

Public Complaints* (Version 4)

Board members recognize that complaints about schools will be voiced by employees, students and patrons from time-to-time. When such complaints are made to a Board member, the Board member shall refer the person making the complaint to the superintendent or designee. A Board member shall not attempt to respond, review, handle or resolve such complaints as the individual board member has no authority to do so.

A complaint of *retaliation* against a student or a student’s parent who in good faith reported information that the student believes is evidence of a violation of state and federal law, rule or regulation, should be made to the superintendent. After exhausting the local complaint process, the complainant may file an appeal with the State Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-022-1940.

If the person making the complaint discusses the matter with the appropriate administrator, that administrator shall attempt to resolve the complaint or identify the reasons for not resolving the issue. In the event a complaint is not resolved within 10 working days at the building level, the complainant may file a written complaint with the assistant superintendent. The assistant superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the assistant superintendent, the complainant may file a written complaint with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 15 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting. Any written complaint bearing the signature of a district patron, which is presented to the Board, may be considered by the entire Board. A final decision shall be made by the Board within 20 working days from receipt of the complaint. The written decision of the Board will include the legal basis for the decision, findings of facts and conclusions of law.

Complaints against the principal may be filed with the superintendent. Complaints against the superintendent should be referred to the Board chair. The Board may refer the investigation to a third party.

Complaints against the Board as a whole or individual Board members should be made to the Board chair and may be referred to district counsel. Complaints against the Board chair may be made directly to the Board vice chair.

Complaints alleging violation of state standards for public elementary and secondary schools shall be made in writing and presented to the superintendent. If a complaint alleging a violation of state standards or a violation of other statutory or administrative rule that the State Superintendent has appeal responsibilities, and is not resolved at the Board level, the district will supply the complainant with appropriate information in order to file a direct appeal to the State Superintendent as outlined in Oregon Administrative Rules (OAR 581-022-1940).

END OF POLICY

Legal Reference(s):

[ORS 192.610 to -192.690](#)
[ORS 332.107](#)

[OAR 581-022-1940](#)
[OAR 581-022-1941](#)

House Bill (HB) 3371 (2015)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).

HR10/08/15 | PH