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**Neah-Kah-Nie
School District 56**

Code: **KL-AR(1)**
Adopted: 11/12/01
Revised/Reviewed: 5/12/08; 4/13/15; 10/10/16
Orig. Code(s): KL-AR

Public Complaint Procedure

It is the intent of the district to provide an orderly and effective means for public complaints to be communicated and addressed. ~~Citizens~~Community members are encouraged to communicate directly with members of individual school staff and with district level personnel on matters pertaining to the operation of the schools as the best way to resolve complaints. To ensure prompt attention to complaints and fair treatment to involved parties, the district’s complaint procedure shall be used.

~~In certain circumstances, it may be necessary to contact the building administrator directly. He/She shall advise the individual of the appropriate next step to best resolve the complaint.~~ (Moved below)

General complaints, questions or concerns about the district can be directed to the superintendent or to an individual school office if the matter concerns a particular school. In certain circumstances, it may be necessary to contact the building administrator directly. He/She shall advise the individual of the appropriate next step to best resolve the complaint.

Initiating a Complaint: Step One

Any member of the public who wishes to express a ~~complaint~~concern should discuss the matter with the school employee involved. The employee shall respond within ~~five~~working days.

The Building Administrator: Step Two

If the ~~complainant~~individual is unable to resolve a problem or concern ~~at step one, within five working days of the meeting~~ with the employee, the ~~complainant~~individual may file a written, signed complaint with the principal. The principal shall evaluate the evidence and render a decision within five working days after receiving the complaint.

The Superintendent: Step Three

If Step Two does not resolve the complaint, within 10 working days of the meeting with the principal the complainant, if he or she wishes to pursue the action, shall file a signed, written complaint with the superintendent ~~or designee~~, clearly stating the nature of the complaint and a suggested remedy. A form is available in the superintendent office, but is not required.

The superintendent ~~or designee~~ shall investigate the complaint, confer with the complainant and the parties involved and prepare a ~~written response~~report of his/her findings and his/her conclusion and provide the ~~written report~~ in writing or in an electronic form to the complainant within 10 working days after receiving the written complaint.

The Board: Step Four

If the complainant is dissatisfied with the superintendent’s ~~or designee’s~~ findings and conclusion, the complainant may appeal the decision to the Board within five working days of receiving the superintendent’s ~~or designee’s~~ decision. The Board may hold a hearing to review the findings and

conclusion of the superintendent, to hear the complaint and to hear and evaluate any other evidence as it deems appropriate. ~~Generally a~~All parties involved, including the school administration, ~~will~~may be asked to attend such ~~meeting~~hearing for the purposes of ~~presenting additional facts,~~ making further explanations and clarifying the issues.

If the Board chooses not to hear the complaint, the superintendent's decision is final.

The Board may ~~elect to~~ hold the hearing in executive session if the subject matter qualifies under Oregon ~~Revised Statute~~law.

The complainant shall be informed in writing or in electronic form of the Board's decision within 20 working days from the hearing of the appeal by the Board. The Board's decision will address each allegation in the complaint and contain reasons for the district's decision. ~~The Board's decision shall be in writing and include the rationale for the decision.~~ The Board's decision will be final.

The complaint procedure set out above will not be longer than 90 days from the filing date of the original complaint with the administrator.¹

Complaints against the principal may 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.

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. 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, within ~~{20}~~ days, in open session what action, if any, is warranted.

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. 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, within ~~{20}~~ days, in open session what action, if any, is warranted.

Complaints against the Board chair may be made directly to the Board vice chair on behalf of the Board. The 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. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within ~~{20}~~ days, in open session what action, if any, is warranted.

If a complaint alleges a violation of state standards or a violation of other statutory or administrative rule for which 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 Rule (OAR) 581-022-1940. The final decision for a complaint processed under this administrative regulation that alleges a violation of OAR Chapter 581, Division 22 (Standards), ORS 339.285 to 339.383 or OAR 581-021-0550 to 581-021-

¹The timelines may be extended upon written agreement between both parties. This also applies to complaints filed against the superintendent or any Board member.

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 this complaint is not resolved through the complaint process, the complainant may have appeal rights with the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-0040.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination) and the complaint is not resolved at the local level through the Board's administrative regulation AC-AR - Discrimination Complaint Procedure, the complaint may meet the criteria to file an appeal with the Deputy Superintendent of Public Instruction as outlined in OAR 581-021-0049.

**Neah-Kah-Nie School District
COMPLAINT FORM**

TO: District Office Name of School _____

Person Making Complaint _____

Telephone Number _____ Date _____

Nature of Complaint _____

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

Signature of Complainant: _____ Date: _____

Office Use: Disposition of Complaint: _____
Signature: _____ Date: _____

cc: District Office