

Public Complaints

Students, parents/guardians, and community members that live within our district are essential partners in the educational success of our students. In order to maintain a strong relationship with these partners, it is important that they have an opportunity to make their concerns known to the District and that their complaints be addressed in a fair, accessible and timely manner.

Whenever possible, complaints should be resolved by communication with the school or department directly involved in the issue. A complaint *specifies* a concern, problem or difficulty related to the district educational process, *presented to the district by In a complaint*, an employee, student, parent/guardian or a member of the public *presents the concern to the district and requests a remedy*.

An individual properly presenting a concern or complaint shall be assured the opportunity for an orderly review and response to the concern or complaint without reprisal. All parties to the complaint process will be treated, and will treat others, with dignity and respect.

Although no community member will be denied the right to bring a complaint directly to the Board, complaints will be referred through the proper administrative channels for solution before investigation or action by the Board. Exceptions are complaints that concern Board actions or Board operations. The Board advises the public that the proper channeling of a complaints *involving instruction, discipline or learning materials is to file the complaint, beginning with the teacher or employee, and proceed* as follows:

1. Teacher or employee;
2. Principal or supervisor;
3. Appropriate central administrator;
4. Deputy Superintendent for Teaching and Learning or Deputy Superintendent for Operations and Support Services;
5. Superintendent;
6. School Board.

Generally, complaints will be responded to within ten (10) working days *at each level*.

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 reported to the administrator.

Complaints against the principal may be filed with the supervisor.

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.

~~When a complaint has been referred through the proper administrative channels and the complainant seeks further redress by the Board, the complaint will~~ ~~may~~ ~~be heard by the Board at the next regularly scheduled board meeting. The Board will then have twenty (20) days within which to respond. If the Board determines not to hear the complaint, then the decision of the superintendent is final. The superintendent will prepare a written report of his/her findings of fact, the basis for the decision and conclusions.~~

The Board may hold a hearing to review the findings and conclusion of the superintendent, and to hear the complaint. Generally, all parties involved, including the school administration, will be asked to attend such meeting for the purposes of presenting facts and clarifying the issues.

When a complaint has been referred through the proper administrative channels, and the complainant seeks further redress by the Board, the Board may hold a hearing to review the findings and conclusions of the superintendent and to hear the complaint.

The Board chair will determine whether or not to schedule a hearing at the next regularly scheduled Board meeting using the superintendent's written report of the findings of fact, the basis for the decision and conclusions.

Generally, all parties involved, including the school administration, will be asked to attend such meeting for the purposes of presenting facts and clarifying the issues. If new pertinent facts arise, the Board will refer the complaint back to the superintendent for resolution.

If the Board determines not to hear the complaint, then the decision of the superintendent will be final.

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

The complainant shall be informed of the Board's decision within 20 working days from the hearing of the appeal by the Board. If the Board holds a hearing, their decision will be final.

The Superintendent or designee shall provide user-friendly information regarding the complaint process to the school community and shall develop an accompanying Administrative Regulation to support this policy.

Complaints in the following areas are addressed in the policy/administrative regulation indicated:

1. Discrimination or harassment on any basis protected by law: Policy AC, AC-AR;
1. Sexual Harassment: GBN/JBA, GBN/JBA-AR;

2. Hazing, Harassment, intimidation, bullying, menacing, cyberbullying - staff: Board Policy GBNA, GBNA-AR;
3. Hazing, Harassment, intimidation, menacing, cyberbullying, teen dating violence - student: Board Policy JFCF, JFCF-AR;
4. Sexual conduct with a student: Board policy JHFF, JHFF-AR;
5. Instructional Resources/Instructional Materials: Board Policy IIA, IIA-AR;
6. Compliance with Standards: Board policy LGA, LGA-AR;

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 charges complaints against employees in open public meetings, unless an employee requests an open session. If the Board deems it advisable, it may provide for a hearing of the complaint at an official meeting of the Board.

~~While speakers may offer objective criticism of operations and programs, the Board will not hear personal complaints concerning district personnel nor against any person connected with the school system. To do so could expose the Board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The Board chair will direct the visitor to the appropriate means for Board consideration and disposition of legitimate complaints involving individuals.~~

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 notify the complainant of the right to file a direct appeal to the State Superintendent as outlined in Oregon Administrative Rule (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).