

Discrimination Complaint Procedure

Required AR. OAR 581-022-2370 requires districts to have complaint procedures, including for complaints of discrimination. Federal law also requires discrimination complaint procedures.

Any person, including students, staff, visitors and third parties, may file a complaint.

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step I: ¹ Complaints shall be oral or in writing and must be filed with the principal. Any staff member that received an oral or written complaint shall report the complaint to the principal. The principal will scribe onto the complaint form and verify the information is accurate with the person filing the complaint. The building principal shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within ten (10) school days of receipt of the complaint.

Step II: If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent within ten (10) working days after receipt of the building principal's response to the complaint.

The superintendent shall review the principal's decision within five school days and may meet with all parties involved. The superintendent will review the merits of the complaint and the principal's decision and respond in writing, to the complainant within ten (10) school days.

Step III: If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within ten (10) school days of receipt of the superintendent's response to Step II. The Board may decide to hear or deny the request for appeal at a Board meeting. The Board may meet with the concerned parties and their representative at the next regular or special Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within ten (10) days of receipt of the appeal by the Board.

If the principal is the subject of the complaint, the individual may start at Step II and should file a complaint with the superintendent. If the superintendent is the subject of the complaint, the complaint may start at Step III and should be referred to the Board chair. The Board may refer the investigation to a third party.

¹ For district information. The district's timeline established by each step of the district's complaint procedure must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. The district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)

Complaints against the Board as a whole or against an individual Board member, may start at Step III and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step III and be referred directly to the Board vice chair.

The timelines established in each step of the procedure may be extended upon mutual consent of the district and the complainant in writing, but will not be longer than 30 days from the date of the submission of the complaint at any step. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district, or a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within ninety (90) days of the initial filing of the complaint, may appeal² the district's final decision to the Deputy Superintendent of the Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 002-0023.

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

DISCRIMINATION COMPLAINT FORM

ANY PERSON, INCLUDING STUDENTS, STAFF, VISITORS AND THIRD PARTIES, MAY FILE A COMPLAINT.

Name of Person Filing Complaint Date School or Activity

Student/Parent Employee Job applicant Other _____

Type of discrimination:

- | | | |
|--|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Mental or physical disability | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital status | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Familial status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Economic status | <input type="checkbox"/> Discriminatory use of a Native American mascot |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Veterans' status | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Gender identity | | |

Specific complaint: (Please provide detailed information including names, dates, places, activities, and results of informal discussion.)

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

Suggested solution/resolution/outcome: _____

Signature of Person Filing Complaint

This complaint form should be mailed or submitted to the principal. Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.