

# Portland Public School District 1<sup>st</sup> Reading

DATE OF FIRST READING: October 12, 2021

## **PUBLIC COMMENT FOR Policy 1.70.020-P: Policies and Administrative Directives**

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The Portland Public School District is providing Notice of Proposed Revised Policy and Public Comment to offer interested parties reasonable opportunity to submit data or comments on the proposed policies noted below.

Public comment may be submitted in writing directly to the district or through the district website noted below. Written comments must be submitted by 5:00pm on the Last Date for Comment listed below.

### **Last Date for Comment: November 02, 2021**

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**Summary:** Policies and Administrative Directives 1.70.020-P

**1<sup>st</sup> Reading by:** Julia Brim-Edwards  
Portland Public School Board

**Recommended for a 1st Reading by:**  
Portland Public Schools Board of Education  
Policy Committee

**Draft Policy Web Site:** <https://www.pps.net/Page/11911>

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# 1.70.020-P Policies and Administrative Directives

Staff proposed amendments 9/22 (and recommendation to delete existing AD)

## I. Roles and Responsibilities

- (1) It is the responsibility of the Portland Public School Board of Education (Board) to develop, evaluate, and adopt policies for the governance of the District.
- (2) It is the responsibility of the superintendent to initiate and direct the development of administrative directives, which implement board-adopted policy.
- ~~(3) The superintendent shall develop and maintain administrative directives that ensure an open, participatory and consistent process for the adoption and use of policies and administrative directives.~~
- ~~(4)~~(3) Policies and administrative directives are intended both as tools for District management and as sources of information for students, parents/guardians, staff, and other community members about how the District operates and the District's values.
- ~~(5)~~(4) The superintendent shall ensure that policies and administrative directives are available on the Portland Public School website Web site and in manuals kept in each school, as soon as practicable following their adoption and share them with staff and community as they are relevant.
- ~~(6)~~(5) The superintendent shall use the district's public Web site to ensure draft and proposed policies are made available to the public for review and comment.

## II. Purpose of Board Policies

A Board policy represents a formal, written statement that creates a framework for:

- (1) Regulating Board or District business;
- (2) Establishing educational, operational, and other expectations for the District's staff and students;
- (3) Guiding the actions of those to whom the Board delegates authority and responsibility; and
- (4) Ensuring compliance with state and federal law.

## III. Definitions

As used in the District policies and administrative directives:

- (1) Administrative Directive or Directive means a statement of actions adopted by the superintendent that implements Board policy.
- (2) Policy means a statement of general governing principles adopted by the Board.

#### IV. Policy Development

- (1) A proposal for a new policy or a change in existing policy may be made by:
  - (a) A Board member;
  - (b) Superintendent;
  - (c) A District employee;
  - (d) A parent or guardian of a student;
  - (e) A student;
  - (f) A District volunteer;
  - (g) A committee appointed by the Board or Superintendent; or
  - (h) A community member who is also a resident of the District.
- (2) When a proposal for a new policy or change in existing policy is received by the Board or Board committee(s) responsible for policy development, the Board committee may take the following action(s) or may request that the superintendent:
  - (a) Collect additional information concerning the policy proposal, including a staff evaluation of options and recommended action;
  - (b) Appoint an advisory committee soliciting the views of persons representing the interests of those likely to be affected by the proposed policy or use other appropriate methods to obtain public views, especially from families and community members who have been and are underrepresented in district policymaking, to assist the Board in this policy development process;
  - (c) Seek appropriate legal and other advice as necessary to ensure that the policy proposal, if adopted, will be in compliance with applicable law; and/or,
  - (d) Take no further action on the policy proposal.

#### V. Policy Adoption

(1) When a Board committee recommends a policy for adoption by the Board, the Board may elect to schedule the policy for a first and second reading at a regularly scheduled Board meeting, except as otherwise provided in this policy.

(a) The first reading of a proposed policy shall include:

- (A) A summary of the content of the proposed policy or amendments;
- (B) Posting on the PPS website of the proposed language if new, or redlined version if a revision; and
- (C) A stated opportunity for the public to submit comments on the proposed policy, with a deadline date for submission of such comments.

(b) The second reading of a proposed policy shall not occur until there has been at least 21 (twenty-one) days allowed for public comment, following the first reading. ~~The second reading shall include discussion of the comments of staff and the public and any substantive changes made to the policy since the first reading.~~

~~(c)~~

~~(d)~~(c) If the language of the proposed policy has changed substantially, as determined by the Board, since the first reading, the revised proposed policy shall be set for an additional first reading to allow for public input on the changes.

~~(e)~~(d) At the time of the second reading the Board may take the following actions:

- (A) Approve the policy proposal as presented;
- (B) Modify the policy proposal and approve it as modified;
- (C) Schedule the policy proposal for an additional first reading;
- (D) Defer the policy proposal for further discussion or action; or
- (E) Reject the policy proposal.

(2) Exceptions

(f) (a) Corrections or revisions that do not substantially change a policy may be adopted without a recommendation of a board committee; but such changes shall have a First and Second Reading.

(g) (b) In the event of an emergency necessitating urgent action on a policy proposal, the Board may adopt the same at a lawfully called meeting of the Board. If the Board takes such action, the Board shall state and enter into the record the nature of the emergency and the basis for its determination that urgent action was necessary.

## VI. Date Policies Become Effective

A new or revised policy shall become effective upon adoption of the Board, unless the Board otherwise specifies a different effective date in the policy.

## ~~VI.~~ VII. Review of Policies

- (1) The superintendent or designee shall advise the Board when they believe an any existing policy needs to be reviewed for potential repealed, revision ed, or replacement. Such necessity may occur when:
  - (a) Practice is not in compliance with the pPolicy and the practice differs to such an extent that a review of existing policy is warranted;
  - (b) A policy proposal revision is received by the superintendent;
  - (c) State or federal law has changed in such a manner as to require review or modification of existing policy; or
  - (d) A policy is not aligned with professional practices, district values or is becomes-outdated or ineffective.
- (2) The Board or Board committee shall strive to review all policies at least once every four (4) years, with at least one to two sections reviewed annually, in order to ensure policies are current, relevant, in compliance with the law and are consistent with each other and the District-approved mission, vision, and goals. If needed, appropriate policy proposal revisions shall be submitted for consideration.

## VIII. Administrative Directives

- (1) Administrative Directives are issued or modified by the Superintendent and do not need to be approved by the Board prior to their issuance.
- (2) Administrative Directives shall be consistent with Board policies.
- (3) The superintendent or designee shall notify Board members that a new or revised Administrative Directive has been issued. New Administrative Directives that impact staff or community should be shared with impacted parties when they are issued.

## IX. Administration in Absence of Policy or Administrative Directive

The Superintendent and other District staff members to whom administrative or supervisory authority has been delegated are authorized to use their professional judgment in the absence of a specific policy or administrative directive governing proper action to take, provided that such action shall not be in conflict with well recognized professional, educational, and ethical practices; the spirit and intent of existing District policy; the general values and objectives of the District; or any local, state, or national law.

Legal References: ORS 332.107 History:

ad 6/71; am 12/83; amended \_\_\_\_\_

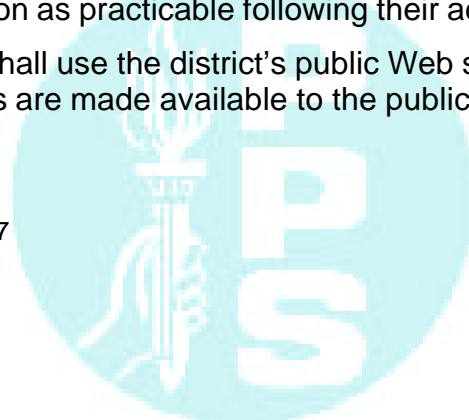
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## 1.70.020-P Policies and Administrative Directives

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- (3) The superintendent shall develop and maintain administrative directives that ensure an open, participatory and consistent process for the adoption and use of policies and administrative directives.
- (4) Policies and administrative directives are intended both as tools for district management and as sources of information for students, parents, staff and other community members about how the district operates.
- (5) The superintendent shall ensure that policies and administrative directives are available on the Portland Public School Web site and in manuals kept in each school, as soon as practicable following their adoption.
- (6) The superintendent shall use the district's public Web site to ensure draft and proposed policies are made available to the public for review and comment.

Legal References: ORS 332.107

History: ad 6/71; am 12/83;







**PORTLAND PUBLIC SCHOOLS**  
**Office of General Counsel**

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**Date:** October 6, 2021  
**To:** School Board  
**From:** Liz Large, Contracted General Counsel  
Mary Kane, Senior Legal Counsel  
**Subject:** Staff Analysis Report to the Board- Policy Revision  
**Policy # and Name:** 5.60.031-P Vacation Eligibility and Scheduling

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**BACKGROUND**

The Board Policy Committee has begun a review of District policies to determine whether they continue to align with current law and practice. The Policies and Administrative Directives policy was written in 1971 and last updated in 1983. The policy as written, provided little information about the purpose of policies nor did it include advances in our policy development guidance that have become standard practice in the development of policies in the District. The Policy Committee reviewed proposed amendments to the policy at its September 29, 2021, meeting and recommended that it be put before the entire Board for approval.

**RELATED POLICIES/BEST PRACTICES**

It is best practice for policies to be reviewed regularly to ensure that they continue to reflect and support the administrative responsibilities and actions of the District.

**ANALYSIS OF SITUATION**

The primary changes were to move much of the information that is currently contained in the companion Administrative Directive into the policy because the policy process is defined by the Board. Additionally, language was added to update the procedures for policy development to better reflect current practice. Once the revisions have been approved by the Board, staff recommends rescission of the Administrative Directive as duplicative.

**FISCAL IMPACT**

These changes will incur no financial impact.

**COMMUNITY ENGAGEMENT**

There was no community engagement as the recommended changes are primarily a result of moving information from the administrative directive into the policy.

**TIMELINE FOR IMPLEMENTATION/EVALUATION and COMMUNICATION PLAN**

The policy does not create any new practices that need to be implemented.

**STAFF RECOMMENDATION**

Staff recommends approval of the revised policy.

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*As a member of the PPS Executive Leadership Team, I have reviewed this staff report.*

\_\_\_\_\_ *(Initials)*

**ATTACHMENTS**

- A. XXXX
- B. XXXX