

## Public Complaints

No staff member, student, parent or guardian of a student attending the public charter school or person that resides in the district where the public charter school is located will be denied the right to petition the school with a complaint.

A complainant will be referred through the proper administrative process for resolution of a complaint before investigation or action by the Board. An exception will be a complaint against the executive director or one that involves Board actions or Board operations.

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

The Board advises the public there is a proper process for resolving complaints, including but not limited to concerns in 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 and federal law, rule or regulation.

The complainant must follow the complaint procedure as outlined in administrative regulation KL-AR - Public Complaint Procedure.

The public charter school 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.

Any complaint about public charter school personnel other than the executive director will be investigated by the administration before consideration and action by the Board. The Board will not hear charges against employees in a session open to the public unless an employee requests an open session.

Complaints against the executive director may skip step 2.

Complaints against the Board as a whole or against an individual Board member may start at step 3 and should be made to the Board chair on behalf of the Board.

Complaints against the Board chair may start at step 3 and be made directly to the Board vice chair on behalf of the Board.

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 public charter school.

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

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 or OAR 581-021-0550 and OAR 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, is a parent or guardian of a student who attends the school or who is a person who resides in the district where the school is located, 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.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.610 to -192.690](#)

[ORS 338.115\(2\)](#)

[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).