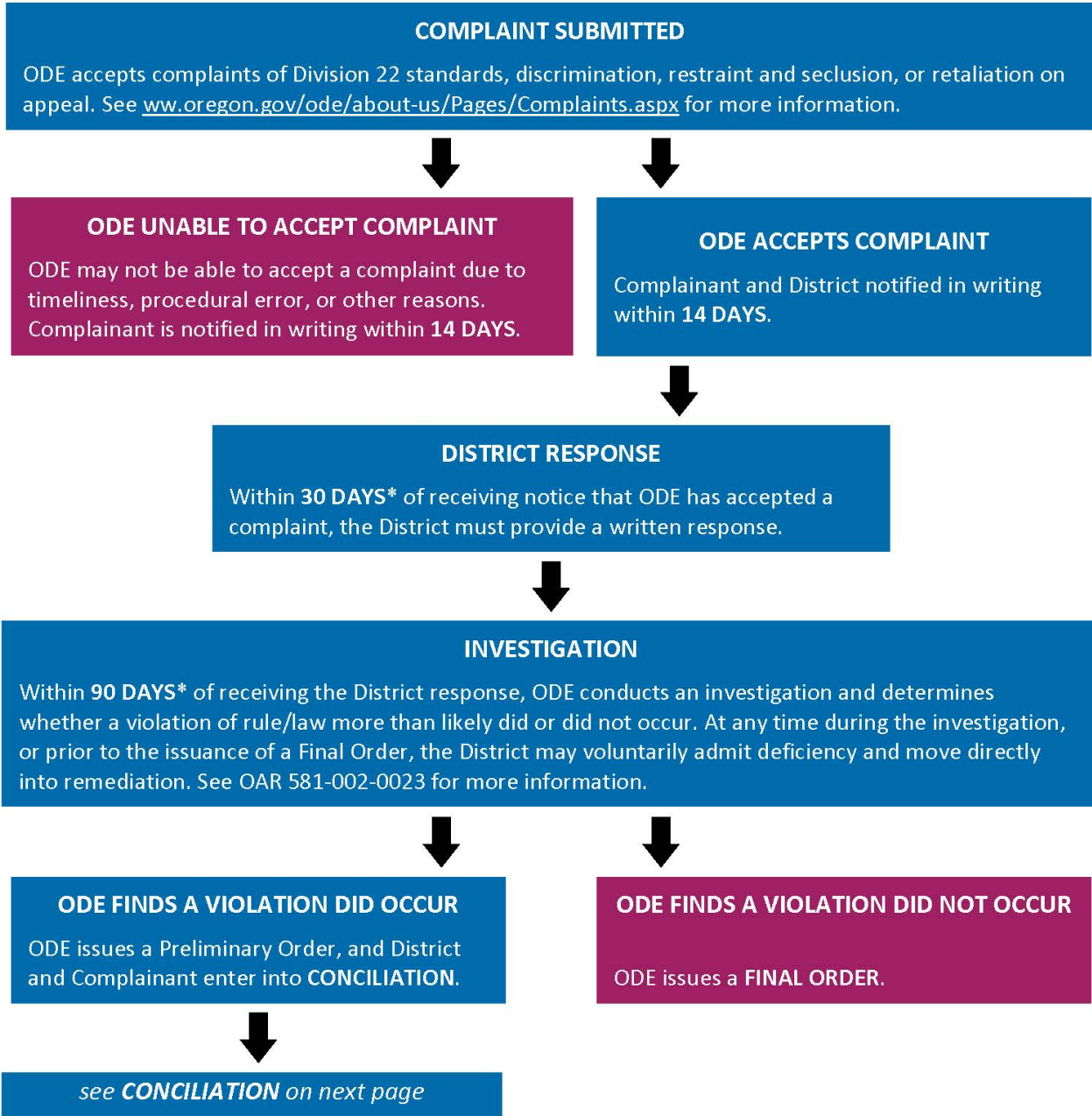
 [An official website of the State of Oregon »](http://www.oregon.gov)

(<http://www.oregon.gov>)



OREGON DEPARTMENT OF EDUCATION COMPLAINT AND APPEAL PROCESS

This document provides a visual overview of the appeals process for complaints regarding Division 22 Standards, discrimination, restraint and seclusion, or retaliation. ODE can also accept complaints regarding the IDEA and complaints regarding religious entanglement that follow a different process; visit www.oregon.gov/ode/about-us/Pages/Complaints.aspx for more information.



Updated 3/21/2022. This document should not be construed as legal advice. This document should not be considered comprehensive or exhaustive; see oregon.gov/ode for links to the latest laws, rules, and policies.

For questions about this process call 503-947-5600 or contact:

Mark Mayer, Complaint and Appeals Coordinator, at mark.mayer@state.or.us.



CONCILIATION



Conciliation is an alternative out-of-court dispute resolution process. Like mediation, conciliation is a voluntary, flexible, confidential, and interest-based process. The parties seek to reach a dispute settlement with the assistance of a conciliator, who acts as a neutral third party.**

- The conciliation period may not be longer than **30 DAYS*** unless the complainant and the school district agree, in writing, to a longer time period.
- The school district may not have an attorney present during conciliation unless the complainant is accompanied by an attorney.
- Upon request, the Department will provide technical assistance to support the conciliation process.

***At any time during this process, the complainant or school district may communicate to the Department that they no longer wish to negotiate an agreement and the conciliation period ends.*



CONCILIATION AGREEMENT NOT REACHED

ODE issues a **FINAL ORDER** based upon the conclusions of the Preliminary Order. The Order may include remedies or terms the District must comply with.

CONCILIATION AGREEMENT REACHED

ODE supervises the fulfillment of the agreement.



CONCILIATION AGREEMENT NOT FULFILLED

ODE issues a **FINAL ORDER**. The Order may include remedies or terms the District must comply with.

CONCILIATION AGREEMENT FULFILLED

ODE issues a letter closing the complaint.

RECONSIDERATION

Within **60 DAYS** of receiving a Final Order, a Complainant or District may request reconsideration from ODE.

JUDICIAL REVIEW

Within **60 DAYS** of either receiving a Final Order **OR** receiving a denial of reconsideration, a complainant or a school district may seek judicial review of the Department’s final order by filing a petition for review with the Marion County Circuit Court or with the circuit court in the county where petitioner resides.

*Timelines may be extended for good cause at the request of Complainant, District, or ODE.

Updated 3/21/2022. This document should not be construed as legal advice. This document should not be considered comprehensive or exhaustive; see oregon.gov/ode for links to the latest laws, rules, and policies.

For questions about this process call 503-947-5600 or contact:

Mark Mayer, Complaint and Appeals Coordinator, at mark.mayer@state.or.us.

[Resource for Download](#)
[Official website of the State of Oregon »](#)

(<http://www.oregon.gov>)

[ODE Complaint Process Flowchart.pdf \(/ode/about-us/Documents/ODE%20Complaint%20Process%20Flowchart.pdf\)](http://www.oregon.gov/ode/about-us/Documents/ODE%20Complaint%20Process%20Flowchart.pdf)




Frequently Asked Questions

Access the following linked questions to read the answers.

- Can the department accept my complaint now? +
- What types of complaints and appeals may the department accept? +
- Why can't the department accept my complaint if it does not involve a Division 22 standard, discrimination, restraint and seclusion, retaliation, religious entanglement or special education? +
- Can the department help me if it cannot accept my complaint? +
- I don't attend a regular public school. Can the department still accept my complaint or appeal? +
- What kind of remedy can I expect? +
- Filing a complaint or appeal +
- Who can I talk to about my complaint or appeal? +

Orders

- Discrimination Cases +

 [An official website of the State of Oregon »](#)

Division 22 Cases
 (<http://www.oregon.gov>) 🔍 +

Religious Entanglement Cases +

Restraint and Seclusion Cases +

Retaliation Cases +

Help us improve! Was this page helpful?

Yes	No
-----	----

Helpful Resources

[ODE Accessibility Statement \(/ode/rules-and-policies/Pages/AccessibilityStatement.aspx\)](/ode/rules-and-policies/Pages/AccessibilityStatement.aspx)

[Anti-Discrimination Policy \(/ode/rules-and-policies/Pages/Anti-Discrimination-Policy.aspx\)](/ode/rules-and-policies/Pages/Anti-Discrimination-Policy.aspx)

[Career Opportunities \(/ode/about-us/careers/Pages/CareerOpp.aspx\)](/ode/about-us/careers/Pages/CareerOpp.aspx)

[Educator Effectiveness \(/ode/educator-resources/educator_effectiveness/Pages/default.aspx\)](/ode/educator-resources/educator_effectiveness/Pages/default.aspx)

[School & District Profiles and Reports \(/ode/schools-and-districts/reportcards/Pages/default.aspx\)](/ode/schools-and-districts/reportcards/Pages/default.aspx)

[State Board \(/ode/about-us/stateboard/Pages/default.aspx\)](/ode/about-us/stateboard/Pages/default.aspx)

[Site Map \(/ode/Pages/Site-Map.aspx\)](/ode/Pages/Site-Map.aspx)

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Chapter 581

Division 22

STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

581-022-2370

Complaint Procedures

- (1) Each school district must establish a process for the prompt resolution of a complaint by a person who resides in the district or by any parent or guardian of a student who attends school in the school district.
- (2) A school district's complaint procedure must:
- (a) Be in writing available at the main administrative office and, if the school district has a website, in a form available on the home page of the school district's website;
 - (b) Include the name of the person, position, or office within the school district with the responsibility for responding to the complaint; and
 - (c) Specify the time period during which the complaint will be addressed and a final decision issued. If the complaint procedure has multiple steps, the procedure must establish the time period for each step as well as the overall time period for completing the complaint procedure.
- (3) A school district's complaint procedure may:
- (a) Distinguish between those complaints that may be appealed under OAR 581-002-0040 OAR 581-002-0001 to OAR 581-002-0023, and other complaints;
 - (b) Offer mediation or other alternative dispute resolution processes as an option available if all parties to the complaint agree in writing to participate;
 - (c) Impose a time limitation for filing a complaint that is the later of either:
 - (A) 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 must run from the date of the most recent incident; or
 - (B) One year after the affected student has graduated from, moved away from, or otherwise left the school district.
 - (d) Include more than one but no more than four steps for addressing the complaint.
 - (4) The procedure for hearing and acting on complaints alleging violation of the Oregon Administrative Rules, chapter 581, division 22 (division 22 Standards), ORS 339.285 to 330.303 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), ORS 659.850 or OAR 581-021-0045, 581-021-046, 581-021-047 (Discrimination); or ORS 659.852 (Retaliation) must include the following:
 - (a) The point at which the district's decision is final; and
 - (b) A final decision in written or electronic form that addresses each allegation in the complaint and contains reasons for the district's decision and notifies the complainant that the district's decision may be appealed to the Deputy Superintendent of Public Instruction under OAR 581-002-0001 to OAR 581-002-0023.
 - (5) This rule applies to appeals filed with a school district on or after January 1, 2018.

Statutory/Other Authority: ORS 326.051

Statutes/Other Implemented: ORS 327.103 & 326.051

History:

[ODE 11-2019, amend filed 03/25/2019, effective 03/25/2019](#)

[ODE 2-2019, minor correction filed 01/08/2019, effective 01/08/2019](#)

Renumbered from 581-022-1650 by ODE 16-2017, f. & cert. ef. 7-5-17

ODE 9-2017, f. 6-29-17, cert. ef. 7-1-17, Renumbered from 581-022-1941

ODE 31-2007, f. & cert. ef. 12-12-07

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Chapter 581

Division 2

ACCOUNTABILITY REPORTING ADVISORY COMMITTEE

581-002-0005

Acceptance of Appeal

A complainant may appeal a final decision of a complaint described in OAR 581-002-0003 if the appeal meets the following criteria:

- (1)(a) Except as provided in paragraph (b) of this subsection, the appeal must be from a final decision by a district. A decision is a final decision by a district if:
- (A) The complainant has exhausted the district's complaint process except as otherwise allowed by statute;
 - (B) In a complaint process with more than one step, the district fails to render a written decision within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step; or
 - (C) The district fails to resolve the complaint within 90 days of the initial filing of the complaint, regardless of the number of steps in the district complaint process, unless the district and complainant have agreed in writing to a longer time period.
- (b) The appeal may include a complaint alleging a violation of ORS 659.852 (Retaliation) if the complainant alleges that retaliation occurred in response to a complaint for which the complainant received a final decision as described in paragraph (a) of this subsection.
- (2) The appeal must be received by the department no later than:
- (a) One year after the date of the decision by the district resolving the complaint; or
 - (b) If the district fails to resolve the complaint, no later than two years after the date on which the complainant first filed the complaint with the district.
- (3)(a) The complaint upon which the appeal is based must have been initially filed with the district by the later of the following two dates:
- (A) The date occurring two years after the date on which the alleged violation or unlawful incident occurred or on which the complainant discovered the alleged violation or unlawful incident; or
 - (B) The date occurring one year after the date on which the affected student graduated from, moved away from, or otherwise left the district.
- (b) For purposes of paragraph (a)(A) of this subsection, if the alleged violation or unlawful incident is of a continuing nature, the date on which the alleged violation or unlawful incident occurred is the most recent date on which the alleged violation or unlawful incident occurred.
- (4)(a) The appeal must:
- (A) Be in writing;
 - (B) Be submitted in person, by mail, or electronically; and
 - (C) Contain:
 - (i) The name of the person filing the appeal;

- (ii) If the person filing the appeal has a phone number, address, or email address, the person's phone number, address, or email address;
 - (iii) If the person filing the appeal is filing the appeal on behalf of a student, the name of the student;
 - (iv) A statement of the facts upon which the appeal is based; and
 - (v) Other information requested by the department.
- (b) The Director of the Oregon Department of Education may for good cause waive the requirement described in paragraph (a)(A) of this subsection.

Statutory/Other Authority: ORS 326.051, ORS 339.303 & ORS 659.850 to 659.855

Statutes/Other Implemented: ORS 339.303, ORS 659.850 to 659.855 & ORS 339.285 to 339.303

History:

[ODE 11-2019, adopt filed 03/25/2019, effective 03/25/2019](#)

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Draft language for addition to Policy 6.50.010-P Proposed by Director Brim-Edwards:

The district shall establish and sustain a Field Trip and Travel Equity Fund to support equitable opportunities for field trips and travel for schools and students, with appropriations made to schools based on a sliding scale linked to direct certification and historically underserved students. The Fund will receive an annual appropriation during the budget process; the amount of the appropriation will provide for equitable opportunities and will be based on the prior fiscal year field trip and travel spend by the top 10 percent of the schools' in PPS, differentiated by school levels (k-5, middle school, k-8, and high school).

Proposed Staff Revisions:

The ~~d~~District shall establish and sustain a Field Trip and Travel Equity Fund to support equitable opportunities for field trips and travel for schools and students, with appropriations made to schools based on an equitable basis to be determined by the District with reference to schools' and students' sliding scale linked to direct certification and historically underserved status. ~~The Field Trip and Travel Equity Fund will receive an annual appropriation during the budget process; the amount of the appropriation will provide for equitable opportunities and will be based on the prior fiscal year field trip and travel spend by the top 10 percent of the schools' in PPS, differentiated by school levels (k-5, middle school, k-8, and high school).~~