

Policy Committee Meeting
Monday, March 17, 2025 4:30 PM

Dr. Matthew Prophet Education Center
501 N. Dixon St.
Portland, OR 97227

Agenda

1. Call to Order / Introductions
2. Public Comment - 5 *Two-Minute slots* *To sign-up for public comment email *PublicComment@pps.net* or call 503-916-3741
3. Draft Proposed New Policy x.xx.xxx-P: Solicitation Registration and Reporting - Discussion only, Potential Action
4. 4.10.020-P Compulsory Enrollment: Age and Grade Level at Entrance - Discussion, Potential Action
5. 4.10.010-P Compulsory Enrollment and Attendance - Discussion Only
6. Policies Referred Out for a First Reading Policy Revisions:
 - 1.20.010-P Board of Education
 - 5.10.066-P Ethics and Conflict of Interest Policy
7. Adjourn

Registration and Reporting

Portland Public Schools is a public entity with significant contracts and expenditures, and the District has a comprehensive public contracting and purchasing policies and practices. District staff and members of the Board of Education regularly approve contracts and expenditures. It is important for the District to inform the public about individuals or entities that engage with the District with the purpose of obtaining certain District contracts and expenditures.

This policy is in addition to any other District requirement or legal obligation related to contracting, conflicts of interests, or ethical implementation of District policies and programs.

Contracts and expenditures subject to solicitation disclosure (Eligible Contracts and Expenditures): Eligible Contracts and Expenditures are those expense contracts or other District expenditures that are expected to exceed \$100,000 in a fiscal year, but Eligible Contracts & Expenditures do not include:

- Contracts subject to a Request for Proposal (RFP) under the PPS Purchasing & Contracting rules
- Collective bargaining agreements

Economic interests to be disclosed: When an individual or entity engages with District staff or Board members for the purpose of obtaining an Eligible Contract, Expenditure or other qualifying economic interest in a District decision that exceeds \$100,000 in a fiscal year, the individual and the entity they represent, if applicable, must register with the District if such actions or communications with District staff or Board total more than [five] hours per calendar quarter.

District Registration and Reporting: The District shall establish a public registration and reporting system on its website for those required to register under this policy.

- Registrations are required to be maintained for at least 90 days after the individual or entity has engaged with staff or board member for the purpose of obtaining an Eligible Contract, Expenditure, or other qualifying economic interest.

This policy does not apply to individuals or entities that are advocating for District funding, policies, or other decisions in which there is no direct financial impact to them.

Compliance with Other State Requirements

In addition to complying with this policy, individuals and entities engaging with District staff or board members for the purpose of obtaining an Eligible Contract or Expenditure are expected to comply with ORS chapter 244 and applicable District policies as are District staff and members of the Board of Education.



PORTLAND PUBLIC SCHOOLS OFFICE OF PK-5 CORE ACADEMICS

501 North Dixon Street / Portland, OR 97227
Telephone: (503) 916-3684

Date: November 28, 2022
To: Board Policy Committee
From: Emily Glasgow, Senior Director PK-5 Core Academics
Subject: Staff Analysis Report to the Board- Compulsory Education Policy Revision
Policy # and Name: 4.10.020-P Compulsory Enrollment: Age and Grade Level at Entrance

BACKGROUND

For many years, per [Board Policy 4.10.020](#) and [Admin Directive 4.10.033](#), our Talented and Gifted (TAG) Office has been tasked with administering our Early Entry into Kindergarten process. In 2021, we shifted management of this process from TAG to our Early Learners Department to better align it with other Kindergarten supports. This process allows for families of students who turn 5 between September 2 and October 1 to apply for an exception to our September 1 birthdate requirement for Kindergarten entry. Families must file an independent application, pay for private intelligence testing, and procure a recommendation letter from a preschool provider to complete the process. We are concerned that continued support of this process is in conflict with our district vision, strategic plan, equity lens, and Early Learner Core Values.

RELATED POLICIES/BEST PRACTICES

As a district, we have spent the past several years realigning our approach to Kindergarten orientation to focus not on whether students are “ready for Kindergarten,” but on whether our Kindergarten programs are ready for kids. We have worked to align limited resources with work that ensures that families and students from our historically underserved communities have supported access to high-quality PreK experiences and supported transitions to Kindergarten. And, we have worked to reimagine an approach to Kindergarten that meets the needs of all early learners who, by definition, enter school with a wide range of entrance capacities, assets, and needs.

ANALYSIS OF SITUATION

Over four years, we have reached this recommendation through the analysis of historic and recent racialized demographic trends of applicants and acceptance rates for the Early Entrance to Kindergarten exception. We have also analyzed the internal resources needed to support the current policy, the concerns that families have raised about cultural and linguistic bias inherent in the assessment process, and the evolving and expanding availability of high-quality PreK programs in and around PPS. Please find the results of this analysis below:

Historic Demographic and Recent Trend Data:

- Since 2009, an average of approximately 39 early entry to kindergarten applications were submitted to the Talented and Gifted education department each year. About 50% of those applications were approved. The number of applications ranged from 11 in

2010-2011 to 55 in 2015-16 and the percent approved ranged from 27% in 2010-2011 to 92% in 2020-21.

- In the 2021-22 school year, we had 27 Early Entry to K applicants. Of these, 24 were approved (some with formal testing requirements waived or adjusted). 23 of the 24 matriculated from private tuition-funded PK programs. The table below illustrates the racial demographics of the 24 approved:

2021-22	
Racial Demographic Group	Number Students Approved
White	15
Asian	3
White/Asian (multiracial)	3
Black/African American	2
Black/Hispanic (multiracial)	1

- The table below illustrates the percent of early entry to kindergarten applications that were approved varied across racial and ethnic demographic groups between 2009 and 2014. For example, on average 65% of applications from White students were approved, while only 30% of applications from Black students were approved.

2009-2014		
<i>Demographic group</i>	<i>Percent of applications</i>	<i>Percent approved</i>
Asian	3.40%	54.25%
Black	7.60%	30.00%
Latinx	4.60%	43.25%
Pacific Islander	1.80%	50.00%
Two or more (HU)	11.60%	40.00%
Two or more (not HU)	4.60%	60.00%
White	43.20%	65.00%
Unknown	23.20%	34.80%

Resources required to support the process:

History of in-district v out-of-district testing: PPS School Psychs used to administer testing. Approximately 8 years ago, we could not find any PPS psychs who were available to conduct testing during the school day, as they were all working full time. We hired a retired PPS psych, but when she was no longer available, we started telling families they would need to seek their own testing. This creates an inequity, even with sliding scale options.

Administrative support: For the past several years, one of our TAG TOSAs has designated 5-10 hours between winter and spring to respond to family requests, collect and review application

materials, and respond to families' applications. Our Early Learners Department often receives and responds to inquiries about this process as well.

Concerns that the assessment is cost-prohibitive and culturally/linguistically-biased:

The Wechsler Preschool and Primary Scale of Intelligence, Revised (WPPSI-R) must be administered by a trained practitioner, typically an Educational Psychologist. The assessment can take up to two hours and is financially prohibitive for many families. Estimated costs are as low as \$400 for families with documented need to \$1100 or more. Especially during the pandemic appointments can be difficult to obtain and require access to transportation and time. Additionally, there is no oversight of private assessment providers, the quality of assessment administration and interpretation varies, and results can be impacted by the implicit racial and linguistic bias of providers.

Furthermore, the WPPSI-R is not a valid index of cognitive ability for bilingual children. In researching the validity of this assessment to measure readiness for kindergarten our team learned, "the WPPSI-R is not measuring the same verbal or general factors in bilingual children as in monolinguals. Consequently, these scores cannot be interpreted as valid indicators of either verbal intelligence or general intellectual ability in bilingual children."

(Using the WPPSI-R with Bilingual Children: Implications for Practice, Mary diSibio and Thomas Whalen, CSU, Hayward 2000.)

Evolving logic of the need for an early entrance process:

PreK availability: In the past, there were few free PreK slots available to families who did not qualify for Head Start. As a result, families living just over the poverty line whose child missed the K age cut-off might have paid an average of \$600- 1,200 per month for an additional year of Pre-K. Therefore, it was financially supportive of families to offer an early entry option. However, with the ongoing expansion of free PreK through Preschool Promise and Preschool for All, more and more of our families of 4 year olds have access to free public PreK.

Later registration trends: Another consideration is the growing trend of families enrolling their Kindergarten- age students a year later. In 2016, 4.22% of K students were actually eligible for 1st grade. This year, 5.62% of K students are eligible for 1st grade. The impact is a widening range (4 year olds - 6 year olds) in ages, ability, etc in a K classroom. This widening range further problematizes the entry of very young children into the program.

FISCAL IMPACT

These changes will incur no financial impact to the district.

COMMUNITY ENGAGEMENT

As part of our review and analysis process, we sent a feedback survey to Kindergarten educators and also made a feedback survey available to families on our Kindergarten website. We received very few responses from either stakeholder group. Our Early Learners team also conducted follow-up interviews with families who engaged in the Early Entry to K process over the past year. While a small number of families expressed the importance of this exception for their children, most also articulated the inequities and challenges for families embedded in the current process. Lastly, in response to a TAGAC letter of concern, we wrote this [detailed response](#) to the TAGAC leadership. We have not yet heard back since our response was sent on November 2, 2022.

RACIAL EQUITY AND SOCIAL JUSTICE LENS

Through this study of historic demographic data and the EE to K policy in practice, we have found the policy to be deeply inequitable in that it requires the allocation of limited staff resources to support a small and arbitrary set of students to access a "work-around" to our

Kindergarten enrollment policy. Because this policy pertains only to students who turn 5 between September 2 and October 1, it places an arbitrary and unfounded emphasis on birthdates as a measure of “Kindergarten readiness.” Furthermore, it places the burden on families to learn about the process, gather recommendation forms from caretakers, and solicit and fund external evaluations. As the data in our historical analysis demonstrates, this policy has generally served to allow a small subset of middle-upper class white families to apply for and be granted early entrance to our Kindergarten classrooms. Despite increased outreach and notification efforts over the past two years, we continue to see that this policy primarily supports the interests of a small number of white, middle or upper class families matriculating from private, tuition-funded PK programs.

TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN

If the Board Policy Committee decides to move this forward to a Board vote, we suggest a January vote. This would allow us to communicate the change in policy out to prospective Kindergarten families by early February, in alignment with our 2023 Connect to Kindergarten district-wide launch.

STAFF RECOMMENDATION

Having taken historical data and current trends into consideration, the Enrollment & Transfer Center, Early Learners Department, and TAG Department are in agreement that the most equitable and logical decision would be to *abandon our early entry to K policy and practice*, beginning in January 2023. This would require us to rescind [Admin Directive 4.10.033](#) and make a small modification to [Board Policy 4.10.020](#). And, moving forward, all students who are not 5 by September 1 would need to enroll in a PreK program.

ATTACHMENTS

A. [Redline copy](#) of Compulsory Education Policy



Board Policy

4.10.020-P

Compulsory Enrollment; Age and Grade Level at Entrance

All children between the ages of 6 and 18 years who have not completed the 12th grade are required to regularly attend public school full-time, unless exempted by ORS 339.030 and PPS 4.10.010-P.

- 1) Preschool through First grade: Admission is allowed for children whose birthdays occur on or before September 1, as follows:
 - a) Preschool: A child is eligible to apply for Preschool if their third birthday occurs on or before September 1.
 - b) Pre-Kindergarten: A child is eligible to apply for Pre-Kindergarten if their fourth birthday occurs on or before September 1.
 - i) A child whose fifth birthday occurs on or before September 1 is not eligible for Pre-Kindergarten.
 - c) Kindergarten: A child will be admitted to Kindergarten if their fifth birthday occurs on or before September 1. **A child may petition into kindergarten if their birthday occurs before September 30. The petition request will be on the enrollment form, and no testing or reference letters are required. As part of the enrollment process, PPS staff will provide information to parents about District-provided pre-kindergarten programs they may be eligible for.**
 - i) A student whose sixth birthday occurs on or before September 1 may enroll in Kindergarten if they have not successfully completed a kindergarten program. ii) If the parent/guardian wishes, a student who has been enrolled in Kindergarten outside of PPS may be placed in Kindergarten when entering the District during the school year, even if their birth date occurs after September 1.
 - d) First Grade: A child will be admitted to the first grade if their sixth birthday occurs on or before September 1, or with evidence of successful completion of a kindergarten program.
 - i) A child whose sixth birthday occurs after September 1 who has been enrolled in first grade outside of PPS will be placed in first grade when entering the District during the school year.

- 2) Second through Twelfth Grade: A student newly enrolling in PPS will be assigned to a grade based on their prior school experience:
 - a) A student who has successfully completed a grade level will be enrolled in the next grade level when entering the District at the start of a school year.
 - b) A student who has been enrolled in a grade level outside of PPS will be placed in that same grade level when entering the District during the school year.



Board Policy

4.10.020-P

Compulsory Enrollment; Age and Grade Level at Entrance

- c) A student who is newly enrolling without educational records from a previous school will be placed in the appropriate grade level based on their age. Course selection for a middle or high-school student will occur in collaboration with the student, family, counselor and other school staff, and take into consideration student skill level and necessary high school graduation requirements.
- 3) Students 19 years of age: Students who turn 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
- 4) Students 21 years of age: The District shall admit otherwise eligible students who have not yet attained 21 years of age prior to the beginning of the current school year if they are shown to be in need of additional education in order to receive a diploma or are receiving special education services and have not yet received a regular high school diploma. These students may attend school without paying tuition for the remainder of the school year.
- 5) Nothing in this policy prevents a family from seeking grade acceleration or retention, as allowed in [Policy 4.20.010-P](#).

Legal References: ORS 327.006; ORS 336.092; ORS 336.095; ORS 339.115

History:

Adpt 9/71; Amd 9/73; Amd8/81; Amd 10/27/83; Amd 8/95; Amd 9/9/02; BA 2420: Amd 4/19; 1/2023.

4.10.010-P Compulsory Enrollment And Attendance

- (1) All children, unless exempted, who are between the ages of 7 and 18 years and have not completed the 12th grade are required to regularly attend a public school full time. (ORS 339.010)
- (2) Every person having control of any child between the ages of 7 and 18 years who has not completed the 12th grade is required to send and maintain the child in regular full-time attendance in a public school. (ORS 339.020)
- (3) Children exempted from regular attendance in public schools are children who:
 - (a) Regularly attend a private or parochial school;
 - (b) Demonstrate that they have knowledge equivalent to a completed 12-year course of study;
 - (c) Are in home instruction;
 - (d) Are excluded from attendance as provided by law;
 - (e) Are 16 or 17 years of age and exempted because they are:
 - (A) Employed full time;
 - (B) Employed part time and in school part time;
 - (C) Enrolled in a community college or other state-registered alternative education program; or
 - (D) Are married or have applied for legal emancipation.

(ORS 339.030; OAR 581-021-0076)
- (4) When considering a request for exemption from compulsory attendance, the principal shall conduct an interview that shall include, but not be limited to, the following:
 - (a) Attendance by the child and the parent or legal guardian or the emancipated minor;
 - (b) Attendance by a school counselor or school administrator;
 - (c) Consideration of the reasons for the request;
 - (d) Review of the following information about the child or emancipated minor:
 - (A) Credits for graduation;
 - (B) Grades;

4.10.010-P Compulsory Enrollment And Attendance

- (C) Programs towards meeting state Certificate of Initial Mastery and Certificate of Advanced Mastery requirements and state and local district standard levels of performance;
 - (D) Current disability status, if applicable;
 - (E) Prior disability status, if applicable;
 - (F) Results of district and state assessments, including progress towards meeting statewide benchmarks;
 - (G) Teacher evaluation;
 - (H) Counselor appraisal;
 - (I) Immediate plans;
 - (J) Other relevant information.
- (5) If the principal recommends that exemption from compulsory attendance should be granted, the record and his/her recommendation shall be forwarded to the administrator in charge of alternative education. The administrator shall review the recommendation and forward his/her recommendation for the superintendents or designee's approval. If the exemption is granted, the principal shall give the child and the parent or legal guardian the following in writing:
- (a) A description of any alternative programs of instruction or instruction combined with counseling which are appropriate and accessible to the student as provided in ORS 339.250(10) and (11);
 - (b) Notice that: (1) the exemption is granted for a limited time; (2) the exemption must be renewed on a semiannual basis; and (3) the exemption will be reviewed by the district on a certain date;
 - (c) Notice that the parent/student must reapply for an exemption by a specific date or the student must return to school until he/she attains a high school diploma, GED or the age of 18.

Legal References: ORS 339.010; ORS 339.020; ORS 339.030; ORS 339.250; OAR 581-021-0076

History: Adpt 6/71; Amd 9/73; Amd 5/24/90; Amd 12/21/91; Amd 11.20/92; Amd 9/9/02; BA 2420



PORTLAND PUBLIC SCHOOLS

BOARD OF EDUCATION

501 North Dixon Street / Portland, OR 97227

Telephone: (503) 916-3741

Mailing Address: P. O. Box 3107 / 97208-3107

Date: March 5, 2025

To: Board of Education

CC: Dr. Kimberlee Armstrong, Superintendent

From: Rosanne Powell, Senior Board Manager

Subject: Revisions to Policy 5.10.066-P Ethics and Conflict of Interest Policy

At the November 13 Policy Committee meeting, Committee Chair Brim-Edwards proposed a revision to the 5.10.066-P Ethics and Conflict of Interest Policy, which would prohibit current board members from applying for or accepting any offers of employment from the District. The Committee discussed and considered questions submitted by Board Members on the proposed revisions. The proposed revisions were again discussed at the January 13 Policy Committee meeting. On February 26, the Policy Committee recommended that the revisions to 5.10.066-P Ethics and Conflict of Interest Policy be referred to the full Board for a first reading.



Ethics and Conflict of Interest Policy

1. Purpose

Board of Education (Board) members and employees are expected to perform the District's business with integrity and accountability to the law and the community we serve; as responsible stewards of the District's resources; and without undue or the perception of undue influence in the performance of our jobs. Board members and employees have been entrusted with the important task of educating our community's children and should strive to live up to the highest ethical standards.

This policy establishes ethical standards of conduct for Board members and employees, whether elected or appointed, paid or unpaid, and sets forth conduct that is incompatible with such standards. Violations of this policy may subject employees to discipline, up to and including dismissal.

2. Definitions

"Actual Conflict of Interest" means any action, decision, or recommendation by a person acting in a capacity as a District representative, the effect of which is to the private financial benefit or avoidance of financial detriment to the person or the person's relative(s) or any business with which the person or a relative of the person is associated unless the financial benefit or detriment arises out of the following:

- a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
- b) Any action in the person's official capacity, which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged.
- c) Membership on the board of directors of or service in a nonremunerative capacity for a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.



Ethics and Conflict of Interest Policy

“Confidential Information” means specific information, rather than generalized knowledge, that is shared only with a specific person or persons within the District, including information made confidential by law.

“District action” means (i) a decision, determination, finding, ruling, purchase order, grant, payment, award, license, contract, transaction, sanction, approval or denial, authorization, or other similar action, or (ii) any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such matter that the Board member or employee believes, or has reason to believe, is one to which the District is, or will be a party or is one in which the District has a direct and substantial interest.

“Gift or Gratitude” means anything with an aggregate value in excess of \$50 to a Board member or District employee from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision, authorization, or vote of that Board member or District employee.

“Member of household” means any person who resides with the District employee or Board member.

“Potential Conflict of Interest” means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private financial benefit or detriment of the person or the person’s relative, or a business with which the person or the person’s relative is associated, unless the financial benefit or detriment arises out of the following:

- a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
- b) Any action in the person’s official capacity, which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person’s relative or business with which the person or the person’s relative is associated, is a member or is engaged.
- c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.



Ethics and Conflict of Interest Policy

“Participate” means to personally and substantially consider, investigate, advise, recommend, approve/disapprove, authorize, decide, or take other similar action.

“Reasonable travel expenses” are those expenses that either (1) do not exceed the District established per diem for travel or (ii) are otherwise reimbursable under District policy.

“Relative” means spouse or domestic partner, child, step-child, parent, step-parent, sibling, step-sibling, child-in-law of the employee; or the parent, step-parent, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the employee. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides financial benefits to the employee, or who receives any direct benefit from the employee’s public employment.

3. Code of Ethics

All Board members and District employees shall act with trust, equity, and accountability.

a. Trust. All Board members and District employees shall treat their office as a public trust. They should avoid the appearance of impropriety and conflicts of interest, and take District Actions and implement policies in good faith as equitably as possible.

b. Equity. Board members and District employees will create an inclusive environment that reflects and supports the racial and ethnic diversity of our student population, employees, and community.

c. Accountability. Board members and employees will strive to carry out their work efficiently and transparently.

4. Gifts

State law limits Gifts and Gratuities to Board members or employees, their relatives, and members of their household. Gift or gratuity does not include the following items:

- a. Anything of value that is received as District property and used for District purposes (such as textbooks and classroom supplies);
- b. Discounts available to an individual as a member of an employee group, occupation or similar broad-based group;



Ethics and Conflict of Interest Policy

- c. A plaque, trophy, or other honoraria;
- d. Unsolicited awards for professional achievement;
- e. Reimbursement to the District for enrollment and course fees and reasonable travel expenses incurred by the District in connection with a Board member's or employee's speech, presentation, or appearance made in an official capacity; provided that the reimbursement is memorialized in writing;
- f. Campaign contributions that are solicited or received and reported by an elected official or candidate in accordance with applicable law; and
- g. Employee or Board compensation.

5. Conflicts of Interest.

All Board members and District employees must disqualify themselves from participating in District Actions in which they have an actual conflict of interest.

This means, among other things, that:

- a. Use of Position. Board members and District employees may not use their position to obtain financial gain or avoidance of financial detriment for themselves, as well as for their relatives and members of their households. Additionally, Board members are prohibited from being compensated by the District as an employee or contractor, and no Board member or employee may benefit under any District contract for which they participated in the authorization for two years following Board service or employment, respectively.
- b. Sale of instructional or training materials. Employees may not claim, promote, or sell instructional, training, or other materials and/or equipment to third parties developed on District time or District property nor may they promote or sell instructional, training, or other materials they developed on their own time to the District. Exceptions may be granted under exceptional circumstances with the written consent of the Superintendent.



Board Policy

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Ethics and Conflict of Interest Policy

- c. Confidential Information. Board members and employees may not use confidential information gained in the course of or by reason of their position or activities for personal gain or advantage to them or their relatives or members of their household.
- d. Interest in Contracts. Board members and employees, along with their relatives and members of their household, may not take District Action related to any District contract for which they have a financial interest.
- e. Use of District Time. A District employee may not perform any duties related to an outside job during their regular scheduled or actual working hours unless leave is approved pursuant to District procedures; nor may an employee use any District facilities, equipment, resources or materials in performing outside work.

Retaliation Prohibited. Retaliation or threats of retaliation, both direct and indirect, for good-faith reporting of possible violations of this policy or ORS chapter 244 are prohibited. Any employee found to have engaged in any such conduct shall be subject to disciplinary action.

Notice.

- 1. Board Member. If a Board member has a potential or actual conflict of interest, they should state the conflict at the meeting when the agenda item is raised.
- 2. Employee. If an employee has an actual conflict of interest, they must notify a supervisor in writing of the nature of the conflict. The supervisor should assume responsibility for or reassign the matter creating the conflict. If an employee has a potential conflict of interest, they should notify a supervisor in writing of the nature of the potential conflict of interest, and the supervisor will determine if any reassignment of the matter creating the potential conflict is appropriate.

6. **Avoiding the Appearance of Conflicts of Interest**

Board Members and District employees should avoid the appearance of a conflict of interest when feasible.



Board Policy

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Ethics and Conflict of Interest Policy

7. **Complaints Against Employees**

Concerns that an employee is engaged in a District Action for which they have an actual conflict of interest shall be reported to the employee's supervisor (who should report it to Human Resources) or Human Resources. If the employee is the Superintendent, the concern shall be raised to the Board Chair.

8. **Restrictions on Board Member Employment by District**

~~Current Board members and those who have served as a Board member within the preceding 365 days may not apply for or accept any offer of employment from the District.~~



Ethics and Conflict of Interest Policy

8. Annual Training for Board Members and Senior District Leadership

Each year, Board members and senior District staff members shall complete a District-sponsored training on ethics, including conflicts of interest, public meetings laws, and public records laws. Each Board member and senior District staff shall certify in writing completion of the training.

Legal Reference: ORS [Chapter 244](#)

History: Adopted 2/20/2024



Ethics and Conflict of Interest Policy

1. Purpose

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This policy establishes ethical standards of conduct for Board members and employees, whether elected or appointed, paid or unpaid, and sets forth conduct that is incompatible with such standards. Violations of this policy may subject employees to discipline, up to and including dismissal.

2. Definitions

"Actual Conflict of Interest" means any action, decision, or recommendation by a person acting in a capacity as a District representative, the effect of which is to the private financial benefit or avoidance of financial detriment to the person or the person's relative(s) or any business with which the person or a relative of the person is associated unless the financial benefit or detriment arises out of the following:

- a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
- b) Any action in the person's official capacity, which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged.
- c) Membership on the board of directors of or service in a nonremunerative capacity for a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

"Confidential Information" means specific information, rather than generalized knowledge, that is shared only with a specific person or persons within the District, including information made confidential by law.



Board Policy

5.10.066-P

Ethics and Conflict of Interest Policy

“District action” means (i) a decision, determination, finding, ruling, purchase order, grant, payment, award, license, contract, transaction, sanction, approval or denial, authorization, or other similar action, or (ii) any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such matter that the Board member or employee believes, or has reason to believe, is one to which the District is, or will be a party or is one in which the District has a direct and substantial interest.

“Gift or Gratuity” means anything with an aggregate value in excess of \$50 to a Board member or District employee from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision, authorization, or vote of that Board member or District employee.

“Member of household” means any person who resides with the District employee or Board member.

“Potential Conflict of Interest” means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private financial benefit or detriment of the person or the person’s relative, or a business with which the person or the person’s relative is associated, unless the financial benefit or detriment arises out of the following:

- a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
- b) Any action in the person’s official capacity, which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person’s relative or business with which the person or the person’s relative is associated, is a member or is engaged.
- c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

“Participate” means to personally and substantially consider, investigate, advise, recommend, approve/disapprove, authorize, decide, or take other similar action.

“Reasonable travel expenses” are those expenses that either (1) do not exceed the District-established per diem for travel or (ii) are otherwise reimbursable under District policy.



Ethics and Conflict of Interest Policy

“Relative” means spouse or domestic partner, child, step-child, parent, step-parent, sibling, step-sibling, child-in-law of the employee; or the parent, step-parent, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the employee. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides financial benefits to the employee, or who receives any direct benefit from the employee’s public employment.

3. Code of Ethics

All Board members and District employees shall act with trust, equity, and accountability.

a. Trust. All Board members and District employees shall treat their office as a public trust. They should avoid the appearance of impropriety and conflicts of interest, and take District Actions and implement policies in good faith as equitably as possible.

b. Equity. Board members and District employees will create an inclusive environment that reflects and supports the racial and ethnic diversity of our student population, employees, and community.

c. Accountability. Board members and employees will strive to carry out their work efficiently and transparently.

4. Gifts

State law limits Gifts and Gratuities to Board members or employees, their relatives, and members of their household. Gift or gratuity does not include the following items:

- a. Anything of value that is received as District property and used for District purposes (such as textbooks and classroom supplies);
- b. Discounts available to an individual as a member of an employee group, occupation or similar broad-based group;
- c. A plaque, trophy, or other honoraria;
- d. Unsolicited awards for professional achievement;



Ethics and Conflict of Interest Policy

- e. Reimbursement to the District for enrollment and course fees and reasonable travel expenses incurred by the District in connection with a Board member's or employee's speech, presentation, or appearance made in an official capacity; provided that the reimbursement is memorialized in writing;
- f. Campaign contributions that are solicited or received and reported by an elected official or candidate in accordance with applicable law; and
- g. Employee or Board compensation.

5. Conflicts of Interest.

All Board members and District employees must disqualify themselves from participating in District Actions in which they have an actual conflict of interest.

This means, among other things, that:

- a. Use of Position. Board members and District employees may not use their position to obtain financial gain or avoidance of financial detriment for themselves, as well as for their relatives and members of their households. Additionally, Board members are prohibited from being compensated by the District as an employee or contractor, and no Board member or employee may benefit under any District contract for which they participated in the authorization for two years following Board service or employment, respectively.
- b. Sale of instructional or training materials. Employees may not claim, promote, or sell instructional, training, or other materials and/or equipment to third parties developed on District time or District property nor may they promote or sell instructional, training, or other materials they developed on their own time to the District. Exceptions may be granted under exceptional circumstances with the written consent of the Superintendent.
- c. Confidential Information. Board members and employees may not use confidential information gained in the course of or by reason of their position or activities for personal gain or advantage to them or their relatives or members of their household.



Ethics and Conflict of Interest Policy

d. Interest in Contracts. Board members and employees, along with their relatives and members of their household, may not take District Action related to any District contract for which they have a financial interest.

e. Use of District Time. A District employee may not perform any duties related to an outside job during their regular scheduled or actual working hours unless leave is approved pursuant to District procedures; nor may an employee use any District facilities, equipment, resources or materials in performing outside work.

Retaliation Prohibited. Retaliation or threats of retaliation, both direct and indirect, for good-faith reporting of possible violations of this policy or ORS chapter 244 are prohibited. Any employee found to have engaged in any such conduct shall be subject to disciplinary action.

Notice.

1. Board Member. If a Board member has a potential or actual conflict of interest, they should state the conflict at the meeting when the agenda item is raised.
2. Employee. If an employee has an actual conflict of interest, they must notify a supervisor in writing of the nature of the conflict. The supervisor should assume responsibility for or reassign the matter creating the conflict. If an employee has a potential conflict of interest, they should notify a supervisor in writing of the nature of the potential conflict of interest, and the supervisor will determine if any reassignment of the matter creating the potential conflict is appropriate.

6. Avoiding the Appearance of Conflicts of Interest

Board Members and District employees should avoid the appearance of a conflict of interest when feasible.

7. Complaints Against Employees

Concerns that an employee is engaged in a District Action for which they have an actual conflict of interest shall be reported to the employee's supervisor (who should report it to Human Resources) or Human Resources. If the employee is the Superintendent, the concern shall be raised to the Board Chair.



Board Policy

5.10.066-P

Ethics and Conflict of Interest Policy

8. Annual Training for Board Members and Senior District Leadership

Each year, Board members and senior District staff members shall complete a District-sponsored training on ethics, including conflicts of interest, public meetings laws, and public records laws. Each Board member and senior District staff shall certify in writing completion of the training.

Legal Reference: ORS [Chapter 244](#)

History: Adopted 2/20/2024



Board Policy

Board of Education

1.20.010-P

I. Composition/Elections

(1) The Board of Portland public school district No. 1 Multnomah County, Oregon, shall consist of seven (7) school board members, nominated by zone and elected at large in accordance with the elections laws of the State of Oregon. Elections shall take place in each odd-numbered year on the third Tuesday in May.

II. Eligibility

(1) To be eligible for a position on the Board of the Portland public school district No. 1 Multnomah County, a person must at the time of their election:

- (a) Be a citizen of the United States and of Oregon;
- (b) Have been a resident of the district for a period of one (1) year immediately preceding their election; and,
- (c) Be a registered voter and a resident of the respective zone to which they seek nomination or appointment.

(2) No person who is an employee of the district is eligible to serve as a board member while so employed.

III. Term

- (1) Each Board member shall serve for a term of four (4) years; three shall be elected at one biennial election and four in the subsequent biennial election, except where additional vacancies of Board positions occur because of temporary appointments. The term of office of regularly elected board members shall begin on July 1 next following the election.
- (2) In the event of a Board vacancy, the position shall be filled by majority vote of the remaining members of the Board.
- (3) The Board member so designated shall meet the eligibility requirements of ORS 332.018 and reside in the zone in which the vacancy occurs. The Board shall advertise for a 20-day period in an attempt to find an eligible resident from the same zone to fill the vacancy. ~~If no eligible zone resident declares interest in the vacant position, the Board shall appoint an eligible resident from the district at large.~~ The Board member appointed shall serve until June 30 following the next regular district election, at which time his/her successor shall be elected to fill the



Board Policy

1.20.010-P

Board of Education

remainder, if any, of the unexpired term. If the term to which the Board member was appointed expires on June 30 following the election of the successor, the successor shall be elected to a full term.

(4) In the event a majority of the Board member positions are vacant, the governing body of the Multnomah Education Service District shall fill the vacancies according to law.

V. Student Representation

1) In addition to the seven (7) Board members, there shall be one (1) student representative on the Board to provide for the efficacious representation of students.

(2) The student representative shall be entitled to all the rights, responsibilities, duties, and privileges of a Board member with the following exceptions:

(a) The student representative shall not have an official vote in Board matters, but shall be entitled to an unofficial vote recorded in the minutes.

(b) The student representative shall not be involved in, have an unofficial vote on, or receive materials pertaining to personnel or legal matters except as designated by the Board.

(c) The student representative shall not participate in or attend executive sessions without the consent of the Board.

(d) The student representative shall not be held responsible for representing constituencies aside from the district student body.

(3) The student representative shall be a student regularly attending a district high school in grades ten (10) through twelve (12).

(4) The student representative shall serve on the Board for a period of one (1) year.

V. Election of Board Chair and Vice Chair

(1) The Board shall elect one of its members as Board chair and one of its members as Board vice chair. The Board shall elect by majority vote the chair and vice chair at such times and for such periods as follows:

(a) At the first regular meeting in January for the period from such election until the election of the succeeding chair or vice chair, as the case may be, at the first regular meeting in the succeeding July;

(b) At the first regular meeting in July for the period from such election until the election of the succeeding chair or vice chair, as the case may be, at the first regular meeting in the succeeding January.



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- (2) The Board may, for any reason it deems adequate, elect any members to serve as chair and vice chair; provided however, that in no case may a Board member serve as chair for more than four consecutive years.

Legal References: ORS 255.335; ORS 332.015; ORS 332.016; ORS 332.118; ORS 332.122; ORS 332.124; ORS 332.040; Oregon Constitution, Article II, Section 2

History: Adpt 6/71; Amd 5/21/01, BA 1878; Amd. 9/9/02; BA 2417; Amd. _____

1.20.010-P Board of Education

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- (2) No person who is an employee of the district is eligible to serve as a board member while so employed.

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1.20.010-P Board of Education

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1.20.010-P Board of Education

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