

## **Agenda**

1. 4:00 pm - Introductions
2. 4:05 pm - 8.70.040-P Preservation, Maintenance, and Disposition of District Real Property - Consider and approve proposed amendments for second reading
3. 4:50 pm - 4.50.032-P Formal Public Complaints - Review for first reading
4. 5:35 pm - 8.60.040-P Computer Use - Review proposed revisions and receive committee feedback
5. 6:20 pm - Public Comment - 10 min.  
*5 Two-Minute slots*  
*\*To sign-up for public comment*  
*email [PublicComment@pps.net](mailto:PublicComment@pps.net) or*  
*call Kara Bradshaw at 503-916-3906.*
6. 6:30 pm - Adjourn



**Board**

**8.70.040**

**Preservation, Maintenance,  
and Disposition of District  
Real Property**

**A. Land Acknowledgment**

The Portland Public Schools Board of Education acknowledges that the District's real property assets are on the traditional land of the Chinook, Clackamas, Kalapuya, Multnomah, Wasco, Kathlamet, Tualatin, and Molalla tribes. We also know that many other tribes made their homes along the Columbia and Willamette Rivers. We also recognize the robust present-day federally recognized tribes of this area: the Grande Ronde, Siletz and Cowlitz, and the Native American community, representing more than 380 tribes that have made the City of Portland one of the top 25 cities with the largest American Indian/Alaska Native populations. We honor their history and acknowledge the sacrifices they made.

We also acknowledge that federal, state, and local governments supported the invasion and dispossession of Native People's lands and the institutionalized practices of the removal and displacement of Native people from their lands. Additionally, PPS acknowledges that Portland institutions and citizens participated in redlining and structurally organized policies, zoning, and planning that restricted or prevented Black, Indigenous, and communities of color from land ownership and led to their disproportionate displacement through "urban renewal" or gentrification.

**B. Duty to Maintain and Preserve Real Property**

With the recognition of our role, we know that as current caretakers of this ancestral land, the District recognizes its fiduciary responsibility to preserve and maintain its real property assets in a manner that will serve current students and future generations, including keeping land in the public domain.

Only on rare occasions will the District sell a property without replacing that property with an equivalent or better property.

The Board of Education recognizes that the District's real property assets must be maintained in a sufficient physical condition to preserve their value and utility. The Board shall take necessary steps, taking into account budgetary constraints, to preserve and maintain the physical integrity of District real property.

**C. Objectives in Real Property Transactions**



## Board

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### Preservation, Maintenance, and Disposition of District Real Property

District

properties that are not currently needed for District purposes will be managed to carry out the following objectives:

- Reflect the District's short-, intermediate-, and long-term educational and operational needs, considering long-term population and enrollment projections for the Portland area;
- Maintain flexibility in lease terms to allow for early termination to adjust to enrollment fluctuations or other District needs for the property; and
- Provide revenue and other support for District needs; in this case, the District must seek maximum long-term financial and other benefits. The District also recognizes that conveyance of real property rights-of-way or easements may be imposed as a condition of approval of District development projects without compensation or may occur for other good or valuable consideration.

#### D. Sale of Real Property

Under ORS 332.155, the District may lease, sell, and convey all property of the District that will not be required for the District's educational purposes in the long term. In the unlikely event that District property does not support and is not expected to support the District's mission now or in the future, the Superintendent shall recommend to the Board the disposal of such property, including a thorough analysis of the implications of any property sale on fulfillment of the District's educational mission over the long term.

Whenever possible, any long-term disposition of District property should take the form of a long-term lease rather than a sale. A "long-term lease" is defined as a lease of at least five years and shall provide the District termination rights in the event the property is needed for District use.

Sale of a District property without replacing it with an equivalent or better property is usually disfavored and shall be considered only after assessing alternatives and determining that the District's best long-term interests are served by a sale. Whenever possible, any District property sale should be to a public entity that intends to actively use the property for public purposes or that substantially advances the District's racial equity and social justice goals for public and publicly chartered schools, including PPS charter schools, provided that any transaction is structured to allow PPS to regain ownership of the real property if it is no longer going to be used for public or designated purposes.

#### 1. Recommendation and Sale Process

- a. Sale of District Property Recommendation: The



## Board

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### Preservation, Maintenance, and Disposition of District Real Property

Superintendents shall make recommendations to the Board on the sale of any District property, including an analysis of implications for the District's ability to fulfill its responsibilities in the short-, medium-, and long-term; and a market analysis.

b. Public Hearing: Any process to consider the sale of the property shall be a transparent and public process, and at least one public hearing shall be held by the Board prior to declaring any real property or portion thereof prudent and necessary for sale. In the unlikely event the Board determines that it is prudent or necessary to sell a District property, it shall pass a resolution identifying the property, how relinquishing property promotes both the District's mission and the public interest, and the terms and conditions under which it may be sold.

c. Sale process: Once the Board declares that it is prudent or necessary to sell a District property, the Superintendent, or such persons as may be designated by the Superintendent, shall establish and conduct a process for sale or other conveyance of the property. The Superintendent will market and negotiate a proposed sale or other conveyance of the property and bring a recommended agreement to the Board for the Board's review and approval.

#### E. PPS Leases

##### 1. Presumption of Market Terms:

When entering into leases involving real property, the District shall pursue maximum market value and other then-current market terms, unless the Board adopts a resolution that makes an express finding that the transaction involving District property for less than market terms confers significant benefit to the District and the communities it serves, [including, but limited to whether the transaction advances the goals of the District's Racial Equity and Social Justice policy](#). Any express finding justifying less than market terms shall ~~be under extraordinary circumstances, defined as extraordinary or other unusual circumstances beyond the control of the parties ("Extraordinary Circumstances")~~; consider the factors below or combination of factors; and be assessed through the PPS Racial Equity & Social Justice lens.

[a. Extraordinary economic or other unusual circumstances beyond the control of all parties \("Extraordinary Circumstances"\). Under this factor, ~~the other party tenant~~](#) must provide evidence of the impact of Extraordinary Circumstances on its financial status, prior prudent efforts to manage risks and impacts, and efforts made to explore options other than financial or other relief



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### Preservation, Maintenance, and Disposition of District Real Property

District, \_\_\_\_\_ from the

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b. Offering below-market terms confers significant benefit to the District or its students, and those benefits substantially outweigh the costs of below-market terms;

~~a.~~ c. The communities being served by the other party include a substantial proportion of underserved students: students of color; students whose families qualify for free or reduced lunch, students with special needs, emerging bilingual students, or LGBTQ students; and/or

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~~b.~~ d. Official connection of the other party to the District or its enrolled students or students expected to enroll in PPS (e.g., PPS charter school, an organization providing direct services to PPS students, or a prekindergarten or head start program); and

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To the extent any below-market terms under a lease are granted, the District shall define the time period under the lease during which the below-market terms are effective, after which market terms shall be restored for any remainder of the lease. The factors set out in this section do not override the presumption of maximum market value in every circumstance, but may be considered on a case-by-case basis.

#### F. Compliance with Grant Agreements.

Notwithstanding any other part of this policy, if District property in a contemplated real estate transaction was purchased with state, federal, or private grant funds, any transaction involving the property shall be made as required in the grant or by state or federal regulations.

#### G. Delegation of Authority for Certain Transactions

The Board delegates authority to the Superintendent or his/her designee to approve and execute real estate transactions in which the total value of the transaction is at or below applicable delegation thresholds for District expenditure and revenue contracts, as set forth in PPS Public Contracting Rule 45-0200 (Authority to Approve and Execute District Contracts); in which conveyance of real property rights-of-way or easements is imposed as a condition of approval of District development and maintenance projects; or in which the transaction can be terminated by the District within 90 days or less. All other real estate transactions shall require Board approval. The Superintendent will provide a quarterly report to the



## **Board**

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### **Preservation, Maintenance, and Disposition of District Real Property**

Board  
regarding leases signed below the delegation threshold.

Legal References: ORS 271.330 ORS 332.155

History: Adopted 6/71; Amended 12/13/76; Amd. 8/28/78; Amd. 10/13/83; Amd.  
8/31/95; Amd. 10/28/02 BA2463; Amd. 1/12/09 BA 4019; Amd. 11/13/18; Amd. \_\_.



## Complaint Policy

4.50.032-P

Draft as of 3/8/2021

[DRAFT Alternative Preamble] We know that when families are engaged with their children's schools, children are more likely to have academic success, graduate from high school, develop self confidence, and demonstrate strong social behaviors. When we put children at the center of our decisions and actions, we can deliver better experiences for all students and families. We also know that our school district can be complex and that families and students will have questions and sometimes concerns about our curriculum, classrooms, programs, and other experiences. We welcome those conversations and expect that all adults, including PPS educators and other staff, will model our core values--including respect, relationships, honesty and integrity, collaboration, and a strong commitment to racial equity and social justice--when we have those conversations.

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

We also make available to students, families, and all who reside within the PPS community a Formal Complaint process. This policy and the accompanying administrative directive describe that process in greater detail. All parties to a Formal Complaint shall be treated and treat others with respect and dignity, and the District will provide support to those making complaints so that the process is accessible, transparent, and reflects our strong commitment to racial equity and social justice.

[CURRENT Preamble] Portland Public Schools recognizes students, parents/guardians, and all who reside within- the broader-PPS community as essential partners, in the educational process. These important partners must have the opportunity to make their concerns known to the dDistrict. Maintaining strong relationships includes having a fair, accessible process in which complaints can be addressed in a timely manner. Portland Public Schools welcomes expressions of concern as opportunities to learn, clarify our intentions, and engage in continuous improvement to benefit all students.

Whenever possible, ~~the District encourages members of the community to attempt to resolve concerns should be resolved~~ informally through direct communication with the school or department ~~directly involved in the issue~~. If this approach does not resolve the concerns, the District provides a formal complaint process. ~~The Board intends that e~~The District will ~~Complaints should be~~ resolve d complaints as ~~expeditiously quickly~~ as possible and in compliance with state law.

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 District’s goal is to have a complaint process ~~that is must be implemented in a manner that is~~ accessible to, and welcoming of, all of our students, parents/guardians, and PPS community members. All parties to the complaint process will be treated, and will treat others, with dignity and respect.

**I. Administrative Directive creation and review; Types of Complaints; Annual reports; Transparency and aAccessibility; Training; and Annual Reports**

**A. A full explanation of the complaint procedure, including all forms, shall be available at the District’s administrative office and on the home page of the District’s Conflict Resolution website found here** .

**1. Types of complaints**

**This policy provides a process for resolving complaints as required by Oregon Administrative Rule 581-022-2370 , including, but not limited to, complaints related to:**

**a) Instructional standards and practices**

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

**b) Special education**

**c) Health and safety**

**d) Equitable education opportunities**

**e) Sports safety**

**f) Restraint and/or seclusion**

**g) Bias or discrimination in education**

**h) Retaliation against a student or parent/guardian**

**i) Failure to investigate complaints of bias**

~~B. The Board of Education directs the Superintendent to implement an administrative directive that sets forth the specific process and procedure for complaint resolution. The administrative directive and any changes that are subsequently made will be submitted to the Board for review. The Board further directs the Superintendent to make information regarding the complaint process shall be easily accessible to members of the school community in a manner that is accessible and user-friendly, and to~~

~~C. The District shall provide training for building administration and designated District staff in the implementation of on how to handle formal complaints under this policy, as well as and the administrative directive 4.50.031-AD[insert number here]. Since~~

~~A.D. Because complaints can be an important indicator of the health of an organization, the Superintendent will provide to the Board at least annually a document that provides data on trends and emerging issues, as well as an assessment of the functioning of the formal complaint process.~~

~~B. A full explanation of the complaint procedure, including all forms, shall be available at the District's administrative office and on the home page of the District's Conflict Resolution website found here.~~

#### ~~1. Types of complaints~~

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  - ~~(7) Instructional materials~~
  - ~~(8) Compliance with state standards~~~~
- ~~b) Special education~~
- ~~c) Health and safety~~
- ~~d) Equitable education opportunities~~
- ~~e) Sports safety~~
- ~~f) Restraint and/or seclusion~~
- ~~g) Discrimination in education~~
- ~~— Retaliation against a student or parent/guardian~~
- ~~h) Failure to investigate complaints of bias~~

## II. TIMELINES

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

time limits ~~established by state law~~:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation runs from the date of the most recent incident; OR
  2. Within one year after the affected student has graduated from, moved away from, or otherwise left the ~~d~~District, whichever is later.
- B.** The time limitations for bringing formal complaints may be extended by the District for complaints ~~concerning about~~ significant student safety issues, including those arising out of employee misconduct, sexual abuse or conduct, or other allegations of harm to students.
- C.** The receipt of a written complaint starts the 90-day timeline for resolution of complaints under this policy.

### III. FILING A COMPLAINT

#### A. STEP 1:

1. The written complaint must be filed with the District's complaint coordinator ~~via by~~ letter, email, or the [written complaint form](#). The written complaint should include the name and contact information for the complainant, a description of the concern, and the student's name, if applicable. It is helpful if the written complaint also includes the names of any other parties involved, including witnesses; a description of efforts to resolve the concern; and suggestions for resolution. The complainant shall receive a written acknowledgement of receipt of the complaint within 5 days of submitting the ~~written~~ complaint. [The District will recognize complaints in multiple formats: the written complaint form, letter, or ~~through~~ email.](#)
2. In most situations, a District leader for the involved school, or the appropriate departmental supervisor, will be responsible for investigating and responding to the complaint at Step 1. The Superintendent may assign a different decision maker at Step 1 as appropriate.
3. All formal complaints will receive a decision in writing that addresses each concern raised and contains reasons for the District's decision within 30 days of receipt of the complaint, unless the parties agree to extend the deadline. The resolution will include information about the next steps in the complaint process.

### IV. FILING AN APPEAL

#### A. STEP 2: APPEAL TO THE SUPERINTENDENT

If the issue is not resolved to the complainant's satisfaction, the complainant may request a review by the Superintendent. The request for review shall be submitted in writing within 10 days of the complainant receiving [notice of resolution from the decision in](#) Step 1.

1. After reviewing materials previously submitted or gathered and after conducting additional review, if deemed necessary, the Superintendent or designee shall issue a written decision addressing [the review of](#) each concern raised and the reason for the decision and provide the [written](#) decision to the complainant, pursuant to OAR 581-022-2370. All complaints appealed to the Superintendent will receive a decision in writing within 30 days of receipt of the request for review. The [Superintendent or designee decision](#) will include information on the steps for further appeal under this policy.
2. Upon receiving the Superintendent's decision, if the complainant wants to continue to appeal, the complainant may appeal to the Board.

## **B. STEP 3: APPEAL TO THE PPS SCHOOL BOARD**

The Board will vote on ~~the substance of~~ the appeal within 30 days of the written request to appeal the Superintendent's decision. The Board will have the full written record of the decisions at Step 1 and Step 2. ~~The District staff and the Complainant shall exchange all any other written background information they intend to present to the Board at the appeal hearing at least 24 hours before the hearing appeal is to be heard. If new information is offered after this period of time less than 24 hours before the Board hearing, the complainant may ask for an extension of time.~~ The complainant ~~may submit additional written information to the Board and~~ may provide testimony [during public comment when the complaint is heard](#). The Board shall decide that the Superintendent's ~~final~~ decision is:

1. Affirmed and no further action will be taken; or
2. Reversed and may direct the Superintendent to take alternative steps or other course of action. To the extent the Board modifies the Superintendent's decision, it will issue a final decision that addresses each concern raised in the complaint and contains reasons for the District's decision.

If the complainant is not satisfied with the decision of the Board, the complainant can file an appeal with the Oregon Department of Education (ODE) as permitted by OAR 581-022-2370(4)([b](#)) and OAR 581-002-00[0540](#).

## **C. ~~Anonymous Other Types of~~ Complaints**

PPS accepts confidential anonymous [formal](#) complaints [concerning Division 22 matters](#) by email at [anonymouscomplaints@pps.net](mailto:anonymouscomplaints@pps.net) and phone at 503-916-3462.

Those making complaints anonymously should provide as much information as possible ~~when making the complaint~~. PPS will investigate any complaint, including anonymous complaints, as fully as it can.

~~For e~~Complaints about Sexual Conduct and Sexual Discrimination should be directed to , complainants should contact the Title IX Department here.

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

More information about ~~on~~-conflict resolution and ~~other~~ resources may be found here.

#### D. Other provisions

1. The District will provide ~~limited~~ the following resources to assist the complainants through the Formal Complaint process: . These include Translation and interpretation services ~~are available to complainants,~~ and other reasonable accommodations to allow access to the process. ~~The provision of legal services or Legal advice is not a resource available through the provided by the District.~~

4.

2. ~~The District will provide resources for complainants who request assistance in preparing a written complaint. REQUEST ASSISTANCE A list of resources can be found HERE~~

3. The ~~Superintendent~~District shall avoid any conflicts of interest, or the appearance of conflicts of interest, in assigning the district representative to investigate and respond to a complaint.

4. Complainants may bring an advocate or support person to any meeting or proceeding.

5. Retaliation against any person who files or participates in the complaint process is strictly prohibited. Retaliation is any intentional action that would deter a reasonable person from participating in the process. Anyone who believes they have suffered retaliation should immediately report it to the Superintendent or PPS Board of Directors.

6. The District will share with complainants as much information as possible about the findings of the investigation and will, in all cases, share the outcome of its investigation of complaints. However, PPS is often prohibited from disclosing specific information about disciplinary action taken against an employee or student involved in the complaint. The Board will only hear complaints concerning students and employees in a closed session and wi not hear these

~~types of complaints against employees in a session open to the public unless the an employee or student/family requests an open session.~~

7. If the ~~d~~District fails to meet the timelines stipulated set forth in this process in this policy, the complainant may appeal to the PPS School Board or to the Oregon Department of Education. The timelines may be extended by ~~the mutual consent agreement between~~ of the complainant and the District. For example, this may be needed if there are many witnesses to interview, key witnesses are unavailable because of holidays, medical leave, etc., or if a particular Board meeting does not work for the complainant.
8. As used in this policy, “days” will be counted as “calendar days.” Any period for response under this policy that falls on a weekend or legal holiday shall be extended to the next business day.
9. The ~~d~~District may not be able to assure confidentiality of the names of persons who file complaints under this policy.
10. If a complaint alleges employee misconduct that is outside the scope of this policy, the complaint coordinator will notify the Superintendent in writing of that filing, and the District will endeavor to respond in a timely manner to the complaint.
11. Current and former employees may not bring a complaint under this policy regarding the terms, conditions, or status of their employment.
12. ~~Complaints that have been previously filed, investigated, and responded to and for which appeals have been exhausted or the time for appeal has expired on behalf of the District and/or Board cannot be refiled when the complaint is regarding a particular n-incident or issue that has already been heard~~addressed through the Formal Complaint process. per OAR XXXX.
13. Additional allegations offered during the Step 2 process will not be heard along with the original complaint. The person making the complaint will be informed that the allegation will not be addressed as part of the Step 2 response and that the allegation must be filed as a new complaint with the District’s complaint coordinator.
- ~~14.~~  
15-14. Since Because the Board serves as the final decision maker at the Step 3 appeal venue of final appeal, Board members should not knowingly refrain from initiate or continue ing-or pursuing contact with complainants once a formal complaint has been filed or independently investigate allegations in the complaint.

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

Any complaint about the Superintendent shall be reviewed by the Board of Education.

Board members are volunteers serving in an elected capacity and are accountable to the citizens in the Portland Public Schools district for their actions and policy positions. Complaints alleging ethics violations or violations of the law against an individual Board member should be made to the Board chair who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. Complaints related to ethics violations or violations of the law against the Board Chair should be made to the Board Vice-Chair(s) who will refer these issues to appropriate governmental jurisdictions or a third party if a majority of the Board approves of the referral. If a third party investigates a complaint, after receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

**F. Complaints submitted to ~~school board~~ members of the Board of Education**

School board members who receive formal complaints from constituents or staff shall forward complaints to the District's complaint coordinator. Board members shall forward informal complaints to the appropriate school or department in order to address the concern.

**V. FURTHER APPEAL RIGHTS**

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, who is a student, a parent or guardian of a student attending a school in the ~~d~~District, or a person who resides in the ~~d~~District, may appeal a final decision by the ~~D~~istrict to the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-000540.

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

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

Adopted 11/2014; Amended 6/12/18,       /2020

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**Legal Reference(s):**

[ORS 192.610 to 192.690](#)  
[ORS 332.107](#)  
[ORS 339.285 to 339.383](#)  
[ORS 659.852](#)

[OAR 581-022-2370](#)

8.60.040-P Responsible Technology Use**Computer Use****I. ~~Electronic Communications Network~~**

~~The district has established PPSNet, an electronic communications network (network) for electronic communication and access to, and use of, the World Wide Web. Use of the network for access and development on the World Wide Web, e-mail, chat rooms and other forms of direct electronic communication is intended for educational and administrative purposes.~~

**II. ~~Definitions~~**

- ~~(1) Educational and administrative purposes includes use of the network for teaching and learning in district classrooms, professional and career development, research and district-related administrative activities.~~

**III. ~~Responsibilities~~**

- ~~(1) The superintendent or designee will manage the district network.~~
- ~~(2) Each building principal or designee will be responsible to coordinate building level activities, including appropriate computer training for the use of the network, supervision of the use of the network, and enforcement of all computer use policies in compliance with this policy.~~
- ~~(3) The superintendent or designee is authorized to develop administrative directives and other guidelines for the use of the network that are in compliance with the Children's Internet Protection Act (CIPA), this policy and all other district policies. These regulations include but are not limited to acceptable use regulations, setting network account limits, network security and World Wide Web guidelines.~~
- ~~(a) The administrative directives shall be consistent with sound guidelines as may be provided by the education service districts, the Oregon Department of Education and/or the Government Standards and Practices Committee and will include a complaint procedure for reporting violations.~~

**IV. ~~Access to Network~~**

- ~~(1) The network, including hardware, software and data, is for the use of district students, employees, Board members and others with permission from the superintendent or designee. The district may determine the extent to which students at their respective grade levels are granted access to the network.~~
- ~~(2) Use of any electronic communication service provided by the district is conditioned upon acceptance of all guidelines found within this policy, as well as any administrative directive or other official regulation~~

## ~~8.60.040-P Computer Use~~ **B**

~~relating to computer use and acceptable use by employees and students.~~ **O**

- ~~(3) District employees and students shall take reasonable precautions to prevent others from using their accounts. Passwords are issued to district employees and students and shall not be provided to any other person. District employees and students shall not allow another to use their password or use another person's password to access the network.~~

### ~~V. Internet Safety~~

- ~~(1) In accordance with the Children's Internet Protection Act (CIPA), the Board authorizes staff to implement and operate technology protection measures, including filtering devices, specifically, in accordance with CIPA.~~
- ~~(a) The district will prohibit access by minors to inappropriate material on the internet and World Wide Web, as defined by CIPA, through the use of filtering devices. Inappropriate access for minors includes materials that are obscene, child pornography or other material harmful to minors.~~
- ~~(b) The district will enforce the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications (e.g., instant messaging services).~~
- ~~(c) Unauthorized access, including so-called hacking and other unlawful activities, by district employees or students online is prohibited.~~
- ~~(d) Unauthorized disclosure, use, and dissemination of personal identification information regarding minors are prohibited.~~

### ~~VI. Violations~~

- ~~(1) All disciplinary procedures will be conducted in accordance with federal law, state law, applicable Board policies and administrative directives and, where applicable, appropriate collective bargaining agreements.~~
- ~~(2) Failure to abide by district policies and administrative directives governing use of the network may result in the suspension or revocation of network access. Additionally, student violations may result in discipline up to and including expulsion. Employee violations may result in discipline up to and including dismissal. Fees, fines or other charges may also be imposed. When applicable, sanctions will be in accordance with the appropriate collective bargaining agreement. Violations of the law will be reported to law enforcement officials.~~

## ~~8.60.040-P Computer Use~~ **B**

### ~~VII. District Web Site~~ **O**

- ~~(1) In addition to the purposes set forth in this policy regarding educational and administrative purposes, the purposes of the district's Web site include providing information about the district and functioning as a district communication tool.~~
- ~~(2) All Web content shall be consistent with the purposes for which the computer network was created.~~
- ~~(3) All district information shall reside at the domain pps.k12.or.us. Material hosted at other domains or by outside Internet service providers is not to be construed as official district information.~~
- ~~(4) The superintendent or designee will designate a Web manger to oversee management of the district's Web site. See administrative directive District Web Site 8.60.043-AD.~~
- ~~(5) Schools may establish Web content within the district Web site. Content and management of those pages shall conform to the administrative directive District Web Site 8.60.043-AD.~~
- ~~(6) Departments and other district units, including schools or programs, may establish Web pages or other Web content within the district Web site. Content and management of those pages shall conform to the administrative directive District Web Site 8.60.043-AD.~~
- ~~(7) With the approval of the building principal or department director, school-related organizations such as classes, curricular clubs or PTAs may establish Web pages. Content and management of such pages shall conform to the administrative directive District Web Site 8.60.043-AD.~~

### ~~VIII. Limitations of Liability and Indemnification~~

- ~~(1) The district makes no warranties of any kind, either express or implied, that the functions or services provided by or through PPSNet will be error-free or without defect. The district is not responsible for any damage the user may suffer, including but not limited to loss of data or interruptions in service. Furthermore, the district is not responsible for the accuracy or quality of information obtained through or stored on PPSNet.~~
- ~~(2) The district is not responsible for financial obligations arising through the use of PPSNet unless the district has agreed to the obligation before it is incurred.~~

~~Responsible Technology Use~~**1. Scope**

The District provides access to District approved technology devices, networks, accounts, software, and internet-based resources (“Technology Resources”) in order to enhance the education of students. Technology Resources improve student communication and extend learning beyond the classroom walls while building digital citizenship skills. Students and staff accessing technology are expected to conduct themselves in a responsible, courteous, efficient, and legal manner as further outlined in this Policy.

**2. Purpose****a. Enhancement of Learning and Productivity**

District Technology Resources will be deployed and used for teaching and learning in District classrooms, comprehensive distance learning, professional and career development, and research and district-related administrative activities.

**b. Equity and Inclusive Learning**

Equity considerations will drive District decisions about the development, distribution, and use of Technology Resources in order to ensure equitable access for every user.

**c. Student Safety**

Technology Resources will be deployed and used in a way that fosters a culture of safety and respect for everyone. Social, emotional, and physical well-being are crucial to academic and professional success.

**3. Responsible Deployment and Use of Technology Resources**

a. Technology Resources will be deployed and used in compliance with applicable laws and other District policies.

b. Technology Resources will be deployed and used in a manner that supports the District purposes of learning and productivity, equity and inclusive learning, and a safe and respectful environment.

c. The District will develop an Administrative Directive and acceptable use guidelines for users regarding the deployment and use of District Technology Resources, including access to Internet and social media, and regulation of use of District and personal electronic resources on District assets.

**4. Fostering Safety and Security of Users**

## No Expectation of Privacy

The safety and security of District Technology Resources is the shared responsibility of the District. The District may monitor, intercept, and review, without further notice, activities occurring on the District's Technology Resources. Users should have no expectation of privacy while using District Technology Resources.

The District shall establish protocols for review of activity.

### b. Cyberbullying and Anti-harassment

District policies prohibiting harassment and bullying apply to the use of District Technology Resources. Technology Resources will not be used in a manner that may be construed by others as bullying, harassing or offensive. [link to anti-harassment policy]

### c. Filtering Software

As a component of District Internet safety measures, all District-owned technology resources, including computer networks in all District facilities capable of accessing the Internet will use filtering software to restrict access to obscene, racist, hateful or violent material. However, the District cannot ensure that a student will never be able to access objectionable material.

### d. Community-based Approach

While District staff will make reasonable efforts to supervise student access and use of Technology Resources, fostering the safety and security of students and staff requires a community-based approach.[link to digital citizenship guidelines]

## 5. Violations

a. If a user violates District Policies, Administrative Directives, or guidelines for Technology Resources or Responsible Use, District staff will notify the Office of Technology and Information Services.

b. Violations may include discipline or other sanctions consistent with District Policies, Administrative Directives, guidelines, or Student's Rights and Responsibilities Handbook, up to and including expulsion or termination of employment.

## 6. Administrative Directive [hyperlink]

Legal References: ORS 30.765; ORS 163.435; ORS 164.345; ORS 164.365; ORS 167.060; ORS 167.065; ORS 167.070; ORS 167.080; ORS 167.087; ORS 167.090; ORS 167.095; ORS Chapter

## 8.60.040-P Computer Use

192; ORS 332.107; ORS 336.222; ORS 33.9250; ORS 339.260; ORS 339.270; OAR 581-021-0050; OAR 581-021-0055; OAR 584-020-0040; OAR 584-020-0041; Children's Internet Protection Act, 47 U.S.C. Section 254 (h) and (l); 47 CFR Section 54,520 (2001); Copyrights, Title 17, as amended. United States Code; 19 CFR Part 133 (2000); Oregon Attorney General's Public Records and Meetings Manual pp. 22-24, Appendix H, Department of Justice (1999); Drug-Free Schools and Communities Act of 1986, P.L. 99 570 20 U.S.C. Section 7105; Drug-Free Workplace Act of 1988. P.L. 100-690, Title V, Subtitle D, Sections 5151-5160, 102 Stat.4305-4308; Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226,103 Stat. 1928 et. seq.; Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213, 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000); Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g;34 CFR Part 99 (2000).

History:



# Responsible Technology Use Policy - 8.60.040-P

Office of Technology & Information Services

# Overview

Replaces the Acceptable Computer Use Policy Policy 8.60.040-P

The policy was written at a time when the assumption was that

- PPS owned computers were only issued to staff.
- Student computer use was in labs or via computer carts.
- Information/Services accessed would be on the PPS network.
- The policy should encompass penalties and name specific technologies

The Responsible Technology Use Policy will become a framework for Administrative Directives

# What Was Removed

The previous policy attempted to be used as a list of restrictions against technology misuse

## Examples of removals

- Definitions of IT terms
- Guidance from specific laws
- System names
- Extensive lists of violations
- IT Governance procedures

# What Was Added

Language that turns the policy into a Framework

- Purpose
  - Enhancement of Learning and Productivity
  - Equity and Inclusive Learning
  - Student Safety
- Responsible deployment
  - Supporting deployment in a fashion that furthers our purpose
- Fostering The Safety and Security of users
  - No Expectation of Privacy
  - Cyberbullying and Anti-Harassment
  - Content Filtering
  - Community-Based Approach

# Community Engagement

OTIS will be seeking engagement on this policy update from the extensive list of stakeholder groups affected by the change:

Discussions with school administrators via PAPSA

Survey to tech-adoption focused teachers for input

Special focus on McKinney-Vinto and Title I school input

Parent survey for input regarding affected communities