

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. A copy of the Board's final decision shall be sent to the complainant in writing within [10] days of this meeting.

If the ~~principal~~ is the subject of the complaint, the individual may file a complaint with the superintendent ~~or designee~~. If the superintendent is the subject of the complaint, the complaint 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 [district counsel] Board vice chair.

Timelines may be extended based upon mutual consent of both parties ~~in writing~~.

If the complainant 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) 581-022-1940.

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 informal discussion.)

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

Suggested solution/resolution/outcome: _____

The complaint form should be mailed or taken 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.