

**From:** MAYER Mark \* ODE  
**To:** REDACTED  
**Cc:** VASQUEZ Kay \* ODE  
**Subject:** PPS Religious Entanglement Case  
**Date:** Thursday, May 18, 2023 1:43:00 PM

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REDACTED:

I met with Portland Public Schools Deputy Director of Transportation, Brandon Coonrod, this morning, as well as the district attorney, Mary Kane. The district has conducted an investigation, formulated a response, and will be reaching out to you shortly.

During today's meeting I received evidence of the following:

- The first report of the bus driver's religious activity occurred in February, following a field trip. Portland Public Schools determined at that time that the bus driver was "projecting his beliefs." Following the incident, the district informed First Aid (the transportation provider that provides services to Portland Public Schools) of the incident, and First Aid met with the bus driver and discussed the behavior. The provider made it clear, at that time, that the bus driver should not engage in such activity.
- The second report of the bus driver's religious activity occurred on April 7, 2023, which is the report that you made. Again, following the report, the district informed First Aid, and First Aid discussed the incident with the bus driver, making it clear that the bus driver should not engage in such activity.
- The district also reviewed video from the following dates: March 20, April 11, April 12, April 18, April 24, May 3, and May 8.
- The district was able to verify that no religious activity occurred on April 18, May 3, and May 8.
- The district observed that on March 20, the bus driver encouraged students to sing songs that are not religious in nature, but that are sometimes affiliated with religious institutions.
- The district observed on April 11 that the bus driver "wished" students "peace," and mumbled something about "the Lord."
- The district observed on April 12 that the bus driver was talking about religion with the bus aid, but at that time there was only one student riding the bus, and that student was the aid's daughter.
- The district observed on April 24 that the bus driver was quietly singing to himself, and upon pulling up to the school, he said, "Praise the Lord. Enjoy your day."

In consideration of its investigation, Portland Public Schools is going to do the following:

- First, if the bus driver engages in unlawful religious activity again, Portland Public Schools is going to inform First Aid that they do no longer want the bus driver providing services for the district. The district does not have the ability to control who First Aid chooses to employ. But the district can request that the driver be removed from all district routes.
- Second, Brandon Coonrod is going to reach out shortly (I will connect the two of you by email) to ask you what you think would be best for your daughters, given that the bus driver

is popular in and well received by the community. Would you rather (1) have the bus driver remain on his current route, with the knowledge that if he engages in further unlawful religious activity he will no longer serve the district, OR (2) have the bus driver moved to a different route? Brandon would like to hear from you directly.

- If you want the bus driver moved to a different route, the district will contact First Aid and facilitate that as quickly as possible. Brandon conveyed to me that it could take as little as one or two school days, and no longer than the end of next week. He does ask for your patience as the district does not have direct control over bus drivers, who work for First Aid, a private company that provides the district with transportation services.
- Brandon Coonrod will offer himself as a direct point of contact for you in case there are future incidents. If you choose to have the bus driver removed from the route, Brandon will inform you immediately when the removal occurs.

It should be noted that with the exception of the incidents occurring in February and on April 7, 2023, the bus driver's speech either does not invoke the protections of the Establishment Clause or is protected as private speech under the First Amendment to the United States Constitution's free speech clause.

It also should be noted that the Oregon Department of Education has made the determination, on the basis of its current investigation, that the district is in compliance with ORS 327.109. There is enough evidence to substantiate that the district is not supporting, financing, or otherwise engaged in religious activity. There also is evidence to support the contention that the bus driver is acting apart from the district, not in concert with it.

I will write again, shortly, to connect you with Portland Public Schools' Deputy Director of Transportation, Brandon Coonrod.



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**Mark Mayer**

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(971) 208 - 0446

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