

## Public Complaints

Board members recognize that complaints about schools will be voiced by employees, students and patrons from time-to-time. When such complaints are made to a Board member, he/she shall refer the person making the complaint to the appropriate administrator. A Board member shall not attempt to consider such complaints in any official capacity acting as an individual Board member.

Although no community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative channels for resolution before investigation or action by the Board. Exceptions are complaints that concern superintendent or Board actions or Board operations.

The Board advises the public there is a proper process for resolving complaints, including but not limited to concerns with, instruction, discipline, and/or learning material, should be handled in the following order unless otherwise identified:

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

If the person making the complaint does discuss the matter with the appropriate administrator, that administrator shall attempt to resolve the complaint or identify the reasons for not resolving the issue.

Any complaint about school personnel other than the superintendent will be investigated by the administrator or superintendent /designee before consideration and action is taken. The Board will not hear complaints against employees in open session unless an employee requests an open session.

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 may refer the investigation to a third party.

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 to the Board vice chair on behalf of the Board.

## **Complaint Procedures**

Supervisors, principals and/or the superintendent shall have responsibility for investigations concerning complaints by staff, student complaints, public complaints, and complaints about district personnel. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

The following procedures shall be used for the reporting, investigating, and resolving of complaints.

### **Informal Resolution**

Informal resolution can be described differently by the complainant but usually consists of the district administrator serving as a mediator of the dispute in order to reach an agreement about future interactions. If an informal solution is sought, the administrator will facilitate that resolution.

If this resolution is not acceptable to the complainant, the complainant will be asked to provide a written statement, which will describe the incident(s) and the resolution sought to a district administrator on the form provided in the administrative rule of this policy asking for a formal resolution.

### **Formal Resolution**

Formal resolution would consist of an investigation to see if the allegations are found to have merit. All complaints will be promptly investigated in accordance with the following procedures by a district administrator or the superintendent

- Step 1 All complaints shall be presented to the building administrator. Complaints against the building administrator shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense, corresponding dates and potential witnesses. The superintendent or designee will be informed of all complaints upon their receipt.
  
- Step 2 The district administrator receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district administrator, or designated official, will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of a written complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant (and parents as appropriate) within [10 days] in writing when the investigation is concluded and their findings determined.  
  
A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent or designee.
  
- Step 3 If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within 10 working days.

Step 4 If the complainant is not satisfied with the decision at Step 3, a written appeal may be filed with the Board using the Review of Administrative Decision form provided in the administrative regulation of this policy. Such appeal must be filed within 10 working days after receipt of the Step 3 decision from the superintendent. The Board shall at its next regular session conduct a hearing at which time the complainant shall be given an opportunity to present the written complaint as it was received by the superintendent. The Board shall provide a final determination in writing to the complainant within 10 working days following the completion of the hearing. The decision of the Board is final.

The timelines may be extended upon written agreement between both parties.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file as determined.

### **Violation of Standards**

Complaints alleging violation of standards for public elementary and secondary schools shall be made in writing and presented to the superintendent.

In the event that a complaint alleges a violation of state standards and is not resolved at the Board level, then the district will supply the complainant with appropriate information in order to file a direct appeal to the State Superintendent of Public Instruction as outlined in Oregon Administrative Rules (OAR) 581-022-1940.

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