

Joint statement of Oregon Public Broadcasting and Portland Public Schools regarding *Oregon Public Broadcasting v. Portland Public Schools*, Multnomah County Circuit Court Case No. 14CV16978

April 25, 2016

Oregon Public Broadcasting and Portland Public Schools are pleased to announce that they have resolved the lawsuit, OPB v. PPS, in which OPB challenged whether PPS violated Oregon's Public Meetings Law by allowing the Superintendent's Advisory Committee on Enrollment and Transfer (SACET) to close several meetings to the public in 2014. SACET was charged by the superintendent with reviewing the enrollment and transfer policies of PPS, which OPB was actively covering as an issue of high importance to the public. Meetings of a "governing body" of a public body such as the school district are subject to the Public Meetings Law, and a "governing body" is defined under the law as "the members of any public body which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration."

While SACET was formally charged with reporting to the Superintendent, members of the Board of Education were assigned as liaisons to the committee, and the committee presented its work to the Board. OPB contended that the closure of meetings violated the Public Meetings Law, and filed a lawsuit in November 2014. In December 2015, the Multnomah County Circuit Court determined that SACET was not a "governing body" under the Public Meetings Law and thus the closed meetings did not violate the Public Meetings Law. OPB then filed a notice of appeal to the Oregon Court of Appeals. OPB and PPS have come to a mutual resolution of the case.

PPS is committed to compliance with the Public Meetings Law. PPS will continue to provide training for the Board of Education and senior leadership about the Public Meetings Law. PPS will also develop written guidelines for PPS committees regarding compliance with the Public Meetings Law. OPB acknowledges that there are times when it is necessary and appropriate for PPS committees to advise the Superintendent on a confidential basis. To avoid future confusion, PPS will ensure that committees that report to the Superintendent make their recommendations to the Superintendent, and do not make recommendations directly to the Board. Committees that make recommendations directly to the Board of Education are subject to the Public Meetings Law. PPS and OPB will negotiate in good faith to resolve questions and concerns that arise regarding the application of the law in the future.

PPS highly values its relationship with OPB as a leading news outlet in our community, and respects OPB's mission of giving voice to the community and rigorously reporting on the issues of importance to Oregonians. Both organizations are committed to maintaining the public's trust by promoting a culture of openness and transparency.