

Portland School Board Policies and Administrative Directives

You might find these policies and directives to be useful. You may use these policies and directives as a reference as some may pertain to you.

Child Abuse Reporting

Administrative Directive - 4.50.050-AD

Portland Public Schools ORS 419.005 – 419B.045 requires that if school personnel have reasonable cause to believe that child abuse has occurred, it shall be reported.

(1) Mandatory Requirement to Report

- (a) Personnel shall immediately report the information to the principal or principal's designee and call the Child Abuse Hotline. Employees may choose to call the hotline with or without the principal but must notify the principal or principal's designee immediately
- (b) Each school building must have a posting that includes the name and contact information for the principal or the principal's designee as the person designated for the school building to receive reports of suspected child abuse by school employees and the procedures the person will follow upon the receipt of a report. If a person suspected of abusing a child is an employee of Portland Public Schools, then the principal or the principal's designee shall also inform a Human Resources' Performance Management Administrator in addition to the Child Abuse Hotline.
 - (i) If there is reasonable cause to support the report that an employee has abused a child, that employee will be placed on paid administrative leave pending investigation, as required by ORS 339.375(3).
 - (ii) Students will not be disciplined for the initiation of a report made in good faith about suspected child abuse by a school employee.
 - (iii) The principal or the principal's designee must provide notification to the person who made the report about the actions taken by the education provider based on the report. This notification shall not reveal confidential information about the student, the student's family or the investigation process.
- (c) The initiation of a report made in good faith about suspected child abuse will not adversely affect any terms or conditions of employment or the work environment of the complainant.

(2) Investigation at School

- (a) On request, the principal will permit a law enforcement investigator, including a Department of Human Services investigator, to interview a child. The school administrator or a designee may at the discretion of the law enforcement investigator be present at the investigation. Nothing that transpires in either the investigation, nor the fact of an investigation, may be noted in student education records or revealed to anyone. Special requests for disclosure may be discussed with the District's General Counsel.
- (b) Prior to an interview of a child by a law enforcement investigator, the principal shall first verify the identity of the person by official ID Card, or badge., and record the person's name, agency, business address, phone number, time and date of interview on the Child Abuse Report Log. The principal shall retain this information in a file kept by the principal's secretary or in the principal's office.
- (c) If a police officer plans to take custody of the child, ask the police officer to sign your prepared custody record which should read substantially as follows. The principal shall retain this receipt.

EXAMPLE:

Custody of John Smith has been received January 5, 2000, at 2:00 p.m.
Officer Blake Smith
Portland Police Department
Badge #111

(3) Parent Notification

- (a) In the event the child is taken into custody, school employees shall not notify the parent or guardian. Notification should be done only by the law enforcement investigator.
- (b) In the event of an interview only, the school shall not notify the parent unless the law enforcement investigator approves the notification. The principal should discuss parent notification with the officer and urge that it occur promptly.

- (c) If a parent calls and asks for the whereabouts of his/her child, the principal should simply report that the child is in custody but not the reason and suggest that the parent phone the Child Abuse Hotline.

(4) Sources for Detailed Procedures

- (a) The Student Services Memo on Child Abuse Reporting – Procedures and Resource Materials is available from Student Services, and is on the website.

(5) Trainings

- (a) Employees: The district shall provide training each school year to school employees on the prevention and identification of child abuse and on the reporting obligations.
- (b) Parents and Legal Guardians: The district shall make training on identification and prevention of child abuse available to parents and legal guardians of students attending a Portland Public School. The training shall be provided separately from the training provided to school employees.
- (c) Students: The district shall make training that is designed to prevent child abuse available each school year to students attending a Portland Public School.

History: Adopted 6/71; Amended 8/74; Amd. 11/79; Amd. 2/82; Amd. 4/82; Amd. 11/82; Amd. 12/85; Amd. 4/87; Rnmd. 5/0 (from 4.50.21 to 4.50.50); Amd. 1/94 ed.; Amd. 9/01/02; Amd. 4/28/2004, Amd.5/08/08; Amd. 4/2015

Drug Free Workplace Act

Federal Law

The Portland Public School District is subject to the requirements of the **federal Drug Free Workplace Act of 1988**. This **Notice to Employees of Portland Public Schools** is given to comply with that Federal law.

1. This notice is part of the District's Drug Free Awareness Program. ***It is our policy that the workplace is to be free of illegal drugs and the effects of these drugs.***
2. Employees affected by illegal drugs and certainly the use of drugs in the workplace are both very serious problems that affect safety, productivity, and our responsibility as role models to encourage our students to reject drug use as unacceptable. Drug use in the workplace can create a safety hazard to other persons and has proved to reduce productivity, to increase the rate of job errors, and to increase the incidence of on-the-job injuries.
3. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. Employees who violate that rule or are affected by illegal drugs at work are subject to discipline, which can include dismissal. If the employee is not dismissed, other discipline may be combined with a requirement of completion of a drug treatment and rehabilitation program.
4. Employees who use drugs are strongly encouraged to seek treatment before their drug use affects the workplace and, therefore, jeopardizes their employment. ***Assistance in obtaining drug counseling is available through the Employee Assistance Program:***

Reliant Behavioral Health EAP
866-750-1327
www.MyRBH.com
Access Code: OEBS

5. All employees are required to immediately notify the District's Human Resources Department if they are convicted of a violation of criminal drug laws involving the workplace, or if they become aware that another employee has been convicted of that type of violation.

Human Resources Department
5/18/09

**Prohibition Against Employee Child Abuse and Sexual Conduct with Students
Administrative Directive - 5.10.063-AD**

I. Definitions

Sexual conduct and child abuse by district/school employees will not be tolerated. All district employees are subject to the guidelines of this administrative directive.

(1) "Sexual conduct" is any verbal, physical, or other conduct by a school employee that is sexual in nature; directed toward any prekindergarten through grade 12 student; unreasonably interferes with a student's educational performance; and creates an intimidating, hostile or offensive educational environment.

(2) "Child abuse or neglect" is any form of abuse, including abuse through neglect and abuse or neglect by a third party, of a person under age 18.

II. Training

(1) The district will require annual training for district employees.

(a) Procedures and resource materials are available and are on the website.

(b) The district will provide to employees at the time of hire a description of conduct that may constitute sexual conduct and a description of records subject to disclosure if a sexual conduct report is substantiated.

III. Reporting and Appeal Rights

(1) Any district employee who has reasonable cause to believe that another district employee or volunteer has engaged in sexual conduct with a student or abuse of a child must immediately notify the administrator or the person designated for the building to receive reports of suspected sexual conduct. A building designee receiving such reports shall contact Human Resources' Legal Counsel and the child abuse hotline.

(2) The district will post in each building the name and contact information of the person designated to receive sexual conduct and child abuse reports, as well as the procedure the district will follow upon receipt of a report.

(3) If there is reasonable cause to support the report that an employee has engaged in sexual conduct with a student, that employee will be placed on paid administrative leave pending investigation, as required by Oregon law.

(4) The initiation of a report made in good faith about suspected sexual contact with a student will not adversely affect any terms or conditions of employment or the work environment of the person reporting. Students will not be disciplined for any report of suspected sexual conduct or child abuse made in good faith.

(5) If, following the investigation, the report is substantiated, the district will inform the accused employee that the report has been substantiated and provide information regarding the appeal process. The employee may appeal the district's decision through the appeal process according to established district guidelines.

(6) The Human Resources' Legal counsel must provide notification to the person who made the report about the actions taken by the district based on the report.

IV. Law Enforcement Interview

(1) On request, a building administrator will permit a law enforcement investigator, including a Department of Human Services investigator, to interview a child. The administrator or designee may at the discretion of the law enforcement investigator be present at the investigation. Nothing that transpires in the investigation, nor the fact of an investigation, may be noted in student education records or revealed unless otherwise required by law. Special requests for disclosure may be discussed with the District's General Counsel.

(2) Prior to an interview of a child by a law enforcement investigator, the building administrator shall first verify the identity of the person by official ID Card, or badge, and record the person's name, agency, business address, phone number, time, and date of interview on the Child Abuse Report Log. The building administrator shall retain this information in a secured and confidential building file.

Legal References: HB 2062; ORS 339.370, 339.372, 339.375 and 339.377

History: Adpt. 8/10

Student Education Records 2.50.020-P



1. Education records are those records maintained by the district that are directly related to a student.
2. In addition to the protection and procedures included in this policy and accompanying administrative directive, students with disabilities and their parents have additional rights under federal and state law with regard to student education records. Those rights and procedures have been included in the Special Education Manual located on the district website
3. The primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers and his/her parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.
4. It is the policy of the district to keep education records for students to conform with state and federal laws and regulations.
5. Information recorded on official education records should be carefully selected, accurate and verifiable, and should have a direct and significant bearing upon the student's educational development.
6. The district will develop administrative directives for the maintenance, access and release of education records as well as for preserving confidentiality and for challenging the content of those records.
7. The district may withhold the grade reports, diploma or other records of students who owe fees, fines or damages until those fees, fines or damages are paid. Students or parents will receive written notice stating the district's intent to withhold records. The notice will include an itemization of the fees, fines or damages owed and will notify parents of their right to request a hearing. The district may waive fees, fines and charges if the student or parents cannot pay.
8. Records requested by another school district to determine a student's appropriate placement may not be withheld.
9. The district shall give full rights to education records to either parent, unless the district has been provided legal evidence that specifically revokes these rights. However, once the student reaches age 18 those rights transfer to the student.

A copy of this policy and administrative regulation shall be made available upon request by parents and students 18 years or older or emancipated.

Legal References: ORS 30.864; ORS 107.154; ORS 326.565; ORS 326.575; ORS 339.260; ORS 343.177 (3); OAR 166-405-0010 to 166-415-0010; OAR 581-021-0210 to 581-021-0440; OAR 581-022-1660; OAR 581-022-1670; Education of the Handicapped Act of 1975, as amended, 20 U.S.C. Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997). Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000). Assistance to States for the Education of Children with Disabilities, 34 CFR Section 300.501 (2000). History: Adpt. 6/71; Amd. 8/11/75; Amd. 10/1/81; Amd. 5/84 ed.; Amd. 5/8/86; Amd 7/10/86; Amd. 5/14/87; Amd. 12/14/89; Amd. 1/24/91; Amd. 10/22/92; Amd. 9/02, BA 2424

Tobacco Possession and Use - 3.30.021P

Tobacco use is the single most preventable cause of death in the United States.¹ Nearly all (80 percent in Oregon²) first-use of tobacco and most addiction (89 percent³) occurs before young people graduate from high school. Tobacco is often the first illegal drug used by young people who use alcohol and other illegal drugs. Schools have the opportunity to help prevent tobacco use for the health and well being of students and staff, and to prepare students for smoke-free work environments. A Portland Public Schools Strategic Plan core value states: “Adult behavior is a powerful teacher for young people.”

1. For the purposes of this policy, “tobacco” includes, but is not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette or any smoking product or spit tobacco product such as smokeless tobacco, dip, chew or snuff, in any form. The use of any of these products is prohibited by all parties on or about district properties including buildings, grounds, vehicles and any other property.
2. The possession or distribution of tobacco products and tobacco paraphernalia (e.g., lighters, rolling papers) shall be prohibited on or about district properties including buildings, grounds, vehicles and any other property by all students, regardless of age.
3. Students, regardless of age, are prohibited from using, possessing, or distributing tobacco products during any school activity including, but not limited to:
 - a. The school day;
 - b. Club meetings, regardless of the meeting location and time; and
 - c. Athletic practices and activities. Students participating in school athletic programs are subject to the tobacco prohibition and usage at all times.
 - d. School dances.
4. Tobacco use shall be prohibited on all school buses and other district-provided transportation when transporting students for school activities. Tobacco use is prohibited at all times in any district-owned or leased vehicles.
5. Advertising of tobacco products and/or tobacco companies shall be prohibited in all school publications, in all district buildings and at all school functions. This prohibition includes, but is not limited to:
 - a. Tobacco industry sponsorship, gifts, funding or other marketing incentives; and
 - b. Tobacco promotional items, including clothing, bags, lighters, and other personal articles and paraphernalia, shall not be permitted on school grounds, in school vehicles, or at school-sponsored activities.
6. Tobacco prevention education shall be included within a plan for prevention, integrated within the health education program. The educational program shall be based on theories and methods that have been proven effective by published research and consistent with the district and state health education standards.
7. Individuals (parents, volunteers etc) supervising students off school property while engaged in a school sponsored activity, shall not use or distribute any tobacco products while in the presence of students, or at any time while engaged in any activities directly involving students.
8. The superintendent shall develop administrative directives to implement this policy, including processes for:
 - a. Student sanctions;
 - b. Collection of tobacco products;
 - c. Staff sanctions, as governed by the individual’s collective bargaining agreement;
 - d. Visitor and volunteer sanctions;
 - e. Cessation support; and
 - f. Notifying students, families, personnel and school visitors of the district’s policy on tobacco possession and use.

Legal References: ORS 167.400; ORS 339.865; ORS 192.710; OAR 581-022-1210; OAR 581-022-0413; OAR 581-053-015; OAR 581-053-434; 1998 Master Settlement Agreement; BR 4079, 3/11/93. History: Adpt. as AR 1/15/96; Amd 8/12/02, BA 2385, and made a policy. 1 Centers for Disease Control and Prevention, 2000. 2 Tobacco Prevention Program, Oregon Health Division, 1993. a) 3 CDC Preventing Tobacco Use and Addiction, June 1997.

Sexual Harassment Policy - 5.10.060-P

- (1) It is the policy of the Portland school district to maintain a work environment that is free from any form of harassment, including sexual harassment. All employees must avoid any conduct or action that could be characterized as sexual harassment.
- (2) Sexual harassment includes any unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact, or any other unwelcome conduct, verbal or nonverbal, of a sexual nature when:
 - (a) The employee's submission to the conduct is made either an implicit or explicit term or condition of employment (including but not limited to wages, evaluation, advancement, retention, assigned duties or other employment-related matters);
 - (b) The employee's submission to, or rejection of, the conduct is the basis for decisions affecting employment;
 - (c) The conduct by supervisors, other employees or non-employees has the purpose or effect of substantially interfering with an individual's work performance; or
 - (d) The conduct by supervisors, other employees or non-employees has the effect of creating an intimidating, hostile or offensive working environment.
 - (A) **Verbal conduct** includes sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions and threats.
 - (B) **Nonverbal conduct** includes sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting noises, obscene gestures, whistling and leering.
 - (C) **Physical conduct** includes unwanted physical contact such as touching, pinching, brushing the body, coerced sexual intercourse or assault.
- (3) No employee may use the authority of his or her position to subject any other employee to sexual harassment, as described above, or to coerce, encourage or force another into a romantic relationship.
- (4) When it is brought to their attention, administrators and supervisors must take affirmative steps to stop sexual harassment by subordinates or non-employees, including warning, discipline and recommending possible dismissal of the offending employee.
- (5) The superintendent will establish regulations for reporting, investigating, and taking appropriately corrective action in response to a sexual harassment complaint. Employees who experience, or who are aware of sexual harassment should inform the Executive Director of Human Resources or designee. The district will make every reasonable effort to safeguard employee privacy and preserve confidentiality to the extent the investigative process allows.
- (6) There will be no retaliation by any district official or employee against any person who in good faith reports conduct believed to constitute sexual harassment. The district reserves the right to discipline employees who provide false information or make a complaint in bad faith.

Legal References: ORS 243.706; ORS 659.010 (14); OAR 584-020-0040; ORS 342.700; ORS 659.020; OAR 584-020-0041; ORS 342.704; ORS 659.029; ORS 342.708; ORS 659.030; ORS 342.850; ORS 659.040; ORS 342.865; ORS 659.150; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A., Section 2000(e) et seq. (West 1985); Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.A., Section 621 (West 1985); Age Discrimination Act of 1975, as amended, 42 U.S.C.A., Section 6101 (West 1985); Equal Pay Act of 1963, as amended, 29 U.S.C.A., Section 206(d) (West 1985); Title IX of the Education Amendments of 1972, 20 U.S.C.A., Sections 1681, 1682 and 1683 (West 1985); Rehabilitation Act of 1973, 29 U.S.C.A. Sections 504, 791, 793 and 794 (West 1985); Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

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

Sexual Harassment Complaint Procedure

Administrative Directive - 5.10.061

The procedure for reporting, investigating and obtaining corrective action for sexual harassment is as follows:

(1) Reporting:

- (a) Any employee who believes he or she has been sexually harassed at work by anyone (including supervisors, co-workers or visitors) should immediately bring the problem to the attention of the supervisor or manager. The supervisor or manager in turn should report the matter to the Executive Director of Human Resources or designee;
- (b) If the complaint involves the employee's supervisor or someone in the direct line of supervision, or if the employee is uncomfortable in dealing with his or her immediate supervisor, the employee may go to another supervisor or directly to the Executive Director of Human Resources or designee;
- (c) Similarly, if the employee believes his or her complaint has not been resolved by the supervisor, it should be reported to the Executive Director of Human Resources or designee.

(2) Investigation:

- (a) Inquiries and/or complaints will be investigated promptly by an appropriately trained representative from the Department of Human Resources. The complaining party may request a male or female investigator;
- (b) Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses;
- (c) Employees shall be given a fair and impartial opportunity to communicate their complaint, defend their actions or report their observations;
- (d) All employees will be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation;
- (e) All complaints will be handled in a confidential manner to the extent that confidentiality is compatible with a thorough investigation of the complaint. The purpose of this provision is to protect the confidentiality of the employee who files a complaint, to encourage the reporting of any incidents of sexual harassment, to protect the privacy of all employees and to protect the reputation of any employee wrongfully accused of sexual harassment.

(3) Corrective Action:

- (a) Any employee determined by an impartial investigation to have violated the sexual harassment policy or the district's standard of conduct for employees will be subject to appropriate disciplinary action, up to and including dismissal;
- (b) Any non-employee who subjects an employee to sexual harassment in the workplace will be informed of the Portland school district's harassment policy. Other necessary remedial action may also be taken.

(4) Responsibilities:

- (a) Each supervisor is expected to be knowledgeable of issues on sexual harassment in the workplace, be watchful for problems, inform employees of appropriate behaviors, assist employees if problems occur, and report such instances of sexual harassment to the Executive Director of Human Resources when efforts to resolve concerns fail to correct or abate such problems;
- (b) It is the responsibility of the Executive Director of Human Resources or designee to confidentially discuss with employees sexual harassment complaints brought to his or her attention; investigate complaints as necessary; advise employees of the rules; advise them where and how an official complaint can be filed; and, if they wish, to help them seek resolution of the problem with their supervisors.

Policy Implemented:

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

Sexual Harassment – Staff to Student - 5.10.062-P

(1) Sexual Harassment

- (a) It is the policy of the Portland school district to maintain a school environment free of sexual harassment of students. No student shall be subjected to sexual harassment by its staff and volunteers or its contractors.
- (b) Sexual harassment is a form of sexual discrimination. Sexual discrimination and thus sexual harassment are distinct from sexual abuse and sexual assault.
- (c) Sexual harassment includes conduct, verbal or nonverbal, which denigrates or shows hostility to a student or students by reason of their gender. Examples of sexual harassment include:
 - (A) Language or action demeaning to students on the basis of gender;
 - (B) Ridicule and abuse on the basis of gender;
 - (C) Penalties or disadvantages imposed by reason of gender.
- (d) No employee or volunteer in the Portland school district shall subject any student to sexual harassment or require any student to submit to sexual harassment.
- (e) The district has an obligation to provide training to employees and volunteers in order to prevent sexual harassment of students.
- (f) The superintendent shall establish by regulation an effective complaint process, which shall be referenced in the "Handbook on Student Responsibilities, Rights and Discipline."
 - (A) District staff shall promptly respond to complaints of sexual harassment.
 - (B) District staff shall conduct a thorough, fair and impartial investigation of complaints. The investigation shall examine the instance alleged to determine if it constitutes a crime, professional misconduct, student discipline or need for supervisory action. An investigation shall respect all rights of all parties to a complaint.
 - (C) If investigation determines that corrective action is necessary, the district shall take such action.
 - (D) The district may take appropriate disciplinary action against individual members of the staff or volunteers if there is a true finding of misconduct. Actions taken shall be appropriate to the severity of the misconduct and designed for the purpose of ending misconduct and protecting the learning environment.

(2) Additional Protections

- (a) It is the policy of the Portland school district that each school shall take affirmative steps to assure that students are not subjected to any form of sexual harassment by staff or volunteers in any school, in any school program or at any time by any district staff or volunteer of their school.
- (b) Sexual harassment for the purposes of this section shall include any attempt by action or words to establish with a student an amorous, sexual, lascivious or lewd relationship, knowingly using lascivious or lewd language or gestures in the presence of a student, or permitting a student to continue acts or statements which can be reasonably perceived as attempting to establish an amorous or sexual relationship with the staff member or volunteer. Staff and volunteers shall promptly report any attempt by a student to establish an amorous or sexual relationship with a staff member or volunteer.
- (c) Staff or volunteers becoming aware of a violation of this section shall report the information to the principal. Principals shall immediately report to the school police for investigation every such incident, which comes to their attention. If staff or volunteers by action or words have attempted to establish with a student an amorous, sexual, lascivious or lewd relationship or permitted a student to continue to pursue such a relationship, it shall be clear grounds for dismissal, and a copy of the school police report documenting the circumstances shall be referred to the Teacher Standards and Practices Commission and the Personnel Office for appropriate action. Making an intentionally false report of sexual harassment shall also be grounds for dismissal. Failure of a staff member or volunteer to promptly report a student's romantic advances shall be handled by the principal.

Legal References: ORS 243.706; ORS 659.010 (14); OAR 584-020-0040; ORS 342.700; ORS 659.020; OAR 584-020-0041; ORS 342.704; ORS 659.029; ORS 342.708; ORS 659.030; ORS 342.850; ORS 659.040; ORS 342.865; ORS 659.150; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C.A., Section 2000(e) et seq. (West 1985); Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.A., Section 621 (West 1985); Age Discrimination Act of 1975, as amended, 42 U.S.C.A., Section 6101 (West 1985); Equal Pay Act of 1963, as amended, 29 U.S.C.A., Section 206(d) (West 1985); Title IX of the Education Amendments of 1972, 20 U.S.C.A., Sections 1681, 1682 and 1683 (West 1985); Rehabilitation Act of 1973, 29 U.S.C.A. Sections 504, 791, 793 and 794 (West 1985); Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630 History: Adpt. 8/11/94

Student and Staff Acceptable Use of District Technology Policy (AUP)

Administrative Directive - 8.60.041-AD

Introduction

The District's Acceptable Use Policy ("AUP") is intended to prevent online users from unauthorized access and other unlawful or improper activities, prevent unauthorized disclosure of or access to sensitive information, to comply with the Children's Internet Protection Act ("CIPA") and other applicable laws, and establish expectations for use of District systems.

I. Definitions

- A. As used in this policy, "user" includes anyone using the computers, Internet (including social media, e-mail, and chat rooms), web-based PPS software systems and other forms of direct electronic communications or equipment provided by the District (the "network.")
- B. The Network- The district has established PPSNet, an electronic communications network (network) for electronic communication and access to, and use of, the World Wide Web.
- C. Mobile Devices - A mobile device is any portable, electronic device used for communications including telephone, text messaging or data transmissions (eg. email, web-browsing, streaming media, photographs, file transfer, etc.) over any network.

II. Terms of Permitted Use

- A. Only current students, PPS employees, approved volunteers, school board members and District contractors are authorized to use the network.
- B. The District sponsors and owns the network. The network is intended for District-related educational and administrative purposes as defined in Board Policy 8.60.040.
- C. By accessing the network, the user acknowledges that they have read and understood the PPS Acceptable Use Policy; the conditions for use remain in effect until:
 1. In case of students, revoked by the parent, or the student loses the privilege of using the District's network or is no longer a PPS student.
 2. In case of employees or volunteers, the employee or volunteer loses the privilege of using the District's network or is no longer a PPS employee.
- D. All network users are expected to follow this policy and report any misuse of the network to a teacher, or other appropriate District personnel. Access to the network has been established for educational use only, including support of administrative and student services, student and staff research, lesson planning, collaboration and sharing of ideas, contact with teachers and support staff, and the downloading of materials to be used as educational resources.
- E. District employees may use the network for incidental personal use, but this use should be limited and must be in accordance with this AUP, all District policies, administrative directives, and other guidelines regarding computers, networks and Web pages.
- F. By using the network, users have agreed to this policy. If a user is uncertain about whether a particular use is acceptable or appropriate, he or she should consult a teacher, supervisor or other appropriate District personnel.
- G. All users authorized to access student information are required to abide by the policies governing review and release of student education records. The Family Educational Rights and Privacy Act (FERPA) of 1974 mandates that information contained in a student's education record must be kept confidential and outlines the procedures for review, release and access of such information. Access to student information systems will be granted only to those individuals who have been determined to have a legitimate educational interest in the data. Individuals who have been granted access must understand and accept all responsibilities of working with confidential student records. In the event of loss of data and/or device, it is the individual's responsibility to immediately notify Risk Management and follow appropriate established District policy as defined in Board Policy 8.90.030.
- H. In order to protect student data and Personally Identifiable Information (PII) the IT Department may implement end point protection including encryption on District mobile devices. Individuals who have student data on a mobile device are responsible for the security of that data at all times. It is the responsibility of the primary user of the device to immediately inform the Information Technology Department (IT) in the event of the device being lost, stolen, missing, infected with a virus/malware,

hacked, or otherwise compromised. Any mobile device connected to the network or configured to access District email is subject to IT oversight, which may include remotely erasing data on the device at any time.

- I. Network users shall have no expectation of personal privacy in the use of the District's network. Passwords are used to protect the security of District data and technologies and are not intended to convey an expectation of personal privacy or exclusion from monitoring.
- J. Under the direction of the Superintendent, Human Resources Director or the General Counsel's office, the IT Department reserves the right to access and disclose, as appropriate, all information and data stored on District technology, transmitted over the District network and technology. In addition, information and data relevant to any users' work in their District capacity may become discoverable evidence if a public records request is made or for any legal proceedings in which the District may be involved.
- K. Authorized District personnel may temporarily suspend or permanently end any user's access.
- L. Documents, emails, and other electronic records created, sent or received using the Network are public records and may be subject to disclosure by law. They must be preserved in compliance with District and State record retention and preservation policies. Access the District's Network from employee owned computing devices such as employee owned home computers, or any portable computing device (such as a laptop, smartphone, or other electronic device used to access electronic data) may subject the employee's personal devices to disclosure.
- M. Employees who participate in an approved PPS Social Media Presence must abide by the rules as defined in Administrative Directive Social Media Use and Expectations.
- N. PPS uses Google Apps for Education for online collaboration with staff and students. Employees using Google Apps for Education must abide by the terms and conditions signed upon initial log-in to Google Apps for Education, as well as all terms of this policy.
- O. PPS employees are required to use district email to conduct all district business, and may not use personal email for any district business.

III. Prohibited Use

- A. District employees shall not use the network to access obscene material, including pornography, or any other material that is harmful to the district's educational purpose and mission or inconsistent with a professional work environment. If such material is inadvertently accessed, a district employee should notify his or her supervisor as soon as reasonably possible.
- B. Violating any state or federal law or municipal ordinance, accessing or transmitting pornography of any kind, obscene depictions, harmful materials, materials that encourage others to violate the law, confidential information, or copyrighted materials.
- C. Selling or purchasing illegal items or substances.
- D. Causing harm to others or damage to their property, such as:
 - 1. Using profane, abusive, or impolite language; threatening, harassing, bullying or making damaging or false statements about others;
 - 2. Accessing, transmitting, or downloading offensive, harassing, or disparaging materials;
 - 3. Damaging computer equipment, files, data or the network in any way, including intentionally accessing, transmitting or downloading computer viruses or other harmful files or programs; or disrupting any computer system performance; causing physical damage to a technology resource; or
 - 4. Using any device to pursue "hacking," internal or external to the District, or attempting to access or store information protected by privacy laws.
- E. Engaging in uses that jeopardize access or lead to unauthorized access into others' accounts or other computer networks, such as:
 - 1. Attempting to gain unauthorized access to the network or to any other computer system through the network or go beyond your authorized access.
 - 2. Using another's account password(s) or identifier(s);

3. Interfering with other users' ability to access their account(s);
 4. Disclosing anyone's password or allowing a person to use another user's account(s);
 5. Providing your account information, including passwords, to others, or making your account readily accessible;
 6. Deleting, copying, modifying, or forging other users' names, e-mails, files, or data; disguising one's identity, impersonating other users, or sending anonymous e-mail; or
 7. Posting or distributing personal information about other District personnel on the District Web site or public Internet without the employee's permission or making any reference to confidential student information on the District Web site or public Internet.
- F. Using the network for:
1. Personal financial gain;
 2. Personal advertising, promotion, or financial gain;
 3. Conducting for-profit business activities and/or engaging in non-government related fundraising or public relations activities such as solicitation for religious purposes, lobbying for personal political purposes; or
 4. Using software or hardware designed to interfere with or circumvent security mechanisms.
 5. Using the network in any manner that violates any District or school rule or policy, including, but not limited to any rule or policy in the "Student Responsibilities, Rights and Discipline Handbook" located on the PPS website.
- G. Plagiarism & Copyright Infringement
1. Users are prohibited from plagiarizing works they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were your own.
 2. Users must respect the rights of copyright owners. Copyright infringement occurs when you inappropriately reproduce a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, users should follow the expressed requirements. If users are unsure whether or not they can use a work, they should request permission from the copyright owner. Copyright law is complex. If you have questions, ask a teacher, supervisor or the General Counsel.
 3. Any software that is protected under the copyright laws may not be loaded onto or transmitted via the network or other on-line servers without the written consent of the copyright holder.
- H. Google Apps for Education
- PPS uses Google Apps for Education for online collaboration with staff and students. Users agree to not use Google Apps for Education services:
1. to generate or facilitate unsolicited bulk commercial email;
 2. to violate, or encourage the violation of, the legal rights of others;
 3. for any unlawful, invasive, infringing, defamatory, or fraudulent purpose;
 4. to intentionally distribute viruses, works, Trojan horses, corrupted files, hoaxes, or other items of a destructive nature;
 5. to interfere with the use of the Services, or the equipment used to provide the Services, by customers, authorized resellers, or other authorized users;
 6. to alter, disable, interfere with or circumvent any aspect of the Services;
 7. to test or reverse-engineer the Services in order to find limitations, vulnerabilities or evade filtering capabilities.
- I. No user shall establish a peer-to-peer network or wireless ad-hoc using their personal device, or any other wireless device while on district property. This includes, but is not limited to using a privately owned electronic device such as a cabled or wireless hotspot.
- J. The use of a District account is a privilege, not a right. Misuse could result in the restriction or cancellation of the account. Misuse may also lead to other disciplinary and/or legal action for both students and employees, including suspension, expulsion, dismissal from District employment, or, in the case of a student from school, or criminal prosecution by government authorities. The District will attempt to tailor any disciplinary action to meet the specific concerns related to each violation. When applicable, sanctions on employees will be in accordance with the appropriate labor agreement.

IV. Internet Safety

- A. In accordance with the Children’s Internet Protection Act (CIPA), the District will use technology protection measures on the network to block or filter, to the extent practicable, access to visual depictions that are obscene, pornographic and/or harmful to minors.
- B. Use of the District network constitutes consent to be monitored. Users should have no expectation of privacy regarding their use of District property, network and/or Internet access, files, and other District systems including e-mail. Monitoring technologies may be used to identify and mitigate issues with access of inappropriate materials.
- C. It is the intention of Portland Public Schools to educate our students to be good Cybercitizens. With input from building administrators, teachers, instructional leaders and parents, Information Technology will provide resources and curriculum around topics such as:
 - 1. Safety and security of minors when using technology such as social networking websites, email, video games, chat rooms, instant messaging, and other forms of direct electronic communications;
 - 2. Respectful and appropriate online behaviors;
 - 3. Cyberbullying awareness and response;
 - 4. Cyber-ethics awareness including plagiarism, cheating and information literacy.
- D. Instructional materials will be presented through a variety of age-appropriate methods. Tracking of student education efforts will be required. For more detailed information, please see the District’s *Internet Safety Guidelines*.

V. Archiving and Retention

- A. The District email retention policy is as follows:
 - 1. All email and calendar items sent and received on the PPS email system will be archived.
 - 2. Active employees’ email will be archived for 3 years based on date of receipt or origination.
 - 3. Inactive employees’ email will be kept in its state on the date of account disable for 13 months past their inactive date. At that time, email and email account will be fully purged from the system.
 - 4. Under request or guidance from the Human Resources Director or the General Counsel’s Office, email data from inactive employees may be kept longer than 13 months.
- B. Files saved on the District network are retained as follows:
 - 1. Active employees’ files will be retained for the duration of their employment.
 - 2. Inactive employees’ files will be kept in its state on the date of account disable for 13 months past their inactive date. At that time, files will be fully purged from the system.
 - 3. Under request or guidance from District HR or Legal personnel, files from inactive employees may be kept longer than 13 months.
- C. User accounts are maintained as follows:
 - 1. Active employees’ accounts are maintained for the duration of their employment.
 - 2. Inactive employees’ accounts are disabled 14 days after the date of inactive status with HR.
 - 3. Inactive employees’ accounts are fully purged from the system 13 months past their inactive date, coinciding with the full email purge.
 - 4. Under request or guidance from District HR or Legal personnel, accounts from inactive employees may be kept longer than 13 months.

AD History: Amd. 8/2012, 8/2014, 8/2015

Non-Discrimination Policy - 1.80.020 – P

Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society.

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

History: Adpt 2/13/97; Amd. 9/9/02; Amd. 6/17/13. BA2417

Racial Educational Equity Policy - 2.10.010-P

The Board of Education for Portland Public Schools is committed to the success of every student in each of our schools. The mission of Portland Public Schools is that by the end of elementary, middle, and high school, every student by name will meet or exceed academic standards and will be fully prepared to make productive life decisions. We believe that every student has the potential to achieve, and it is the responsibility of our school district to give each student the opportunity and support to meet his or her highest potential.

In light of this mission and our beliefs, Portland Public Schools' historic, persistent achievement gap between White students and students of color is unacceptable. While efforts have been made to address the inequities between White students and students of color, these efforts have been largely unsuccessful. Recognizing that there are other student groups that have not reached their achievement potential, this policy focuses on the most historically persistent achievement gap, which is that between White students and students of color. Closing this achievement gap while raising achievement for all students is the top priority of the Board of Education, the Superintendent and all district staff. Race must cease to be a predictor of student achievement and success.¹

In Portland Public Schools, for every year that we have data, White students have clearly outperformed Black, Hispanic and Native American students on state assessments in every subject at every grade level. White students consistently graduate at higher percentages than students of color, while students of color are disciplined far more frequently than White students. These disparities are unacceptable and are directly at odds with our belief that all students can achieve.

The responsibility for the disparities among our young people rests with adults, not the children. We are aware that student achievement data from school districts across the country reveal similar patterns, and that complex societal and historical factors contribute to the inequities our students face. Nonetheless, rather than perpetuating disparities, Portland Public Schools must address and overcome this inequity and institutional racism, providing all students with the support and opportunity to succeed.

1 For the purposes of this policy, "race" is defined as "A social construct that artificially divides people into distinct groups based on characteristics such as physical appearance (particularly color), ancestral heritage, cultural affiliation, cultural history, ethnic classification, and the social, economic, and political needs of a society at a given period of time. Racial categories subsume ethnic groups." Maurianne Adams, Lee Anne Bell, and Pat Griffin, editors. *Teaching for Diversity and Social Justice: A Sourcebook*. (2007).

Portland Public Schools will significantly change its practices in order to achieve and maintain racial equity in education. Educational equity means raising the achievement of all students while (1) narrowing the gaps between the lowest and highest performing students and (2) eliminating the racial predictability and disproportionality of which student groups occupy the highest and lowest achievement categories.² The concept of educational equity goes beyond formal equality -- where all students are treated the same -- to fostering a barrier-free environment where all students, regardless of their race, have the opportunity to benefit equally. Educational equity benefits all students, and our entire community. Students of all races shall graduate from PPS ready to succeed in a racially and culturally diverse local, national and global community. To achieve educational equity, PPS will provide additional and differentiated resources to support the success of all students, including students of color.

In order to achieve racial equity for our students, the Board establishes the following goals:

- A. The District shall provide every student with equitable access to high quality and culturally relevant instruction, curriculum, support, facilities and other educational resources, even when this means differentiating resources to accomplish this goal.
- B. The District shall create multiple pathways to success in order to meet the needs of our diverse students, and shall actively encourage, support and expect high academic achievement for students from all racial groups.
- C. The District shall recruit, employ, support and retain racially and linguistically diverse and culturally competent administrative, instructional and support personnel, and shall provide professional development to strengthen employees' knowledge and skills for eliminating racial and ethnic disparities in achievement. Additionally, in alignment with the Oregon Minority Teacher Act, the District shall actively strive to have our teacher and administrator workforce reflect the diversity of our student body.

- D. The District shall remedy the practices, including assessment, that lead to the over-representation of students of color in areas such as special education and discipline, and the under-representation in programs such as talented and gifted and Advanced Placement.
- E. All staff and students shall be given the opportunity to understand racial identity, and the impact of their own racial identity on themselves and others.

2 Glenn Singleton and Curtis Linton *Courageous Conversations About Race*, p. 46 (2006)

- F. The District shall welcome and empower students and families, including underrepresented families of color (including those whose first language may not be English) as essential partners in their student's education, school planning and District decision-making. The District shall create welcoming environments that reflect and support the racial and ethnic diversity of the student population and community. In addition, the District will include other partners who have demonstrated culturally-specific expertise -- including government agencies, nonprofit organizations, businesses, and the community in general -- in meeting our educational outcomes.

The Board will hold the Superintendent and central and school leadership staff accountable for making measurable progress in meeting the goals. Every Portland Public Schools employee is responsible for the success and achievement of all students. The Board recognizes that these are long term goals that require significant work and resources to implement across all schools. As such, the Board directs the Superintendent to develop action plans with clear accountability and metrics, and including prioritizing staffing and budget allocations, which will result in measurable results on a yearly basis towards achieving the above goals. Such action plans shall identify specific staff leads on all key work, and include clear procedures for district schools and staff. The Superintendent will present the Board with a plan to implement goals A through F within three months of adoption of this policy. Thereafter, the Superintendent will report on progress towards these goals at least twice a year, and will provide the Board with updated action plans each year.

References: "The State of Black Oregon" (The Urban League of Portland 2009); "Communities of Color in Multnomah County: An Unsettling Report" (Coalition of Communities of Color/Portland State University 2010); "The Economic Cost of the Achievement Gap" (Chalkboard Project 2010); "The Hispanic/White Achievement Gap in Oregon" (Chalkboard Project 2009); "A Deeper Look at the Black-White Achievement Gap in Multnomah County" (Chalkboard Project 2009); ORS 342.433.
History: Adopted by Resolution No. 4459, 6-13-11

Affirmative Action – Sex Discrimination

Administrative Directive - 5.50.050

The district shall develop in-service programs, which provide for the following:

1. For teachers and counselors to develop greater sensitivity in and skills needed to comply with the spirit and letter of Title IX;
2. For principals and physical education staffs to clarify conditions under which segregated physical education classes can and cannot be maintained and to increase understanding of the requirement to provide comparable activities for girls during periods when boys are engaged in contact sports
3. For coaching staffs to alleviate deficiencies in the skills and number of persons qualified for coaching of girls athletics;
4. For the development of leadership skills of women in preparing more candidates for administrative positions;
5. For all staff to increase general understanding of the spirit and letter of Title IX and district policies in connection with sex discrimination.

Policy Implemented:
History: Adpt. 9/76

Affirmative Action Policy – 5.10.025 - P

In order to close the racial achievement gap and better serve all students, Portland Public Schools staff must reflect the diversity of the students we serve. The Board of Education's Racial Educational Equity Policy, 2.10.010-P, requires the school district to "recruit, employ, support and retain racially and linguistically diverse and culturally competent administrative, instructional and support personnel." Oregon state law, as articulated in the Minority Teachers Act, states that "the number of minority teachers, including administrators, employed by school districts and education service districts shall be approximately proportionate to the number of minority children enrolled in the public schools of this state." ORS § 342.437. This Affirmative Action Policy sets forth the Portland Public School District's prohibition against discrimination, directs the Superintendent to create and implement an Affirmative Action/Equal Employment Opportunity Plan (AA/EEO Plan), and establishes the goal that the District will come into compliance with goal established by the Oregon Minority Teachers Act.

Equal Employment Opportunity

The District shall provide equal employment opportunity for all applicants and staff in recruitment, hiring, assignment, training, retention, transfer and promotion. All employment actions shall be in accordance with the Board Policy of Non-Discrimination, 1.80.020. The District shall comply with all federal, state and local laws relevant to equal employment and non-discrimination.

The District will not tolerate retaliation against any individual who reports discrimination or harassment; or testifies, assists or participates in any manner in an investigation, proceeding or hearing, regardless of the outcome of the complaint. Conduct that would likely deter an individual from reporting or supporting a claim may constitute retaliation. Retaliation can occur even if the underlying complaint of harassment or discrimination is not substantiated. The Superintendent shall designate the Chief Human Resources Officer to oversee compliance with equal employment and non-discrimination.

Affirmative Action – Employment

In order to comply with the Racial Educational Equity Policy and the Oregon Minority Teachers Act, the District will make meaningful efforts to recruit, employ, support and retain a qualified work force that reflects the diversity of our student body. The Board expects to see measurable progress every year in reaching the goal established by the Oregon Minority Teachers Act. This goal will both help ensure a work and school environment free from discrimination, and will contribute to enhanced student performance and the elimination of the achievement gap. To this end, the Board directs the Superintendent to develop and implement an AA/EEO Plan. The Board further directs the Superintendent to designate an Affirmative Action Officer to oversee the implementation of, and compliance with, the AA/EEO Plan.

The Board expects the AA/EEO Plan to include affirmative measures designed to ensure equal employment opportunities. The AA/EEO Plan shall identify job groups that show the underutilization of staff based on race or gender within the District; set reasonable employment goals and timetables for increasing the diversity of our staff; and establish a plan of action to enable the District to reach these employment goals.

The goals articulated in this policy and the AA/EEO Plan are not rigid, inflexible quotas that must be met, but rather targets reasonably attainable by implementing best practices and applying good faith efforts. Neither this policy, nor the AA/EEO Plan, permit discrimination against any individual or group of individuals with respect to any employment opportunity for which the individual is qualified. Nothing herein is intended to sanction the discriminatory treatment of any person based on their protected status.

The Board further directs that all District employment policies, practices, and procedures will be examined periodically to ensure they are nondiscriminatory. These policies, practices and procedures are to be implemented by all administrative personnel, directors, personnel officers and anyone else who has responsibility for personnel functions. Equal employment opportunity and affirmative action are the responsibility of the entire District's workforce. The Board directs the Superintendent to report annually on the implementation of this policy and the progress of the AA/EEO Plan.

Adopted 6/17/13. Legal References: Minority Teacher Act, ORS 342.433 to 342.449; Federal and state laws prohibiting discrimination employment, including, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and ORS Chapter 659A; No Child Left Behind Act of 2001, Pub. Law. 107-110 (2002)

Complaint Policy - 4.50.030 - P

Portland Public Schools recognizes students, parents/guardians and people who reside in the district as essential partners in the educational process. These important partners must have the opportunity to make their concerns known to the district. Maintaining strong relationships includes having a fair, accessible process in which complaints can be addressed in a timely manner.

Whenever possible, concerns should be resolved by communication with the school or department directly involved in the issue. If the concern is not resolved through communication with the parties directly involved, the District provides a complaint process. This process shall include the opportunity for students, parents/guardians and people who reside in the district to appeal up to the Superintendent, and if appropriate, the Board. In general, the Board is responsible for policy-level issues, while the Superintendent is charged with the management and operations of the District. The complaint resolution process must include the opportunity for the parties involved to explain their experience and viewpoint of the matter so that multiple perspectives are considered. It is the intent of the Board that complaints be resolved as expeditiously as possible.

The District serves a diverse community of students and parents/guardians. The Racial Educational Equity Policy 2.10.010-P provides: "The District shall welcome and empower students and families, including underrepresented families of color (including those whose first language may not be English) as essential partners in their student's education, school planning and District decision-making. The District shall create welcoming environments that reflect and support the racial and ethnic diversity of the student population and community." The complaint process must be implemented in a manner that is accessible to, and welcoming of, all of our students, parents/guardians and community members. All parties to the complaint process will be treated, and will treat others, with dignity and respect.

The district has an Ombudsman whose role is to assist in dispute resolution, and to help ensure that the complaint process is accessible to the public. The Ombudsman also makes recommendations directly to the Superintendent regarding areas of improvement for the district.

School board members who receive complaints shall direct the complainant to contact the appropriate school or department in order to address the complaint. Complainants can also be referred to the Ombudsman for assistance with the process. Complaints regarding specific employees will be referred to the Chief Human Resources Officer for resolution through the appropriate personnel process.

No District employee, student or Board member may engage in retaliation against any person who files a complaint or participates in the complaint process. Any employee or student who engages in any form of retaliation for filing a complaint, or for participation in an investigation, will be subject to disciplinary action up to and including dismissal.

As provided by state law, students, parents/guardians and people who reside within the district may appeal to the State Superintendent of Public Instruction under OAR 581-022-1940 relating to certain violations of Oregon Administrative Rule and Oregon law.

The Board directs the Superintendent to implement an administrative directive that sets forth the specific process and procedure for complaint resolution. The Board further directs the Superintendent to provide information regarding the complaint process to members of the school community in a manner that is accessible and user-friendly, and to provide training for school staff in the implementation of the policy and administrative directive.

Anti-Harassment - 4.30.060 - P

I. Overview and Scope

- A. Portland Public Schools is committed to providing a safe, positive, and productive learning and working environment. Harassment, including intimidation or bullying, acts of cyberbullying, and sexual harassment are strictly prohibited and shall not be tolerated in the District.
- B. This directive applies:
 - 1. To student behavior on school grounds, at any school-sponsored activity, on school-provided transportation, at any official school bus stop, and in all instances that student discipline applies as provided in Student Discipline Procedures 4.30.020-AD.
 - 2. To conduct by all district employees that is between adults, or between adults and students when the student is the victim.
- C. Retaliation against any person who in good faith reports, is thought to have reported, files a complaint, or otherwise participates in an investigation of harassment is strictly prohibited. This prohibition is independent of whether a complaint is substantiated. False reports shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. The good faith initiation of any complaint of harassment by an employee shall not adversely affect any terms or conditions of employment or work environment of the staff complainant. The good faith initiation of any complaint of harassment by a student will not adversely affect a student's school placement or educational learning environment.
- D. The district shall investigate all complaints of harassment and retaliation.
- E. Instances of harassment may also be referred to law enforcement.

II. Definitions

- A. "Harassment" means all forms of harassment, intimidation or bullying, acts of cyberbullying, and sexual harassment.
 - 1. Harassment, intimidation, or bullying of students is any act that substantially interferes with a student's educational benefits, opportunities or performance and has the effect of physically harming a student or damaging a student's property, knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property, or creating a hostile educational environment, including interfering with the psychological well-being of a student and may be based on, but not limited to, the protected class status of a person.
 - 2. Harassment, intimidation, or bullying of staff is conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
 - 3. Cyberbullying is the use of any electronic communication device to harass, intimidate, or bully.
 - 4. Sexual harassment of students includes a demand for sexual favors in exchange for benefits or unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational performance or that creates an intimidating, offensive or hostile educational environment.
 - 5. Sexual harassment of employees includes a demand for sexual favors in exchange for benefits or unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an employee's performance or that creates and an intimidating, hostile, or offensive work environment.
- B. "Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status,

source of income, or disability.

- C. "Retaliation" means experiencing an adverse impact after making or supporting a claim of harassment if the impact would deter a reasonable person from making such a claim.
- D. "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality, or gender identity.
- E. "Gender identity" means a person's sense of being male or female regardless of whether the individual's appearance, expression, or behavior differs from that traditionally associated with the individual's sex at birth.

III. All schools shall use evidenced-based strategies to maintain schoolwide and classroom environments that are safe, promote learning and free of harassment.

- A. Notice: Signs, in age appropriate language, explaining the prohibition against harassment, intimidation or bullying, acts of cyberbullying, and retaliation shall be posted in all schools below grade 6. Signs posted in all grade 6 through 12 schools shall include the prohibition against sexual harassment on a sign at least 8.5 by 11 inches in size. It shall also be included annually in the *Guide*, readily available from the district office, and posted on the district website.
- B. School-Wide Student Notification: Students shall be informed of the definition of, consequences for, and obligation to report harassment and retaliation. This can be accomplished in the form of class discussion or activity.
- C. Students who believe they have been subjected to harassment or retaliation are encouraged to immediately inform a teacher, counselor, administrator, or other district employee.
 - 1. Students who witness or have reliable knowledge of harassment or retaliation against any student should report their concerns to a teacher, counselor, administrator, or the appropriate designated school district official as soon as possible.
 - 2. Any district employee who witnesses or has reliable knowledge of harassment against any student or who receives such a report shall immediately report the conduct to the principal or designee.

IV. Consequences

- A. Students who are found in violation of this directive are subject to disciplinary action ranging from a Level One conference to a Level Four expulsion/delayed expulsion/reassignment or referral. Disciplinary action depends on the number of occurrences and the severity of the offense and as provided in the *Guide to Procedures on Student Responsibilities, Rights and Discipline (Guide)*.
- B. District employees found in violation of this directive are subject to discipline, up to and including dismissal. Licensed employees shall be reported to the Teacher Standards and Practices Commission as provided in OAR 584-020-0041.

V. Procedures

- A. If a student is the alleged perpetrator of the harassment, the following procedures shall apply:
 - 1. The principal or designee is responsible for investigating claims of student harassment.
 - 2. Upon a report, or knowledge of, an incident of harassment or retaliation, the principal or designee shall assure it is promptly investigated.
 - 3. A student may report harassment anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.
 - 4. Complainants not satisfied with the decision at the school level may request a review of the decision by following the appropriate step in the Complaint Procedure in 4.50.030-P and 4.50.031-AD.
 - 5. If the complaint involves sexual harassment of a student, the District shall notify both the student

who initiated the complaint and the student's parents when the investigation is concluded.

- B. District employees who have reliable knowledge of prohibited conduct by an adult against any student, or other employee shall immediately report their concerns to the appropriate designated school district official. Reports of conduct violating this directive may be made anonymously; however, corroborating evidence is required for any disciplinary action or other consequences.
- C. If a district employee is the perpetrator of the alleged harassment, the complaint will be resolved through the appropriate Complaint Procedure. Employees not satisfied with the decision regarding their complaint, or employees receiving disciplinary or other consequences may request review through the grievance procedure otherwise generally applicable.

VI. Confidentiality

- A. Confidentiality of complainant: All complaints shall be handled so that the identity of the complainant and any information obtained as part of the investigation shall be kept confidential to the extent that confidentiality is compatible with a thorough investigation of the complaint and is permitted under the law. This protects the identity of the person who files a complaint, encourages the reporting of any violations under this directive, and protects the privacy of all employees.
- B. Confidentiality of student records: Any disciplinary action taken against a student shall be kept confidential to comply with federal requirements for confidentiality of student records.

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

Private Transportation

Administrative Directive - 6.50.011

Principals may authorize adult volunteers and staff members to use private vehicles to transport students on field trips (not regularly scheduled classes off campus) or on other school activities, provided:

- a. The school administrator has approved the activity, and the adult volunteer or staff driver of the private vehicle has knowledge of the automobile's safety equipment. A safety belt and/or a booster seat (if applicable) must be available for and used by each passenger.
- b. A permission slip signed by the student's parent/guardian has been received by the principal or his/her designee granting permission for the student to participate in the field trip and to ride in a private vehicle.
- c. The adult volunteer or staff member is properly licensed to drive, has the minimum insurance mandated by the State of Oregon, will operate the vehicle according to the Oregon Motor Vehicle Code and is in compliance with other District requirements.
- d. The District provides excess automobile liability insurance for adult volunteers and staff members driving private vehicles on field trips. This insurance is for liability coverage only and is in excess of any other insurance.
- e. Drivers who are not District staff must have a criminal records check. Drivers must agree to comply with all District policies, including refraining from smoking and use of alcohol and drugs.
- f. Students, even those 18 and older, may not participate as field trip drivers. With administrative and written parental permission, students with valid drivers' licenses may drive themselves to and from a field trip location.
- g. In no circumstances shall a student who is not the child of the driver be alone in the car with the driver (i.e. there must be at least two students in each car).

Aesop / Absence Management User License Agreement

THIS AESOP / ABSENCE MANAGEMENT ® USER LICENSE AGREEMENT (“Agreement”) is made for the benefit of FRONTLINE PLACEMENT TECHNOLOGIES, INC., a Pennsylvania business corporation (“Frontline”), by YOU, the person who indicates your acceptance of the terms of this Agreement by indicating your agreement to the terms and conditions of this Agreement when prompted (“User”).

RECITALS

WHEREAS, Frontline provides its clients with a subscription to its proprietary product, Aesop / Absence Management ®, which allows its clients to access Aesop / Absence Management ® for the purpose of automating substitute employee placement;

WHEREAS, a customer of Frontline (the “Customer”) has registered User with Frontline as a “Designated Employee,” which designation permits User to seek temporary employment with Customer as a substitute employee by logging into Aesop / Absence Management ® and checking for substitute employment opportunities from time to time;

WHEREAS, Frontline is concerned about protecting Aesop / Absence Management ® from misuse or damage by any Designated Employees, which would have a detrimental effect upon Frontline's clients and clients' Designated Employees;

WHEREAS, User desires to seek temporary employment with Customer as a substitute employee by logging into Aesop / Absence Management ® and checking for substitute employment opportunities from time to time; and

NOW, THEREFORE, in consideration of Frontline permitting User to seek temporary employment with Customer as a substitute employee by logging into Aesop / Absence Management ® and checking for substitute employment opportunities from time to time; and intending to be legally bound hereby, User hereby declares, promises and agrees with Frontline as follows:

AGREEMENT

1. Ownership of Aesop / Absence Management ®. User acknowledges that Frontline is sole owner of the proprietary product, Aesop / Absence Management ®, including, without limitation, all right, title and interest in Aesop / Absence Management ® and intellectual property rights associated with Aesop / Absence Management ®; that nothing contained herein shall be construed to give User any ownership rights in Aesop / Absence Management ®; and that no other rights or licenses are granted or implied to User, except as expressly set forth herein.
2. Revocable License. User, strictly upon the terms and conditions contained herein, hereby accepts a non-transferable, non-exclusive, revocable license (“License”) from Frontline to use Aesop / Absence Management ® for the sole purpose of logging in to view substitute employment opportunities with Customer from time to time and indicate User's willingness and availability to accept substitute employment for a certain date or dates for Customer; subject, however, to Customer's sole discretion to accept or reject User's indication of User's willingness and availability to accept such employment.
3. Revocable License Conditions. Frontline's grant of the License to User as set forth herein is to be subject to User's full compliance with the following conditions:
 1. User shall not employ any type of software, hardware, "bots" or any devices or methods of any kind which operate (on behalf of User) to automatically accept jobs within Aesop / Absence Management ®.

2. User shall not publish, display or distribute "screenshots" (screen snapshots) of Aesop / Absence Management ®.
3. User shall not attempt to circumvent or aid others in the circumvention of any security measures that are a part of Aesop / Absence Management ®; including, but not limited to, those mechanisms (like Captcha™ and Recaptcha™) which seek to establish the presence of User at his computer at the time of job acceptance.
4. Termination. User's License shall terminate automatically and without notice if Customer is no longer a duly authorized subscriber to Aesop / Absence Management ® for any reason. Notwithstanding anything contained or construed in this Agreement to the contrary, Frontline shall have the right, in its sole and unfettered discretion, to terminate User's License with or without cause, for any reason or no reason, at any time and without notice.
5. Release. User, User's heirs, personal representatives, executors, administrators, successors and assigns (collectively, "Releasors") hereby unconditionally release, remise and forever discharge Frontline and Customer, together with their principals, directors, officers, employees, attorneys, agents, representatives, affiliates, successors, and assigns (individually and collectively, the "Releasees"), of and from any and all debts, obligations, demands, proceedings, agreements, contracts, judgments, damages, accounts, reckonings, executions, claims and liabilities whatsoever of every name and nature, whether known or unknown, contingent or unliquidated, at law or at equity, in contract, tort, or otherwise, if any, which the Releasors, or any of them, ever had, now have, claim to have had, now claim to have or hereinafter can, shall or may claim to have against the Releasees, or any of them, for or by reason of any cause, matter or thing whatsoever, arising from any and all claims or causes of action that the Releasors have had, have, or may have relating to, resulting from, arising from, or incidental to the License and User's use of Aesop / Absence Management ®.
6. Severability. If any provision of this Agreement or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provisions to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.
7. Governing Law. This Agreement is made pursuant to, and shall be construed and enforced in accordance with, the laws of the Commonwealth of Pennsylvania without giving effect to otherwise applicable principles of conflicts of law. Any action or counterclaim hereon shall be commenced or asserted, as the case may be, only in the Court of Common Pleas of Berks County, Pennsylvania or the United States District Court for the Eastern District of Pennsylvania. All parties hereto consent to the jurisdiction of such courts and waive any objection based on forum non conveniens.
8. Headings. The section headings of this Agreement are for convenience only, form no part of this Agreement and shall not affect its interpretation.



Policies and Procedures Acknowledgement Form

I acknowledge that I have received copies of the following policies and will be responsible for complying with them. I understand that if I have any questions regarding the policies that I should direct them to my supervisor or to the Human Resources Department.

- Child Abuse Reporting -4.50.050-AD
- Drug Free Workplace Act
- Prohibition Against Employee Child Abuse and Sexual Conduct with Students 5.10.063-AD
- Student Education Records – 2.50.020-P
- Tobacco Possession and Use Policy – 3.30.021-P
- Sexual Harassment Policy – 5.10.060-P
- Sexual Harassment Complaint Procedure – 5.10.061-AD
- Sexual Harassment - Staff to Student – Policy – 5.10.062-P
- Student and Staff Acceptable Use of District Technology Policy (AUP) -8.60.041-AD
- Non-Discrimination Policy – 1.80.020-P
- Racial Educational Equity Policy- 2.10.010-P
- Affirmative Action – Sex Discrimination – 5.50.050-AD
- Affirmative Action Policy – 5.10.025-P
- Complaint Policy – 4.50.030-P
- Anti-Harassment Policy – 4.30.060-P
- Private Transportation – 6.50.011-AD
- Aesop / Absence Management User License Agreement

Furthermore I understand I am responsible for complying with all PPS policies and directives. PPS policies and directives can be found on the PPS website <http://inside.pps.k12.or.us>.

Signature

Date

Printed Name

cc: Personnel File