

BEND-LA PINE SCHOOLS

Administrative School District No. 1
Deschutes County, Oregon

Name: Public Complaints
Section: Community Relations
Code: KL-AR

ADMINISTRATIVE REGULATION

Persons presenting questions, concerns and complaints to the district about issues or occurrences over which the district has control shall be processed thoroughly and in a timely manner.

Alleged criminal acts shall be filed directly with the superintendent, designee or other appropriate administrative staff.

Certain issues have a prescribed method of processing because of confidentiality and/or specific requirements of federal or state law.

1. Alleged discrimination shall be processed consistent with AC-AR: Discrimination Complaint Procedure.
2. Requests for reconsideration of instructional materials shall be processed consistent with IAB-AR: Reconsideration of Instructional Materials
3. Alleged sexual harassment claims shall be processed consistent with AC-AR: Discrimination Complaint Procedure.
4. Complaints regarding talented and gifted program relative to state standards shall be processed consistent with IGBBC-AR: Complaints Regarding the Talented and Gifted Program.

Other questions, concerns and complaints including, but not limited to, alleged violations of state or federal standards, district practices, and complaints against an employee shall be processed consistent with the following procedures:

When practical, the complainant shall attempt to informally resolve the issue with the district employee involved.

STEP ONE

If the matter is not resolved informally, the complainant is asked submit the complaint in writing, preferably using Bend-La Pine Schools' Public Complaint Form, to that employee's immediate supervisor or the building principal, as appropriate, within 10 working days. The complainant is asked to state specific details describing the incident, act or condition and the desired remedy. The supervisor or building principal shall investigate and decide the merits of the complaint and determine the action to be taken, if any, and reply, in writing, to the complainant within 10 working days after receiving the written complaint.

STEP TWO

The complainant may appeal the decision of the supervisor or building principal within 10 working days after receipt of the decision by submitting a written appeal to the Superintendent, or designee. The Superintendent, or designee, shall investigate the appeal, confer with the complainant and the parties involved, and make a decision, in writing, to the complainant within 10 working days after receiving the written appeal.

STEP THREE

If the complainant is not satisfied with the decision of the Superintendent or designee, the complainant may appeal the decision to the Board within 10 working days of receiving the Superintendent or designee's decision. The Board may hold a hearing to review the findings and conclusion of the Superintendent, to hear the complaint and to hear and evaluate any other evidence deemed 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 issue(s).

The Board may elect to hold the hearing in executive session if the subject matter qualifies under Oregon law. The complainant shall be informed of the Board's decision, in writing, within 20 working days from the hearing of the appeal by the Board. The Board's decision will be final.

Complaints against a principal or supervisor shall be filed with the Superintendent or designee. The Superintendent or designee will attempt to resolve the complaint, beginning at Step Three.

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 at a regularly scheduled school 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 at a regularly scheduled school board meeting. After receiving the results of the investigation, within 30 working days, the Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board to the complainant within 20 working days of the open session meeting.

Complaints 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 at a regularly scheduled school 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, within 30 working days, the Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board to the complainant within 20 working days of the open session meeting. The board member(s) subject to the complaint shall abstain from any vote taken on behalf of that specific complaint.

Complaints against the Board Chair may be made directly to the Board Vice Chair or district legal counsel on behalf of the Board. The Board Vice Chair or legal counsel shall present the complaint to the Board at a regularly scheduled school board meeting. If a majority of 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 in executive session. After receiving the results of the investigation, within 30 working days, the Board shall decide in open session what action, if any is warranted. A final written decision regarding the complaint shall be issued by the Board to the complainant within 20 working days of the open session meeting.

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.

Time

The number of days given at each level shall be regarded as a guideline and time limits stated may be extended by mutual agreement of the complainant and the administration, however, a complainant's failure to meet a timeline may be deemed, in the discretion of the district, a withdrawal of the complaint. In any event, a final determination will be made by the Board within 90 calendar days after the complaint has been made in writing.

Withdrawal

A complaint may be withdrawn by the complainant at any level without prejudice, reprisal or record.

Reviewed: 2/9/88, 11/17/04, 12/17/12, 8/18,
9/2020, 11/9/2021

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