

Complaints Alleging Violation of Hatch Act

Should the district receive a complaint alleging a violation of the Hatch Act, the following procedures will be followed:

1. All complaints will be submitted in writing to the director of curriculum. He/she will advise the superintendent and members of the administrative team of the complaint. (Only affected students or their parent/guardians may submit complaints).
2. The director of curriculum will respond in writing, outlining the district's feelings concerning the complaint. The burden of proof that a violation has occurred rests with the complainant, not with the district.
3. If the complaint alleges violation of the "psychological or psychiatric test or treatment" provision, the director of curriculum will check to see if, in fact, the complaint involves a federally funded program covered by the Act.
4. If the Hatch Amendment does apply, a check will be made to see if a parental consent form was obtained before the student participated in the activity.
5. If there is a signed parental consent form, then the director of curriculum and the principal from the effected building will meet with the complainant and discuss the issue. There is no basis for a complaint based on the Hatch Amendment if prior written parental consent was obtained.
6. If the district determines that a violation has occurred, the children may be removed from the objectionable activity, if that is the parents wish, and provided with an alternate activity. Parents will be notified of that activity.
7. If the parents are not satisfied with the district's actions, they may: a) Use the district's appeal procedure; b) Take the complaint to the Oregon Department of Education.
8. If the complainant is not satisfied with the Oregon Department of Education's resolution, the complaint can be filed with the U.S. Department of Education.