

Grants Pass School District 7

Code: KL
Adopted: 6/14/88
Revised/Readopted: 2/24/04; 8/14/12; 1/13/15;
9/13/16; 8/28/18; 9/10/19
Orig. Code: KL

Public Complaints

Complaints will be handled and resolved as close to their origin as possible.

No staff, student, parent or community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative process for resolution before investigation or action by the Board. Exceptions are complaints that concern the superintendent or involve Board actions or Board operations.

The Board advises the public there is a proper process for resolving complaints, including but not limited to concerns in the following areas: instruction, discipline or learning materials; retaliation against a student or a student's parent who in good faith reported information that the student believes is evidence of a violation of state and federal law, rule or regulation.

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

1. Teacher/Employee;
2. Principal/Supervisor;
3. Superintendent (or designee);
4. Board.

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

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. Administration will develop procedures to investigate and address public complaints in accordance with District policy and applicable District collective bargaining agreements.

The Board shall hear such complaints regarding personnel or materials only when all administrative procedures have been exhausted. Such hearings shall be scheduled at least one week in advance and more time may be required when extensive preparations are necessary.

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.

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.

Complaints against the Board Chair may be made directly to the Board vice chair on behalf of the board.

The superintendent will develop and administer the general complaint process, as appropriate.

If any complaint alleges a violation of Oregon Administrative Rule OAR Chapter 581, Division 22 (Division 22 Standards), Oregon Revised Statute ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, if a student, a parent or guardian of a student attending a school in the district or a person who resides in the district, may appeal¹ the district's final decision to the Deputy Superintendent of Public Instruction under OAR 581-002-0001 - 581-002-0023. will be handled and resolved as close to their origin as possible.

No staff, student, parent or community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative process for resolution before investigation or action by the Board. Exceptions are complaints that concern the superintendent or involve Board actions or Board operations.

The Board advises the public there is a proper process for resolving complaints, including but not limited to concerns in the following areas: instruction, discipline or learning materials; retaliation against a student or a student's parent who in good faith reported information that the student believes is evidence of a violation of state and federal law, rule or regulation.

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

1. Teacher/Employee;
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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. Administration will develop procedures to investigate and address public complaints in accordance with District policy and applicable District collective bargaining agreements.

¹ An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

The Board shall hear such complaints regarding personnel or materials only when all administrative procedures have been exhausted. Such hearings shall be scheduled at least one week in advance and more time may be required when extensive preparations are necessary.

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.

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.

Complaints against the Board Chair may be made directly to the Board vice chair on behalf of the board.

The superintendent will develop and administer the general complaint process, as appropriate.

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 local level, the district will supply the complainant with appropriate information to file a direct appeal to the State Superintendent as outlined in Oregon Administrative Rules (OAR) 581-022-1940.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.107](#)

[ORS 659.852](#)
[OAR 581-002-0001 - 002-0005](#)

[OAR 581-022-2370](#)

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

Cross Reference(s):

GBNAA/JFCFA - Cyberbullying
IIA - Instructional and Library Media Resources and Materials

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Public Complaint Procedure

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

The Administrator: Step One

If the individual who raised the matter of concern with the school employee and the employee are unable to resolve a problem or concern with the employee, the concerned individual may file a written, signed complaint with an administrator with supervisory authority over the school employee. The administrator shall evaluate the complaint and render a decision within five working days after receiving the complaint.

The Superintendent: Step Two

If Step 1 does not resolve the complaint, within 10 working days after the meeting between the concerned individual and the administrator, the concerned individual, if he or she wishes to pursue the matter further, shall file a signed, written complaint with the superintendent or such other person designated by the superintendent to consider the complaint, clearly stating the nature of the complaint and a suggested remedy. (A form is available but is not required.)

The superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved and prepare a report setting forth the investigator's findings and conclusions. The report shall be in writing or in an electronic form to the complainant within 10 working days after receipt of the written complaint. The parties may agree to extend the time to respond if the investigator will be unable to complete the investigation within this 10-day period.

The Board: Step Three

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusion, the complainant may appeal the decision to the Board within five working days of receiving the superintendent's (or designee's) decision. The Board will review the findings and conclusion of the superintendent (or designee), in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent's decision. All parties involved, including the school administration, may be asked to attend such hearing for the purposes of answering any questions from the Board, making further explanations and clarifying any issues that the board wishes to consider.

If the Board chooses not to hear the complaint, the superintendent's decision shall be final. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law as a topic for an executive session.

The complainant shall be informed in writing or in electronic form of the Board's decision by the end of the third regularly scheduled Board meeting, from the hearing of the appeal by the Board. The Board's decision will address each allegation in the complaint and contain reasons for the district's decision. The Board's decision will be final.

The timelines may be extended upon written agreement between the district and the complainant.

The district's final decision for a complaint processed under this administrative regulation that alleges a violation of Oregon Administrative rule (OAR) OAR Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 to 339.303 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant who is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and this complaint is not resolved through the complaint process, the complainant may appeal² the district's final decision to the Deputy Superintendent of Public Instruction under Oregon OARs 581-002-0001 – 581-002-0023.

Complaints against a principal should be filed directly with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

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 in a Board meeting. 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 by the end of the third regularly scheduled Board Meeting, in open session what action, if any, is warranted. The Board shall, however, in all instances resolve any such complaint within 90 days after receipt by 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. The Board chair shall present the complaint to the Board in a Board Meeting. 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. The Board shall decide by the end of the third regularly scheduled Board Meeting in open session what action, if any, is warranted.

Complaints against the Board chair may be referred directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. 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. The Board shall decide by the end of the third regularly scheduled Board Meeting in open session what action, if any, is warranted.

² An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

Grants Pass School District

COMPLAINT FORM

To: Employee* Administrator/Supervisor* Superintendent Board chair Board vice chair * Form available but is not required.

Person Making Complaint _____

Phone Number _____ Email _____

Nature of Complaint _____

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

Signature: _____ Date: _____

Office Use: Disposition of Complaint: _____ _____ Signature: _____ Date: _____
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cc: District Office