



Public Access to District Records

To promote transparency and provide an accurate accounting of how PPS carries out the public's business, it is the intent of the Board that all PPS records be disclosed courteously and consistent with state and federal law. PPS will rely upon the definition of "Public Record" set forth in Oregon law.

- I. The Superintendent will hire a Public Records Officer and develop administrative directives and procedures to provide clarity and consistency to the public about access to PPS public records. The Public Records Officer will process all requests as soon as practicable and without unreasonable delay, without regard to the nature of the records or identity of the requester.
- II. It is the goal of PPS to provide the public with records at no or minimal cost when the documents requested are not voluminous or do not require significant time to locate and process. The Superintendent will develop clear guidelines regarding when it is appropriate to charge fees and to provide clarity to requesters as to how fees are determined.
- III. PPS recognizes that it is in possession of sensitive and confidential information about our students, staff, and families. Upon receiving a public records request seeking potentially sensitive, personal, or private information related to a staff member, PPS will notify the staff member and the staff member's union (if represented) in writing of the existence and nature of the records request. In responding to public records requests, PPS will follow state and federal law.
- IV. When public records are requested that could be considered exempt under one of the conditional exemptions under Oregon law, PPS will construe the public interest liberally in favor of disclosure.
- V. The Public Records Officer will, with the advice and counsel of the General Counsel or its designee, make determinations as to whether (a) a record is responsive to a public records request; (b) a record contains information PPS is prohibited from disclosing; or (c) a record is exempt from disclosure. The Public Records Officer will have the responsibility of ensuring exemptions are legally and appropriately applied.
- VI. Records will be made available to persons with disabilities in an appropriate format on request in accordance with the requirements of the Americans with Disabilities Act. No fee to cover the costs of providing records in an alternative format will be charged. All other actual costs may be recovered, consistent with Board policies, administrative directives, and the public records law.
- VII. If PPS requires clarification from the requester, such clarification will be requested in writing, and the requestor will be informed that work on the request will stop until the clarification is received. If the original scope of a request is likely to necessitate high fees, the Public Records Officer will offer to work with requesters to negotiate or narrow the scope to reduce the costs.
- VIII. Requesters who believe PPS has inappropriately withheld records or assessed fees may request review from the Multnomah County District Attorney in accordance with ORS Chapter 192.
- IX. No PPS employee, student, or Board member may engage in unlawful retaliation against any person who requests public records or requests review of a public records decision. Any

employee who engages in any form of retaliation for requesting public records, or requesting review of public records decisions, will be subject to disciplinary action up to and including dismissal.

- X. To avoid possible conflicts of interest, no employee will make the final decision on the application of exemptions to a given public records request if they are named in that request. If an in-house PPS attorney is making the final decision on the application of exemptions applicable to a public records request and they also provided material legal advice regarding the records at issue prior to the records being requested (e.g. a personnel investigation), the in-house attorney will disclose that fact to the Superintendent's designee prior to making the final decision. Any employee who knowingly and intentionally violates this paragraph will be subject to disciplinary action up to and including dismissal.

Legal References: ORS Chapter 192; ADA, 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

History: Adopted 12/8/80; Amended 1/84, 9/02, 7/18, 8/2026