

Oregon School Boards Association Selected Sample Policy

Code: KL-AR
Revised/Reviewed:

PUBLIC COMPLAINTS ABOUT DISTRICT PERSONNEL *

1. School Level

The responsible administrator shall encourage any parent, student or other person who has a complaint about a district employee to discuss the complaint directly with the employee in confidence and not in the presence of others. If the complaint is not resolved informally by the parties, the complainant or the employee may submit the matter to the principal (or to the immediate supervisor when the employee is not directly assigned to a school). If the principal or supervisor determines that the complaint may have validity and could affect the person's employment, a conference will be scheduled so that both parties can present information concerning the complaint.

When the complaint is judged to be invalid or regards a less serious matter that would not affect employment status, the principal or supervisor may attempt to resolve the complaint without a conference attended by both parties and shall exercise discretion as to whether to share the complaint with the employee. Complaints deemed invalid or less serious may later be deemed valid and to affect employment by nature of subsequent complaints of a similar nature.

2. District Level

If the complainant or the employee is dissatisfied with the decision rendered at the school or department level, either person may, within 15 school days, submit that complaint in writing to the superintendent. The superintendent or his/her designee will investigate the complaint. As part of the investigation of the complaint, the superintendent or designee may invite the employee and the complainant to a conference in an effort to resolve the conflict. Following investigation, the superintendent will render a decision. In arriving at his/her decision, the superintendent will consider the nonbinding recommendation of a designee if one has been appointed to investigate the complaint.

Refusal of any party to the dispute to attend a conference shall not prohibit the superintendent or designee from meeting with other parties to the dispute or from making an independent judgment about the validity of the complaint.

3. Board Level

If the complainant or the employee is dissatisfied with the decision of the superintendent, he/she may within 10 school days file a written, signed complaint with the Board in care of the superintendent. The superintendent shall provide the Board with copies of the complaint.

If the Board decides to provide the complainant or employee with an opportunity to be heard, the date will be set and concerned parties will be notified. The Board will discuss a complaint against

an employee only in executive session, as provided in Oregon Revised Statutes, unless the employee requests the matter be discussed in open session.

Complaints Made Directly to Board Members - When a complaint about an employee is made initially to a Board member or to the Board as a whole, the complaint process shall be explained to the person and he/she will be encouraged to follow procedures.

The aforementioned procedures are subject to and shall not deprive employees of their rights and due process provided under Oregon Revised Statutes, the Oregon Constitution, the U.S. Constitution and respective collective bargaining agreements.