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## PROCEDURE

### Complaints: Discrimination against Student with Disabilities STS-P005

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Procedures are continually revised and improved. For the most recent version, please visit <http://www.salemkeizer.org/qam/qam-documents>

#### 1.0 SCOPE:

- 1.1 Complaints are best handled when the complainant and the employee involved work together to find a solution. When requested, reasonable accommodations for persons filing a complaint will be available.

#### 2.0 DEFINITIONS:

- 2.1 Complaint: Any concern, problem, or difficulty related to the District.
- 2.2 Complainant: A parent or legal guardian of a student(s) attending Salem-Keizer schools or a member of the public residing within the boundaries of the school district that has initiated a complaint.
- 2.3 Discrimination: Words or actions which make an adverse distinction among or between persons or groups of persons.

#### 3.0 PROCEDURE:

- 3.1 The District recommends that the process to resolve a complaint begin at Level One, which is outlined below in section 3.2. However, the informal process is optional and, at the discretion of the person filing the complaint, the process can be initiated as a formal complaint, which is outlined in section 3.3.

##### 3.2 Level One: Informal Process

- 3.2.1 The complainant will discuss the issue with either the employee involved or the principal or supervisor with primary responsibility for that area.
- 3.2.2 If the issue cannot be resolved to the complainant's satisfaction or progress on a resolution is not occurring in timely manner, the complainant may choose to file a formal complaint.

##### 3.3 Level Two: Formal Complaint

- 3.3.1 Formal complaints shall be filed with the Director of Student Services at PO Box 12024, Salem, Oregon, 97309.
  - 3.3.1.1 If the complainant used the informal process the complaint shall be filed within ten (10) school days of the response to the informal complaint.
- 3.3.2 Formal complaints shall be written and include the following information:
  - 3.3.2.1 Name and contact information for the complainant.
  - 3.3.2.2 Student's name and school the student attends.
  - 3.3.2.3 A description of the incident, including what happened, when, where, names of those involved, and names of any witnesses.
  - 3.3.2.4 A description of what actions the complainant has taken to resolve the issue.
  - 3.3.2.5 Suggestions for resolving the issue (optional).

##### 3.4 Formal complaints will be reviewed in the following order:

- 3.4.1 Director of Student Services or designee (504 Coordinator). (Step 1).
- 3.4.2 Superintendent or designee (Step 2).



**PROCEDURE**  
**Complaints: Discrimination against Student with Disabilities**  
**STS-P005**

3.4.3 School Board (Step 3).

3.5 Step 1: Investigation of the formal complaint by the Director of Student Services.

3.5.1 Upon receipt of the formal complaint, the Director of Student Services shall investigate and meet with all parties involved, as necessary, and determine what, if any, actions will be taken. The complainant will receive a written decision within ten (10) school days.

3.5.2 If unable to resolve the complaint at this level, the complainant has the right to request that the Superintendent review the decision. This request must be submitted in writing within five (5) school days of the complainant receiving the written decision.

3.6 Step Two: Review of the decision by the Superintendent.

3.6.1 The Superintendent will review the record of the complaint and determine whether further action is merited. The complainant will receive a written decision within ten (10) school days.

3.6.2 If dissatisfied with the Superintendent's decision, the complainant has the right to request that the Superintendent review the decision. This request must be submitted in writing within five (5) school days of the complainant receiving the written decision.

3.7 Step Three: Appeal to the School Board

3.7.1 A hearing will be scheduled, in accordance with the Oregon Public Meetings Law, for the next regular or special Board meeting or for a mutually agreed upon date.

3.7.2 The decision of the Board, at the conclusion of the hearing, shall be final and the complainant will be notified of the outcome of their petition in writing within 10 (ten) school days of the hearing.

3.8 If the complainant chooses to file with an outside agency, or if legal action is initiated, the outside process will cause the District's complaint process to cease.

3.9 The complainant may appeal directly to the Deputy Superintendent of Public Instruction under OAR 581-022-1940 relating to certain violations of Oregon Administrative Rule and Oregon law.

**4.0 ASSOCIATED DOCUMENTS:**

**5.0 RECORD RETENTION TABLE:**

Identification	Storage	Retention	Disposition	Protection
Complaint Letter and backup materials	School or Department files	1 year	Secure disposal	Office locked when not in use

**6.0 REVISION HISTORY:**

Date	Revision Ref.	Description
9-12-16		Approved by Cabinet

**7.0 FLOWCHART:** A flowchart does not exist for this procedure.

**8.0 APPROVAL AUTHORITY:**

8.1 Director of Student Services  
*(approval on file)*

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 Signature

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 Date