

# Molalla River School District

Code: AC-AR (1)  
Orig. Code: AC-AR

## Discrimination or Civil Rights Complaint Procedure

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

The district may have additional responsibilities addressing reports and complaints, including but not limited to, those found in the following policies and their associated administrative regulations:

1. AC-AR(2) - Sex-Based Discrimination under Title IX;
2. ACA - Americans with Disabilities Act;
3. ACB - Every Student Belongs;
4. GBEA - Workplace Harassment;
5. GBM - Staff Complaints;
6. GBMA - Whistleblower;
7. GBN/JBA - Sexual Harassment;
8. GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying – Staff;
9. GBNA/JHFF - Reporting of Suspected Sexual Conduct with Students;
10. GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements;
11. IIA - Instructional Materials\*\*;
12. JFCF - Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence – Student\*\*; and
13. KL - Public Complaints.

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

Step 1: Complaints of sex-based discrimination received by the District, in addition to the procedures outlined below, must follow additional requirements in AC-AR(2) – Sex-Based Discrimination Complaints.

Complaints may be oral or in writing and may be filed with the building principal or civil rights coordinator. Any staff member that receives an oral or written complaint shall report the complaint to the building principal. If a complaint is filed with the civil rights coordinator, the civil rights coordinator will forward it to the building principal. If a complaint is filed with the building principal, the building principal will notify the civil right coordinator of the complaint. The civil rights coordinator will oversee the investigation conducted by the building principal or designee and insure the investigation is resolved.

The building principal shall ensure that any required notices are provided. <sup>1</sup>

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<sup>1</sup> See the following for notice requirements:

1. Administrative regulation AC-AR(2) – Sex-Based Discrimination Under Title IX
2. Board policy GBN/JBA – Sexual Harassment

The principal shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within 30 days of receipt of the complaint.

Step 2: If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent or designee within five school days after receipt of the principal's response to the complaint.

The superintendent or designee shall review the building 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 complainant within 30 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 five 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 at a Board meeting. If the Board decides to hear the 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 address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing within 30 days upon receipt of the appeal by the Board.

If the principal is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent or designee. The superintendent will notify the civil rights coordinator.

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party. The Board chair will direct notification to the civil rights coordinator.

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be made to the Board chair and may be referred to district counsel. The Board chair will direct notification to the civil rights coordinator.

Complaints against the Board chair may start at Step 3 and be made directly to Board vice chair. The Board vice chair will direct notification to the civil rights coordinator.

All complaints, including those starting at Step 2 or later, will meet all legal requirements. The civil rights coordinator will oversee these requirements.

The timelines established in each step of this procedure may be extended, by mutual agreement between the district and complainant.

If the complainant does not agree to the extension of the timelines at each step or the overall time line, the superintendent shall make a decision based on the information at the end of the established timelines.

The complainant, if a person who resides in the district, or 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 (unless the district and complainant have agreed in writing to a different time period for that step) or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal<sup>2</sup> the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-075-0001– 581-075-0901 until April 30, 2025.

### **Charter Schools of which the District Board is a Sponsor**

The district Board, through this administrative regulation, will not review an appeal of a decision reached by the Board of the Molalla River Academy on a complaint alleging a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination), or OAR 581-021-0655 (Duty to Designate a Civil Right Coordinator) or 581-021-0660 (Duties and Training Requirements for Civil Rights Coordinator), for which the district Board has jurisdiction, and recognizes a decision reached by the Board of Molalla River Academy as the district Board's final decision. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-075-0001 - 581-075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025).

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<sup>2</sup>An appeal must meet the criteria found in OAR 581-075-0010 (the rules are amended by OAR 581-075-0901 until April 30, 2025).

**DISCRIMINATION OR CIVIL RIGHTS 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  (Job applicant) Other  \_\_\_\_\_

Type of discrimination or harassment:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Race                      | <input type="checkbox"/> Mental or physical disability | <input type="checkbox"/> Age  |
| <input type="checkbox"/> Color                     | <input type="checkbox"/> Marital status                | <input type="checkbox"/> Sexual orientation                             |
| <input type="checkbox"/> Religion                  | <input type="checkbox"/> Familial status               | <input type="checkbox"/> Pregnancy                                      |
| <input type="checkbox"/> Sex                       | <input type="checkbox"/> Economic status               | <input type="checkbox"/> Discriminatory use of a Native American mascot |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Veterans' status              | <input type="checkbox"/> Other _____                                    |
| <input type="checkbox"/> Gender Identity           |  |   |

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?

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggested solution/resolution/outcome:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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