

Helix School District 1

Code: **KL**
Adopted: 1/08/97
Readopted: 4/13/11; 12/10/14; 9/09/15;
12/16/15; 3/09/16

Public Complaints

Board members recognize that complaints about schools may be voiced by employees, students, parents and community members from time-to-time. When such complaints are made to a Board member, the Board member shall refer the person making the complaint to the superintendent or designee. A Board member shall not attempt to respond, review, handle or resolve such complaints as the individual board member has no authority to do so.

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 made to the superintendent. After exhausting the district complaint process, the complainant may file an appeal with the State Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-022-1940.

If the person making the complaint discusses the matter with the appropriate administrator, that administrator shall attempt to resolve the complaint or identify the reasons for not resolving the issue. In the event a complaint is not resolved within 10 working days at the building level, the complainant may file a written complaint with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting. Any written complaint bearing the signature of a complainant, and which is presented to the Board, may be considered by the entire Board. A final written decision regarding the complaint shall be made by the Board within 20 working days from receipt of the complaint. The written decision of the Board will include the legal basis for the decision, findings of facts and conclusions of law.

Complaints against the principal may be filed with the superintendent.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

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. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

Complaints against the Board chair may be made directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. Once the investigation is complete, the

results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

Complaints alleging violation of state standards for public elementary and secondary schools shall be made in writing and presented to the superintendent. If a complaint alleging 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 Board level, the district will supply the complainant with appropriate information to file a direct appeal to the State Superintendent as outlined in Oregon Administrative Rules (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).