

# Saint Helens School District 502

Code: **GBM-AR**  
Adopted: 2/28/00  
Readopted: 5/14/07  
Orig. Code(s): GBM/AG

## **Staff Complaints**

The district will develop and implement effective means of resolving concerns voiced by employees, students, and the public in order to reduce potential areas of complaints, and to establish and maintain recognized channels of communication.

An individual presenting a concern or complaint shall be assured the opportunity for an orderly review of the concern or complaint without reprisal. The district supports the resolution of a complaint at the lowest level possible.

A complaint is a concern, problem or difficulty related to the district educational process filed with the district by an employee, student or member of the public.

Complaints in the following areas must be filed under the district policies as indicated:

1. Complaints, General: Sections AG, GBM;
2. Sexual Harassment: Section GBN, GBN-AR;
3. Instructional Materials: Sections KLB, KLBA.

The superintendent will develop and administer the general complaint process.

### **Definition**

1. Complaint: A concern, problem, or difficulty related to the district educational process filed with the district by a student, employee or member of the public, including claims of discrimination on the basis of age, disability, national origin, race, marital status, religion, sex or financial ability in instructional programs, co-curricular activities, and employment.
2. Complainant: Person filing a complaint.

### **Implementation Procedure/Guidelines**

1. Level One
  - a. An individual who wishes to express a complaint shall, except as provided in paragraph b. below, discuss the matter with the building principal within 10 working days of the occurrence or the complainant's reasonable knowledge thereof.

- b. If such discussion does not resolve the matter or appears to be impractical, the complainant may submit the complaint in writing to the next immediate supervisor.
  - (1) Complaint forms are available in school offices or the district office at 474 N. 16<sup>th</sup> Street.
  - (2) Distribution of the complaint form shall be as follows: White copy to the individual against whom the complaint is filed; yellow copy to the superintendent's office; pink copy retained by the complainant.
- c. The written complaint must be filed within 10 working days of the date of the discussion outline in a. above. The written complaint will contain the specific details describing the incident and the desired remedy.
- d. Within 10 working days of receipt of the written complaint, the individual against who the complaint is filed will respond in writing.

## 2. Level Two

- a. If the complainant is dissatisfied with the response, the complainant may submit his/her complaint to the administrative supervisor within 10 working days from the date of the level one written supervisory response.
- b. Upon receipt of the complaint, the administrative supervisor will investigate and determine if unlawful discrimination or inappropriate activity has occurred. If possible the investigation should include a face to face meeting with the complainant, the person about whom the complaint was filed and the administrative supervisor.
- c. Within 10 working days after receipt of the complaint, the administrative supervisor will respond in writing to the complainant. The response, based upon the investigation, shall state whether or not a discriminatory act or inappropriate activity occurred and, if appropriate, what steps might be undertaken to resolve the problem.

## 3. Level Three

- a. If the complainant is not satisfied with the disposition of the complaint at level two, the complainant will contact the superintendent in writing, within 15 working days from the date of the level two response.
- b. The superintendent shall, based upon the written appeal and the report of the administrative team level supervisor, determine whether or not to review the case.
- c. If the superintendent so determines, an informal hearing conducted by the superintendent or a person appointed by the superintendent shall be held within 15 working days of receipt of the complaint.
  - (1) A written record will be kept of such proceedings.
  - (2) Based on the record of the hearing, the superintendent will respond to the complainant within 15 working days after the hearing.
- d. The superintendent will report the decision to the Board when appropriate, or if requested by the Board.

4. Level Four

- a. If the complainant is not satisfied with the resolution of the complaint by the superintendent, she/he may appeal the decision to the Board within 30 working days.
- b. The Board shall hold a hearing in accordance with the Oregon Public Meetings Law. The hearing shall be only on the record and no new evidence shall be submitted to or considered by the Board. The Board's decision shall be final.

5. Additional Avenues of Appeal

- a. If the complainant is not satisfied with the response of the Board to a complaint, the complainant may wish to contact another agency; for example, Oregon Department of Education; Office for Civil Rights; U.S. Department of Health, Education and Welfare (HEW); Equal Employment Opportunity Commission; Oregon Bureau of Labor; or U.S. Officer of Education.
- b. While the complaint process is being implemented, if the complainant chooses to contact any of the above external agencies, or if legal action is filed, or if a contract grievance is filed, the complaint procedure will terminate.