

Public Complaints*

Board members recognize that complaints about schools may be voiced by employees, students, parents and community members 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.

No staff, student, parent or community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative process for resolution before investigation or action by the Board. Exceptions are complaints that concern the superintendent or involve Board actions or Board operations.

The Board advises the public there is a proper process for resolving complaints, including but not limited to concerns in the following areas:

1. Instruction;
2. Discipline;
3. Learning materials; or
4. 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.

Community members, staff, parents and students who have a complaint are encouraged to start at the lowest level in the organization to attempt to resolve the complaint.

The following order will be used unless otherwise identified (see administrative regulation KL-AR - Public Complaint Procedure for specific procedures and timelines):

1. Teacher/Employee;
2. Principal;
3. Superintendent;
4. Board.

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the Board. The Board will not hear complaints against employees in a session open to the public unless an employee requests an open session.

Complaints against the principal may be filed with the superintendent.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board.

Complaints against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board.

Complaints against the Board chair may be made directly to the Board vice chair on behalf of the Board.

The superintendent will develop and administer the general complaint process, as appropriate.

If a complaint alleges 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 local 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.

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).

Oregon School Boards Association Selected Sample Policy

Code: **KL**
Adopted:

Public Complaints* (Version 1)

~~Although no~~ No staff, student, parent or community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative ~~channels~~ process for resolution before investigation or action by the Board. Exceptions are complaints that concern the superintendent or involve Board actions or Board operations.

The Board advises the public there is a proper ~~channeling~~ process for resolving complaints, including but not limited to concerns in the following areas:

1. Instruction;
2. Discipline;
3. Learning materials; or
4. 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.

Community members, staff, parents and students who have a complaint are encouraged to start at the lowest level in the organization to attempt to resolve the complaint.

~~Such complaints should be handled in the~~ The following order will be used unless otherwise identified (See administrative regulation KL-AR - Public Complaint Procedure for specific procedures and timelines):

1. Teacher/Employee;
2. Principal;
3. Superintendent;
4. Board.

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the Board. The Board will not hear complaints against employees in ~~open~~ a session open to the public unless an employee requests an open session.

Complaints against the principal may be filed with the superintendent.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. ~~[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 on behalf of the Board.~~

Complaints against the Board chair may be made directly to the [district counsel] [Board vice chair] on behalf of the Board.

The superintendent will develop and administer the general complaint process, as appropriate.

If a complaint alleges a violation of state standards or a violation of other statutory or administrative rule ~~that the~~ for which the State Superintendent of Public Instruction has appeal responsibilities, and the complaint is not resolved at the local 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).

Oregon School Boards Association Selected Sample Policy

Code: KL
Adopted:

Public Complaints* (Version 4)

(This version of sample policy KL does not need an accompanying administrative regulation, it is a stand-alone policy.
If this policy is chosen by the Board, delete any existing KL-AR.)

Board members recognize that complaints about schools will may be voiced by employees, students, parents and patrons community members 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 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 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 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. Any written complaint bearing the signature of a ~~district patron~~ 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 include the legal basis for the decision, findings of facts and conclusions of law.¹

Complaints against the principal may be filed with the superintendent.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. ~~[The Board may refer the investigation to a third party.]~~ The Board chair shall present the complaint to the Board. 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, the Board shall decide in open session what action, if any, is warranted.

Complaints against the Board as a whole or against an individual Board members should be made to the Board chair and may be referred to district counsel on behalf of the Board. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, 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, the Board shall decide in open session what action, if any, is warranted.

¹Timelines may be extended upon written agreement between both parties.

Complaints against the Board chair may be made directly to the [district counsel] [Board vice chair] on behalf of the Board. The [district counsel] [Board vice chair] shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. Once the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

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 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 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).

Pendleton School District 16R

Code: **KL**
Adopted: 10/10/05
Revised/Readopted: 7/12/10; 2/09/15; 9/21/15;
12/14/15
Orig. Code(s): KL

Public Complaints

Although 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, he/she shall refer the person making the complaint to the appropriate administrator. A Board member shall not attempt to consider such complaints in any official capacity acting as an individual Board member.

Although no community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative channels for resolution before investigation or action by the Board. Exceptions are complaints that concern superintendent or Board actions or Board operations.

The Board advises the public there is proper channeling for complaints, including but not limited to the following:

1. Instruction;
2. Discipline;
3. Learning materials; or
4. 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.

Such complaints should be handled in the following order unless otherwise identified (See administrative regulation KL-AR - Public Complaint Procedure for specific procedures and timelines):

1. Teacher/Employee;
2. Principal;
3. Superintendent;
4. Board.

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the Board. The Board will not hear complaints against employees in open session unless an employee requests an open session.

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 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.

If a complaint alleges a violation of state standards or a violation of other statutory or administrative rule that the State Superintendent of Public Instruction has appeal responsibilities, and is not resolved at the local 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).

Cross Reference(s):

GBNAA/JFCFA - Cyberbullying
JFCFA/GBNAA - Cyberbullying
IIA - Instructional Materials