

Public Complaints

A parent or guardian of a student attending a school in the district, a person who resides in the district, a staff member, or a student may petition the district 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 superintendent or one that involves Board actions or Board operations.

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

The Board advises the public that there is a proper process for resolving complaints, including but not limited to, instruction, discipline, learning materials, compliance with State Standards, restraint and/or seclusion, with a staff member, or retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation.

Community members, staff, parents and students who have a complaint must start at the lowest level in the organization to attempt to resolve the complaint.

The following order will be used unless otherwise identified (see KL-AR Public Complaint Procedure for specific procedures and time lines):

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

If the complaint addresses one or more of the issues identified below, you may use the complaint process available in any of the following policies and administrative regulations:

1. Discrimination or harassment on any basis protected by law: Board policy AC, CA-AR
2. Sexual harassment (staff): Board policy GBN, GBN-AR
3. Sexual harassment (student): Board policy JBA, JBA-AR
4. Hazing, harassment, intimidation, bullying, menacing or cyberbullying (staff): Board policy GBNA, GBNA-AR
5. Hazing, harassment, intimidation, bullying, menacing, cyberbullying, teen dating violence or domestic violence (student) Board policy JFCF, JFCF-AR
6. Sexual conduct with a student: Board policy JHFF, JHFF-AR
7. Instructional resources or instructional materials: Board policy IIA, IIA-AR
8. Complaints regarding the Talented and Gifted Program (TAG): Board policy IGBBC, IGBBC-AR.

Any complaint about school personnel other than the superintendent will be investigated by the

administration before consideration and action by the Board. The Board will not hear complaints against employees in a session open to the public unless an employee requests an open session.

Complaints against the principal should be filed with the superintendent.

Complaints against the superintendent should be referred to the Board Chair on behalf of the Board.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board Chair on behalf of the Board.

Complaints against the Board Chair should be referred directly to the Board Vice-Chair on behalf of the Board.

The superintendent will administer the complaint process, as appropriate.

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 district.

If any complaint alleges a violation of Oregon Administrative Rule (OAR), Chapter 581, Division 22 Standards, Oregon Revised Statute (ORS) 339.285 to 339.303 or Oregon Administrative Regulation (OAR) 581-021-0550 to 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant may appeal the district’s final decision to the Deputy Superintendent of Public Instruction under OAR 581-002-0023. See KL-AR-2 Appeal to the Deputy Superintendent of Public Instruction.

END OF POLICY

Legal References:

ORS 192.660
ORS 332.107
ORS 659.852
OAR 581-002-0001 to -002-0005
OAR 581-022-2370

Anderson v. Central Point School
District, 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).