

Code: AC-AR (1)
Revised/Reviewed: 6/23/04; 10/22/15; 11/21/17;
2/27/20; 10/28/21; 4/27/23
Orig. Code: AC-AR

Discrimination or Civil Rights Complaint Procedure

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 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 ~~must~~ may be filed with the principal or civil rights coordinator. Any staff member that receives a written or oral complaint shall report the complaint to the principal. If a complaint is filed with the civil rights coordinator, the civil rights coordinator will forward it to the principal. If a complaint is filed with the principal, the principal will notify the civil rights coordinator of the complaint. The civil rights coordinator will oversee the investigation conducted by the principal or designee and ensure the investigation is resolved.

The principal shall ensure that any required notices are provided.¹

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.

Step 2: If the complainant wishes to appeal the decision of the principal, they 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 may review the principal's decision within [five] school days and may meet with all parties involved. The superintendent or designee will review the merits of the complaints and the principal's decision. The superintendent or designee will ~~and~~ respond in writing to the complainant 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 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][at a

¹ See the following for notice requirements:

1. Administrative regulation ACB-AR - Bias Incident Complaint Procedures
2. Administrative regulation AC-AR(2) - Sex-Based Discrimination Under Title IX
3. Board policy GBN/JBA - Sexual Harassment

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 or electronic form within 30 days of receipt of the appeal by the Board.

If the principal is the subject of the complaint, the individual may start at step 2 and 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 ~~chair as a whole or against an individual Board member,~~ **may** start at step 3 and **be referred directly to the Board vice chair. The Board vice chair will direct notification to the civil rights coordinator.** ~~should be made to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at step 3 and be made directly to Board vice chair.~~

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 [the district for good cause. Any extension will be communicated to the parties and include a reason for the delay][mutual agreement between the district and complainant]. based upon mutual consent of both parties in writing. 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~~ **The** complainant, ~~is if~~ a person who resides in the district, ~~[or]~~ is a parent or guardian of a student who attends school in the district or is 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 initialing filing of the complaint, may appeal² the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) **581-075-00010-0581-075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025).** ~~581-002-0001—581-002-0023.~~

Charter Schools of which the District Board is a Sponsor

The district Board, through its charter agreement with Mosier Community School ~~and Riverbend Community School~~, will not review an appeal of a decision reached by the Board of the Mosier Community School ~~and Riverbend Community School~~ 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 Rights Coordinator) or 581-021-0660 (Duties of and Training Requirements for Civil Rights Coordinator),** for which the district Board has jurisdiction, and recognizes a decision reached by the Board of Mosier Community School ~~and Riverbend Community School~~ as the district Board's final decision. A final decision reached by this district Board

² An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

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). 581-002-0001 - 581-002-0023.

Discrimination Complaint Form

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

Name of Person Filing Complaint

Date

School or Activity

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

Type of discrimination:

- | | | |
|---|--|---|
| <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"/> Veterans' status |
| <input type="checkbox"/> Discriminatory use of a Native American mascot | <input type="checkbox"/> National or ethnic origin | |
| <input type="checkbox"/> Gender identity | <input type="checkbox"/> Other: _____ | |

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: _____

This complaint form should be mailed or submitted 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.