

KL. COMPLAINT PROCEDURE

STEP 1: Initiating a Complaint

Any member of the public who wishes to express a complaint should discuss the matter with the school employee involved.

STEP 2: The Building Administrator. Parents, students, employees, and community members are encouraged to use this process when they have a complaint and they believe that it has not been resolved satisfactorily. If the complainant is unable to resolve a problem or concern at step one, within five working days of the meeting with the employee, the complainant may file a written, signed complaint with the principal. The complaint must be filed within 180 days of the original incident.

- A parent, student, employee, or community member (hereafter, the complainant) files a complaint in writing with the building administrator.
- The administrator provides the complainant with a copy of the complaint process.
- The administrator considers using a facilitator to assist in resolution of the complaint.
- The administrator conducts an investigation and attempts to resolve the complaint.
- The administrator shall evaluate the complaint and renders a decision within 5 working days after receiving the complaint.

STEP 3: The District Level

- If step 2 does not resolve the complaint within 10 working days of the meeting with the administrator, the complainant, if the individual wishes to pursue the action, shall file a signed, written complaint with the superintendent or designee clearly stating the nature of the complaints and a suggested remedy (A complaint form is available at the school offices or the district office or on the Bethel website, but not required.)
- The Superintendent or designee will investigate the complaint, confer with the complainant and the parties involved and prepare a written report of findings and conclusions and provide the written report to the complainant within 15 working days after receiving the written complaint.
- As a part of this investigation, the Superintendent or designee may invite the involved parties to a conference in an effort to resolve the dispute.

STEP 4: The Board

- If the complainant is dissatisfied with the findings and conclusions of the Superintendent or designee, the individual may, within 5 working days of receiving the written decision, file a written, signed appeal with the District Board of Directors.
- The Superintendent shall provide the Board with copies of the complaint.
- The Board may hold a hearing to review the findings and conclusions of the superintendent, to hear the complaint and to hear and evaluate any other evidence as it deems appropriate. Generally all parties involved, including the school administration, will be asked to attend such meeting for the purposes of presenting additional facts, making further explanations and clarifying the issues.
- The Board may elect to hold the hearing in executive session if the subject matter qualifies under ORS 192.660(1)(b), unless the parent, student, or employee requests the matter to be discussed in open session. A decision to uphold, modify, or reverse the previous decision shall be rendered within 20 working days of the Board hearing. The Board's decision will be final.¹

¹The timelines may be extended upon written agreement between both parties.

GENERAL INFORMATION:

FORMAL COMPLAINT MADE DIRECTLY TO BOARD MEMBERS

When a complaint about a student or employee is made initially to a Board member or to the Board of Directors as a whole, the complaint process shall be explained to the person.

The complainant will be encouraged to follow the complaint procedures described above.

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 chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

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. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

Complaints against the Board chair may be made directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

PROHIBITION OF RETALIATION FOR THE FILING OF A COMPLAINT

- While the school site administrator investigates the incident, the parties involved will be informed that no reprisal or adverse action will occur as a consequence of initiating a complaint.
- Any form of retaliation for the filing of a complaint or for participating in an investigation or inquiry will be subject to immediate disciplinary action.

REGARDING RACIAL HARASSMENT COMPLAINT

- While the school site administrator investigates the **racial** harassment incident, the parties involved will be informed that no reprisal or adverse action will occur as a consequence of initiating a racial harassment complaint.
- Federal and state laws strictly forbid any form of retaliation against a complainant or other involved parties in connection with the filing of a racial harassment complaint.
- Any form of retaliation for the filing of a complaint or for participating in an investigation or inquiry will be subject to immediate disciplinary action.

FILING A FALSE COMPLAINT

This is not to be confused with an unsubstantiated complaint. The District recognizes that a complaint may be valid even if it cannot be proven.

- It is the district's intent and commitment to take all complaints seriously, and to undertake a thorough investigation and provide a timely and reasonable response.
- It is equally important that the complainant understand the seriousness of allegations.
- The intentional filing of a false complaint is a serious matter that may result in disciplinary and/or legal action against the false reporter.

Bethel School District #52
Administrative Rule

OTHER POSSIBLE COMPLAINT AVENUES

Complainants may, at any time, contact the Oregon Department of Education in Salem, Oregon at (503) 947-5600, or the Office for Civil Rights in Seattle, Washington at (206) 607-1600 regarding any complaints or concerns with Bethel School District, its employees, or any agents of the district.

If a complaint alleges a violation of state standards or a violation of other statutory or administrative rule for which the State Superintendent of Public Instruction has appeal responsibilities, and the complaint is not resolved at the Board level, the district will supply the complainant with appropriate information to file a direct appeal to the State Superintendent as outlined in Oregon Administrative Rule (OAR) 581-022-1940.

SEE PAGE 4 FOR COMPLAINT FORM

COMPLAINT FORM

For assistance in filling out this form, please contact the District Office at 689-3280
The complaint form must be filed within 180 days of the original incident

Name _____ Phone _____

Address _____

Do you register this complaint as a:

- parent or guardian
- student
- employee
- community member
- spokesperson for a group or organization

Nature of complaint:

- against an employee
- for violation of policy
- for violation of State standards
- for racial or other forms of harassment
- other _____

If as a spokesperson for a group or an organization, please identify the group:

What is the nature of your complaint? Please be specific, i.e., is the complaint against a teacher procedure or method? Against disciplinary action taken? Against mishandling of a particular situation? Who is involved? What standard has been violated? Who should we talk to and what evidence should we consider? (*Feel free to attach additional pages to any and all questions.*)

Have you discussed this matter with the person(s) involved? _____

Have you discussed this matter with the building principal? _____

Do you have a personal knowledge of the situation you have described above? _____

If not, what is the source of your information? _____

Suggested solutions/resolution/outcome? _____

Date _____ Complainant Signature _____

OFFICE USE: Disposition of Complaint: _____

Signature: _____ Date: _____