

Morrow County School District

Code: **KL**

Adopted: 7/10/95

Revised/Readopted: 5/12/03; 4/13/15; 4/11/16;
3/12/18; 9/9/19

Public Complaints^{*/}**

Board members recognize that complaints about schools may be voiced by employees, students, parents **of students who attend a school in the district,** and ~~community members from time to time~~ **persons who reside in the district.** 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 or~~ federal law, rule or regulation, should be made to the superintendent. ~~After exhausting the district 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 **A** person making the **may initiate a** complaint **by** ~~discussing~~ 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,~~ **of initiation by the complainant in discussion with the administrator. If the complainant is dissatisfied, the complainant** may file a written complaint with the superintendent **within 10 working days of the decision from the administrator.** The superintendent will attempt to resolve the complaint. If the complaint remains unresolved ~~within~~ **after** 10 working days of receipt **of the complaint** by the superintendent, the complainant may ~~request to place the complaint on~~ **appeal to** the Board, ~~agenda~~ **A written complaint referred to the Board may be considered** at the next regularly scheduled or special Board meeting. ~~Any written complaint bearing the signature of a complainant, and which is presented to the Board, may be considered by the entire Board. A final written decision regarding the complaint shall be made by the Board within 20 working days from receipt of the complaint. The written decision of the Board will~~ **be final and will address each allegation in the complaint and reasons for the district's decision.** ~~include the legal basis for the decision, findings of facts and conclusions of law. If the Board chooses not to hear the complaint, the superintendent's decision is final. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon Law.~~

The timelines may be extended upon written agreement between the district and the complainant.^[1]

Complaints against the principal ~~may~~ **should** be filed with the superintendent. **The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 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. The Board may use executive**

¹ **[For district information. The district's timeline established by each step of the district's complaint procedure for alleging a violation found in OAR 581-002-0003 must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. However, the district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)]**

session if the subject matter qualifies under Oregon law. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. After receiving the results of the investigation, ~~t~~The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be ~~made~~ referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, ~~the~~ Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. ~~After receiving the results of the investigation, t~~The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair ~~may~~ should be made directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. ~~Once~~ When the investigation is complete, the results will be presented to the Board. ~~After receiving the results of the investigation, t~~The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

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 for which the State Superintendent of Public Instruction has appeal responsibilities, and the complaint is not resolved at the Board level, the district will supply the complainant with appropriate information to file a direct appeal to the State Superintendent as outlined in Oregon Administrative Rules (OAR 581-022-1940).

The district's final decision for a complaint processed under this Board policy that alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and the complaint is not resolved through the complaint process above, the complainant

my file an appeal² to the Deputy Superintendent of Public Instruction under OAR 581-001-0001 – 581-001-0023.

END OF POLICY

Legal Reference(s):

[ORS 192.610 to 192.690](#) **660**
[ORS 332.107](#)

[ORS 659.852](#)
OAR 581-002-0001 – 002-0005

[OAR 581-022-2370](#)

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

~~Cross Reference(s):~~

~~GBNAA/JFCFA – Cyberbullying~~
~~JFCFA/GBNAA – Cyberbullying~~
~~HA – Instructional Resources/Instructional Materials~~

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