

Greater Albany SD 8J Board Policy

Code: **KL**
Adopted: 1/26/81
Revised/Readopted: 3/12/01, 5/20/02
2/07/07, 10/25/10
2/9/15
Orig. Code(s): BP 8020

Public Complaints

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 solution before investigation or action by the Board. Exceptions are complaints that concern superintendent or Board actions or Board operations.

Any complaint should present the reason for the complaint with supporting statements and evidence. The statement should include the date (and the signature if a written complaint, of the individual(s) who are making the complaint). If the complaint relates to a specific policy or procedure, the policy or procedure should be cited. This complaint should be filed within 15 working days of the problem, if possible.

Level I: Complaints and/or concerns should be presented to the staff member primarily involved. Attempts to resolve problems should begin at the area of primary responsibility in an informal manner.

If not satisfied the next step is an oral or written presentation to the administrator or supervisor with primary responsibility for that area (contact the school district office at (541) 967-4501 if unsure who has that responsibility). Administrators receiving a complaint will attempt to schedule and have a meeting with the complainant(s) and investigate and evaluate the complaint; and provide the complainant(s) with a decision within 10 working days after receipt of the complaint, if possible.

Level II: If the complaint is not satisfactorily resolved and the complainant(s) wishes to carry the complaint further, they may, within a reasonable time, 15 working days if possible, after receiving the oral or written decision from the administrator, file a written appeal with the superintendent or designee. This written complaint should include the reason for the complaint, supporting statements, evidence and the date the complaint originated. If the complaint relates to a specific policy or regulation, the policy or regulation should be cited. The superintendent/designee may hold a meeting with the involved parties if, in his/her opinion, it would be advisable. The superintendent or designee will issue a written decision within 10 working days of receiving the written appeal if possible.

Level III: If the complainant(s) are not satisfied with the response, they may file the complaint with the Board. This appeal to the Board should be filed within a reasonable time, 15 working days if possible. If no meeting with the superintendent has been held, the superintendent may schedule a meeting with the complainant(s) to clarify the concerns. The superintendent may work with the Board to put the item on the agenda of a regular meeting, or they may call a special Board meeting or an executive session to hear the matter.

The Board will hear the complaint and will consider the information presented by the complainant(s) and the district administration. A final determination shall be made in writing within 20 working days from receipt of the complaint by the Board and shall be based on findings of fact and conclusions of law, if

applicable. If the item is considered in executive session, the decision must be made in open session with a response in writing to the complainant(s).

The district will attempt to provide an interpreter for complainants who speak a language other than English. Person wishing language assistance should contact the district's coordinator for services to English Language Learners.

If a complainant, who is a parent or guardian of a student who attends school in the district, is a student or a person who resides in the district, alleges a violation of Oregon Administrative Rules, Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or 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 have appeal rights with the Deputy Superintendent of Public Instruction as outlined in OAR 581-002-0040. (See Administrative Regulation KL-AR(2), Appeal to the Deputy Superintendent of Public Instruction).

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination) and the complaint is not resolved at the local level 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

Legal Reference(s):

ORS 192.610 - 192.690

ORS 332.107

OAR 581-022-1940

Anderson v. Central Point School District No. 6, 554 F. Supp. 600 (D. Oregon 1982); aff'd in part, 746 F.2d 505 (9th Cir. 1984).

Connick v. Myers, 461 U.S. 138 (1983).