

Helix School District 1R

Code: **ADAA**
Adopted: 1/8/97
Orig. Code(s): None

Helix Individual Board Member's Authority and Responsibilities

An individual Helix School Board member exercises the authority and responsibility of his/her position when the Board is in legal session only.

A Helix Board member has the authority to act in the name of the School Board when authorized by a specific Board motion. When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining without subsequent approval by the Board.

A Board member has the right to express personal opinions. When expressing such opinions in public, the Board member must clearly identify the opinions as his/her own.

Members will be knowledgeable of information requested through Board action, supplied by the superintendent/principal and gained through professional Board activities.

1. Request for Information

Requests for reports or information which require additional expense to the district must be submitted to the Board for consideration.

2. Requests for Legal Opinions

Any Board member may request a legal opinion. Such request, however, shall be made through the Board Chair to the superintendent/principal. If the legal opinion sought involves the superintendent/principal's employment or performance, the request should be made to the Board chair. Legal counsel is responsible to the Board.

3. Action on Complaints or Requests Made to Board Members

When Board members receive complaints or requests for action from staff, students or members of the public, such information is to be conveyed to the superintendent/principal for investigation and disposition. During the investigation of a complaint, any required procedures established by administrative rule or employee contracts will be followed. The reporting Board Member will be advised of the disposition and final action in all cases that have been referred.

4. Board Member's Relationship to Administration

Individual Board members will be informed about the district's educational program, may visit schools or other facilities to gain information and may request information from the superintendent/principal. Board members will not intervene in the administration of the district or its schools.

5. Contracts Made By Individual Board Members

Contracts made by individual Board Members without the Board's authority are invalid.

ADA GRIEVANCE PROCEDURE

The compliance officer is responsible for coordinating the district's efforts to comply with the Americans with Disabilities Act. The compliance officer shall be a neutral party having had no involvement in the complaint presented.

- Step I Any complaint shall be presented in writing to the compliance officer within 180 days from date of alleged discrimination. It must include the following:
1. Name and address of the individual or the representative filing the complaint;
 2. Description the alleged discriminatory action in sufficient detail to inform the district of the nature and date of the alleged violation;
 3. Signature by the complainant or by someone authorized to do so on his/her behalf;
 4. Identification (by name, if possible) of the alleged victims of the discrimination for any complaint filed on behalf of classes or third parties.
- Step II The compliance officer shall thoroughly investigate the complaint, notify the person who has been accused of discriminating, permit a response to the allegation and arrange a meeting to discuss the complaint with all concerned parties within ten (10) working days after receipt of the written complaint, if deemed necessary. The compliance officer shall give a written answer to the complaint within fifteen (15) working days after receipt of the written complaint.
- Step III If the complainant is not satisfied with the answer of the compliance officer, he/she may submit a written appeal to the superintendent or designee indicating with particularity the nature of disagreement with the answer and reason underlying such disagreement. Such appeal must be filed within ten (10) working days after receipt of the compliance officer's answer. The superintendent/principal or designee shall arrange a meeting with the complainant and oilier affected parties, if requested by the complainant, at a mutually agreeable time to discuss the appeal. The superintendent/principal or designee shall give a written answer to the complainant's appeal within ten (10) working days.
- Step IV If the complainant is not satisfied with the answer, an appeal with the Board may be filed within ten (10) working days after receipt of the Step ill answer. The Board shall, within twenty (20) working days, conduct a hearing at which the complainant shall be given an opportunity to present the complaint. The Board shall give a written answer to the complaint within ten (10) working days following completion of the hearing.
- Step V The complainant may appeal the decision of the Board to the State Department of Education. Individuals may initiate complaint procedures and/or civil actions with or without first complying with local complaint procedures.

END OF POLICY

Legal Reference(s):

[ORS 332.045](#)

[ORS 332.055](#)

[ORS 332.057](#)

[ORS 332.075](#)

38 Op Atty Gen 1995 (1978).

South Benton Education Association v. Monroe UH School District 1, 83 Or App 425 (1987).