

BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

BOARD POLICY

Name: Public Complaints

Section: Community Relations

Code: KL-BP

Although no staff, student or community member will be denied the right to petition Bend-La Pine Schools Board for redress of a complaint, complaints will be referred through the proper administrative channels for solution 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, included but not limited to concerns in the following areas:

1. Instruction;
2. Discipline;
3. Learning materials or programs or services;
4. Retaliation against student or a student's parent/guardian who in good faith reported information that the student believes is evidence of a violation of state and federal law, rule or regulation.

Community members, staff, parents/guardians and students who have a complaint are encouraged to start at the lowest level in the organization to attempt to resolve the issue (see flow chart). The following order will be used unless otherwise identified (see KL-AR: Public Complaints Procedure for specific procedure and timelines):

1. District employee;
2. Principal / Supervisor;
3. District Administrator;
4. Superintendent;
5. School Board.

Any complaint about Bend-La Pine School personnel other than the Superintendent will be investigated by the administration before consideration of the Superintendent or designee consistent with applicable provisions of any applicable collective bargaining agreements, and before consideration and action by the Board. The Board will not hear charges against employees in open session unless an employee requests an open session hearing. An individual board member shall not attempt to consider such complaints in any official capacity.

While speakers may offer objective criticism of operations and programs, the Board will not hear personal complaints concerning Bend-La Pine School personnel nor against any person connected with the district. To do so could expose the Board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The Board chairperson will direct speakers to the appropriate means for Board consideration and disposition of legitimate complaints involving district personnel.

Complaints against an administrator or supervisor may be filed with the Superintendent. Complaints against the Superintendent should be referred to the Board Chair. Complaints 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 or district legal counsel. The Superintendent will develop and administer the general complaint process, as appropriate.

If a complaint alleges a violation of standards or a violation of other statutory or administrative rule for which State Superintendent of Public Instruction has appeal responsibilities, and the complaint is not resolved at the local level, the complainant may appeal to the State Superintendent of Public Instruction as outlined in OAR 581-022-1940.

Complaints shall be submitted in writing, preferably using Bend-La Pine Schools' Public Complaint Form. Please see KL-AR: Public Complaints for the procedure in how complaints will be investigated.

Charter School of Which the District Board is a Sponsor

Complaints against an employee of a district sponsored charter school shall be filed with the principal and of the charter school. Complaints regarding programming or operations of a district sponsored charter school shall be filled with the charter school board. The district Board, through this policy, will not review an appeal of a decision reached by the Board of a district sponsored charter school on a complaint alleging a violation of ORS 339.285-339.303 or OAR 581-021-0550 – 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 Standards, for which the district Board has jurisdiction, and recognizes a decision reached by the sponsored charter school. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 – 581-002-0023.

END OF POLICY

Legal References:

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

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).

Reviewed: 5/10/2005, 10/2021
Approved: 4/23/1991, 5/10/2005, 12/14/2021