

The term “bias incident” and “symbols of hate” are defined in ACB-BP: Every Student Belongs. Persons impacted by a bias incident or display of a symbol of hate shall be defined broadly to include persons directly targeted by an act, as well as the community of students as a whole who are likely to be impacted by the act<sup>1</sup>.

### **STEP 1**

When a staff member learns of a potential bias incident or display of a symbol of hate, the staff member will prioritize the safety and well-being of all persons impacted and without unreasonable delay report the incident to person as described below. A complaint may be filed through a verbal report, [a Bias Incident report](#), or by completing a [Complaint Reporting Form](#).

Complaints against a student shall be filed with the school principal. Complaints against an employee shall be filed with the employee’s direct supervisor. Complaints against a school or site administrator shall be filed with the Superintendent. Complaints against the Superintendent shall be filed with the Board Chair.

Complaints against a school or site administrator will begin at Step 3. Complaints against the Superintendent or a Board member(s) can be directed to the Board and will begin at Step 4. If complaints begin later than Step 1, the district official reviewing the complaint will ensure that all requirements are met.

### **STEP 2**

The district official receiving the complaint shall acknowledge receipt of the complaint, reduce the complaint to writing using the Complaint Reporting Form, and investigate any complaint of a bias incident. The district official investigating the complaint will recognize the experience of all persons impacted, acknowledge the impact, commit to taking immediate action, and commit to preventing further harm against those persons impacted from taking place. Redirection procedures, if any, will include:

- Educational components that address the history and impact of bias and hate;
- Procedural components to advance the safety and healing of those impacted by bias and hate;
- Accountability and transformation for people who cause harm; and
- Transformation of the conditions that perpetuated the harm.

The investigator must consider whether the behavior implicates other district policies or civil rights laws, and if so, respond accordingly<sup>2</sup>.

The investigator will make a decision within 10 working days of receiving the complaint. All persons impacted by the act will be provided with information<sup>3</sup> relating to the investigation and the outcome of the investigation. At a minimum, the information provided must include:

- Notice that an investigation has been initiated;
- Notice when the investigation has been completed;
- Findings of the investigation and the final determination based on those findings;
- Actions taken with the person or persons who committed the harassing behavior to remedy the behavior and prevent reoccurrence; and
- When applicable, the legal citation of any law prohibiting disclosure of any information described above, and an explanation of how that law applies to the current situation.

### **STEP 3**

If complainant or a respondent wishes to appeal the decision of the investigator in Step 2, the

complainant or respondent may submit a written appeal to the Superintendent within 10 working days after receipt of the Step 2 decision.

The Superintendent or designee shall acknowledge receipt of the appeal and may meet with all parties involved. The Superintendent or designee will review the merits of the complaint and the investigator's decision. The Superintendent or designee will respond in writing to the complainant within 10 working days unless the Superintendent or designee needs additional time based on the complexity of the review or need for additional investigation.

The Superintendent or designee will ensure that the requirements in Steps 1 and 2 (redirection procedures, notice, etc.) are continued to be met through Step 3, as appropriate.

#### **STEP 4**

If the complainant or respondent is not satisfied with the decision of the Superintendent or designee, a written appeal may be filed with the Board Chair within 10 working days of receipt of the Step 3 decision. The Board will review the complaint and response, and at its discretion, may hear or deny the request for appeal at a Board meeting. The Board may use an executive session if the subject matter qualifies under Oregon law. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representatives at Board meeting. After review of the complaint and response, or following a hearing, the Board will notify the complainant whether it affirms the response of the Superintendent or designee, or whether further action is appropriate. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. The Board's final decision shall be sent to the complainant in writing within 10 working days of the Board meeting.

The Board will ensure that the requirements in Steps 1 and 2 (redirection procedures, notice, etc.) are continued to be met through Step 4, as appropriate.

The complainant, if a person who resides in the district, or a parent / guardian of a student who attends school in the district, or a student currently enrolled in the district, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 working days of submission of the complaint at any step, or fails to resolve the complaint within 90 working days of the initial filing of the complaint, may appeal<sup>4</sup> the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.<sup>5</sup>

The Superintendent or designee will develop and implement instructional materials to ensure that all school employees, staff and students are made aware of ACB-BP: Every Student Belongs, this regulation, and related practices. The materials will include reporting procedures, educational processes, and possible consequences.

When necessary, at any point in Steps 1-4, timelines may be adjusted by the district by communicating to all parties in writing. This communication must include a new timeline and an explanation of why the timeline must be adjusted.

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<sup>3</sup> For additional information regarding required notices, see OAR 581-022-2312(4)(e)(E)

<sup>4</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

<sup>5</sup> Complaints must meet criteria as established by law. For more information, visit <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>