

Portland Public School District 1st Reading

DATE OF FIRST READING: October 12, 2021

PUBLIC COMMENT FOR The Rescission of the Following Policies:

- 2.10.020-P Concept of Administration**
- 3.10.020-P Additional Building Administration Personnel**
- 3.30.050-P Visitors To Schools**
- 5.20.020-P Certification**
- 5.30.010-P Substitute Teachers**
- 5.50.064-P Religious Holidays-Teachers**
- 5.70.052-P Work Year Vacations**

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

Summary: **Rescission of six policies, listed above**

1st 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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PORTLAND PUBLIC SCHOOLS
OFFICE OF GENERAL COUNSEL

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Date: October 7, 2021
To: School Board
From: Mary Kane, Senior Legal Counsel
Subject: Recommendations for policy rescissions

On September 29, 2021 the Portland Public Schools Policy Committee met to discuss several policies which were in need of review as they were out of date and inconsistent with current and/or best practices, or were governed by collective bargaining agreements. Seven policies were put forward by staff with recommendations that they be rescinded. After discussion, the Policy Committee recommended that the following seven policies be forwarded to the full Board with a recommendation for First Reading en route to rescission:

a. 2.10.020-P Concept of Administration

The policy states delineation of authority that is in statute. Therefore the policy is not necessary.

b. 3.10.020-P Additional Building Administration Personnel

This issue is addressed in the annual staffing process which is then approved by the Board in its annual budget review. Therefore the policy is not necessary.

c. 3.30.050-P Visitors to Buildings

The language encourages an important practice, but it is not a policy.

d. 5.20.020-P Certification

Provisions are governed by the Collective Bargaining Agreement.

e. 5.30.010-P Substitute Teachers

Provisions are governed by the Collective Bargaining Agreement.

f. 5.50.064-P Religious Holidays- Teachers

Provisions are governed by the Collective Bargaining Agreement.

g. 5.70.052-P Work Year Vacations

This policy is redundant and information regarding vacations has been updated in 5.60.031-P Vacation Eligibility and Scheduling.

2.10.020-P Concept of Administration

- (1) The Board believes that all administrative offices and functions in the district must focus on facilitating and assuring quality instruction for all students. While the Board reserves for itself the responsibility for determining all policies which guide the decision-making process governing all activities of the schools, its aim is to make possible the full exercise of professional expertise, competence and judgment by the professional staff within the framework of those policies.
- (2) It is, accordingly, the intent and policy of the Board that the district shall be so organized and the number of administrators adequate to assure efficient and effective governance of the system.
- (3) All administrators shall derive their authority from and be assigned their duties by the superintendent. The authority relationships between the various administrators shall be clearly defined so that each will be accountable according to the definitions of his/her role.
- (4) It is expected that members of the administrative staff will perform all of their duties and responsibilities with highest levels of competence and dedication to quality education, to the children and to the parents and citizens of the district.

Legal References: ORS 332.505; Anderson v. Central Point School District No. 6, 554 F. Supp. 600 (D. Oregon 1982); aff'd in part, 746 F. 2d 505 (9th Cir. 1984); Connick v. Myers, 461 U.S. 138 (1983)

History: Adpt 6/71; Amd 9/9/02; BA 2418

3.10.020-P Additional Building Administration Personnel

- (1) Additional administrative assistants in elementary schools may be provided according to the size of the school and with reference to the special needs, problems or programs of the school, as authorized by the Board, upon recommendation of the superintendent. Ordinarily, only larger elementary schools will be allocated such assistants.
- (2) Middle and high schools shall assigned administrative support personnel according to the special needs or programs of the school, as authorized by the Board upon recommendation of the superintendent. Duties of administrators subordinate to the principal shall be established by the principal of the school to which the administrator is assigned, and a copy of such duties filed in the office of the designated supervisor.

Legal References: ORS 332.107; ORS 332.505; OAR 581-022-1720

History: Adpt 6/71; Amd 5/84; Amd 9/9/02; BA 2419



3.30.050-P Visitors To Schools

The Board believes that a better understanding of the district's educational program and improved relationships between the school and community can be developed through school and classroom visitations of parents and patrons. Such visitations should be encouraged, arranged and permitted within considerations for the requirements of the educational program, the orderly administration of the school and classroom, and the safety and welfare of students.

Legal References: ORS 164.245; ORS 164.255; ORS 166.025; ORS 166.155 - 166.165; ORS 332.107

History: Adpt 6/71; Amd 9/9/02; BA 2419



5.20.020-P Certification

- (1) **Certificate**. An applicant for a position in this school district shall be eligible for and obtain the necessary certificate of qualification required for the particular position for which he/she is applying. A teacher must have a copy of a valid certificate recorded in the Office of Personnel Services by a date specified by Oregon law.
- (2) **Eligibility**. Eligibility for positions in the district shall require compliance with all standards established for personnel in such positions by state law, state and local boards and the office of the superintendent.
- (3) **Counselor Certification**. All teachers who counsel one-half time or more will be required to hold the educational specialty certificate for counselors in addition to their regular teaching certificate, unless they have held continuous certification for teaching in the public schools under provisional and/or standard certificates obtained under regulations effective prior to 1965.
- (4) **Career Education Certification**. Any applicant who has been issued a vocational certificate by the Oregon Board of Education may be elected a probationary teacher.

Legal References: ORS 342.120 - 342.203; OAR Chapter 584

History: Adpt. 6/71; Amd. 6/28/76; Amd 9/95 ed.; Amd. 9/01/02

5.30.010-P Substitute Teachers

- (1) **Recruitment and Selection**. In order to assure productive, educational experiences for students in the absence of regularly employed teachers, the district shall maintain a systematic program for the recruitment, selection, and appointment of able substitute teachers.
- (2) **Qualifications**. Personnel employed as substitute teachers must hold a valid teachers' certificate and place on file in the office of the superintendent evidence of having passed a medical examination, as required by state law.
- (3) **Responsibilities**. Such teachers shall observe the regulations governing regular teachers and any additional guidelines, which are promulgated for them by the office of the superintendent and the respective building principals.
- (4) **Orientation**. An orientation program shall be established through which substitute teachers may be apprised of school programs, policies and practices, of the expectations related to their respective roles, and of the resources available for assistance in their work.

Legal References: ORS 332.507; ORS 342.420; ORS 342.610; ORS 342.815; OAR 581-005-0001; OAR 584-020-0000 to -0045

History: Adpt. 6/71; Amd. 9/95

5.50.064-P Religious Holidays – Teachers

Teachers who are members of a religious faith may be absent without loss of pay on days specified by that faith as religious holidays, which require participation during the school day in religious observances.

Legal References: ORS 332.107; ORS 659.020

History: Adpt. 6/71



5.70.052-P Work Year - Vacations

(1) Vacations — General.

- (a) Twelve-month employees not otherwise designated shall be entitled to receive vacations with pay on the following basis:

Monthly Accrual Factor (Hours)

1-5 years:	2 weeks vacation (6.7)
6 years:	2 weeks vacation plus 1 day (7.4)
7 years:	2 weeks vacation plus 2 days (8.0)
8 years:	2 weeks vacation plus 3 days (8.7)
9 years:	2 weeks vacation plus 4 days (9.4)
10 years:	3 weeks vacation (10.0)
11 years:	3 weeks vacation plus 1 day (10.7)
12 years:	3 weeks vacation plus 2 days (11.4)
13 years:	3 weeks vacation plus 3 days (12.0)
14 years:	3 weeks vacation plus 4 days (12.7)
15 years:	4 weeks vacation (maximum) (13.4)
Designated employees.	1 month (14.7)

- (b) Employees who begin service with the district after July 1 of any year shall receive vacation according to the following formula: 5/6 workday for each whole month between the time of employment and the end of the fiscal year.
- (c) Employees who occupy a 210 day work year position and transfer to a 12-month position may count the time employed in the 210-day position for vacation allowances. The basis for vacation credit will be the total number of days worked in the 210-day position divided by a 22-day calendar month. This will be accredited to the total accumulated vacation time, as outlined above.
- (d) Vacations must be used during the fiscal year; i.e., July 1 to the following June 30. They do not accrue.

5.70.052-P Work Year - Vacations

- (2) **No Vacations Allowed**. Unless otherwise provided in these rules and regulations or as may be specifically authorized by the Board, vacations with pay shall not be granted to employees whose employment is on less than a 12-month basis or to classified personnel (daily or hourly).

Legal References: ORS 332.107; ORS 332.505

History: Adpt. 6/71

