

Public Complaints

No staff member, student, parent or guardian of a student attending school in the district, or person who resides in the district will be denied the right to petition the district with a complaint. A complainant will be referred through the proper administrative process for resolution of their complaint before investigation or action by the Board. An exception will be a complaint against the superintendent, or one that involves Board actions or Board operations. Decisions made by the Assistant Superintendent on transfer appeals will be final (JCA-AR). All decisions made on transfer appeals will be available to the Board chair.

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

The Board advises that there is a process for resolving complaints, including but not limited to a complaint in one or more of the following areas:

1. Instruction;
2. Discipline;
3. Learning materials;
4. Compliance with State Standards;
5. Restraint and/or seclusion;
6. With a staff member; or
7. 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 or federal law, rule, or regulation.

The complainant must follow the complaint procedure as outlined in administrative regulation KL-AR-Public Complaint Procedure. Any community member, staff member, parent, or student who has a complaint shall start at the lowest level in the organization to attempt to resolve the complaint. The following order will be used unless otherwise identified (see administrative regulation KL-AR-Public Complaint Procedure for specific procedures and timelines):

1. Staff member;
2. Building administrator or district department director (if applicable);
3. Superintendent;
4. Board.

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.

Complaints against school personnel other than the principal may be filed with the principal. Complaints against a principal may be filed with the superintendent/designee. 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 and may be referred to district counsel. Complaints against the Board chair may be made directly to the Board vice chair on behalf of the Board.

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383, 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, who is a student, a parent or guardian of a student attending a school in the district, or a person who resides in the district, may have appeal rights with the Deputy Superintendent of Public Instruction as outlined in 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 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.

The superintendent shall develop regulations designed to encourage the timely resolution of public complaints while providing a system of review that will allow both the complainant and the district an opportunity to be heard.

END OF POLICY

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).