

# Blachly School District #90

Code: **KL**  
Adopted: 10/18/89  
Readopted: 5/20/09; 3/16/16; 2/21/18  
Orig. Code(s): KL

## Public Complaints

The district will develop and implement effective means of resolving concerns voiced by employees, students and the public in order to reduce potential areas of complaints, and to establish and maintain recognized channels of communication.

The Board advises that the process for resolving a complaint as follows:

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

The complaint procedure is available at the district's administrative office and on the home page of the district's website.

If your complaint addresses one or more of the issues identified below, you may use the complaint process available in any of the following policies and administrative regulations (AR):

1. Discrimination or harassment on any basis protected by law: Board policy AC, AC-AR;
2. Sexual harassment (staff): Board policy GBN, GBN-AR;
3. Sexual harassment (student): Board policy JBA, JBA-AR;
4. Hazing, harassment, intimidation, bullying, menacing or cyberbullying (staff): Board policy GBNA, GBNA-AR;
5. Harassment, intimidation, bullying, cyberbullying, teen dating violence or domestic violence (student): Board policy JFCF, JFCF-AR;
6. Sexual conduct with a student: Board policy JHFF, JHFF-AR;
7. Instructional resources or instructional materials: Board policy IIA, IIA-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 complaints against employees in a session open to the public unless an employee requests an open session.

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 start at step 3 may be filed with the superintendent.

Complaints against the superintendent may start at step 4 and 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 may start at step 4 and should be made to the Board chair on behalf of the Board.

Complaints against the Board chair may start at step 4 and may be made directly to the Board vice chair on behalf of the Board.

The district may offer mediation or an other alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.

A complainant must file a complaint within the later of either time limit set below, in accordance with state law:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
2. Within one year after the affected student has graduated from, moved away from or otherwise left the district.

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

If a complainant, who is a parent or guardian of a student who attends school in the district, is a student or a person who resides in the district alleges a violation of Oregon Administrative Rule (OAR), Chapter 581, Division 22 (Standards), ORS 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS. 659.852 (Retaliation) and the complaint is not resolved through the complaint process, the complainant may have appeal rights with the Deputy Superintendent as outlined in OAR 581-002-0040 (See KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction).

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

END OF POLICY

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**Legal Reference(s):**

[ORS 192.610 to -192.690](#)  
[ORS 332.107](#)

[ORS 659.852](#)

[OAR 581-022-2370](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).  
Connick v. Myers, 461 U.S. 138 (1983).

**Cross Reference(s):**

IIA - Instructional Resources/Instructional Materials  
KLD - Public Complaints about District Personnel