

Ashland School District 5

Code: AC-AR
Revised/Reviewed: 12/01/04; 5/08/17
Orig. Code: AC-AR

Discrimination Complaint Procedure

{Required administrative regulation. OAR 581-022-2370 requires districts to have complaint procedures, including for complaints of discrimination. Federal law also requires discrimination complaint procedures. This is the March 2023 published version of this administrative regulation and is the recommendation following the invalidation of the 2024 Title IX regulations.}

Any person, including students, staff, visitors and third parties, may file a complaint.

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step 1: Complaints may be oral or in writing and must be filed with the principal. The principal shall investigate and determine the action to be taken, if any, and reply, in writing, to the complainant within 10 school days of receipt of the complaint.

Any staff member that receives a written or oral complaint shall report the complaint to the principal.

Step 2: If the complainant wishes to appeal the decision of the principal, he/she may submit a written appeal to the superintendent or designee within 10 school days after receipt of the principal's response to the complaint. The superintendent or designee shall review the principal's decision and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the principal's decision and respond, in writing, to the complaint within 10 school days.

Step 3: If the complainant is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within 10 school days of receipt of the superintendent's or designee's response to Step 2. The Board may decide to hear or deny the request for appeal. The Board may meet with the concerned parties and their representative at the next regular or special Board meeting. The Board's decision will be final and will include the legal basis for the decision, findings of fact and conclusions of law. A copy of the Board's final decision shall be sent to the complainant in writing within 10-30 days of this meeting receipt of the appeal by the Board.

If the principal is the subject of the complaint, the individual may file a complaint with the superintendent or designee. If the superintendent is the subject of the complaint, the complaint 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 against an individual Board member, 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.

Timelines may be extended based upon mutual consent of both parties in writing [, but will not be longer than 30 days from the date of the submission of the complaint at any step]. The overall timeline of this

complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

If the complainant, if a person who resides in the district[,] ~~for~~ a parent or guardian of a student who attends school in the district, ~~or a student,~~ is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, or 90 days, whichever occurs first, he/she may appeal the district's final decision in writing to the Deputy Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-002-0001 – 581-002-0023. 581-022-1940.

DISCRIMINATION COMPLAINT FORM

Any person, including students, staff, visitors and third parties, may file a complaint.

Name of Person Filing Complaint

Date

School or Activity

☐ Student/Parent ☐ Employee ☐ Nonemployee (Job applicant) ☐ Other _____

Type of discrimination:

☐ ~~Race~~

☐ ~~Color~~

☐ ~~Religion~~

☐ ~~Sex~~

☐ ~~National Origin~~

☐ ~~Disability~~

☐ ~~Marital Status~~

☐ ~~Age~~

☐ ~~Sexual Orientation~~

☐ ~~Other~~ _____

Type of discrimination:

☐ Race

☐ Color

☐ Religion

☐ Sex

☐ National or ethnic origin

☐ Gender identity

☐ Other _____

☐ Mental or physical disability

☐ Marital status

☐ Familial status

☐ Economic status

☐ Veterans' status

☐ Age

☐ Sexual orientation

☐ Pregnancy

☐ Discriminatory use of a Native American mascot

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of the discussion.)

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

The complaint form should be mailed or taken to the principal.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.