

Oregon School Boards Association Selected Sample Policy

Code: AC-AR ✓
Adopted:

Discrimination Complaint Procedure

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 five school days after receipt of the principal's response to the complaint. The superintendent or designee shall [may] 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 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. 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 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 10 days of this meeting.

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. 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.

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. Complaints against the Board chair may start at step 3 and be made directly to district counsel or Board vice chair.

Timelines may be extended based upon mutual consent of both parties in writing or by email.

If the complainant, is a person who resides in the district, 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, or 90 days, whichever occurs first, he/she may appeal in writing to the Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-022-1940581-021-0049.

DISCRIMINATION COMPLAINT FORM

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 _____

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~~ This complaint form should be mailed or ~~taken~~ 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.