



Code: KL
Adopted: 8/19/10
Readopted: 2/21/13; 8/22/19; 6/25/20;
12/08/22; 4/13/23

Public Complaints**

The Board takes the concerns of the public seriously. The Board is committed to providing a fair and effective complaint process in order to seek resolution whenever possible, continuously improve the district's performance, and provide open channels of communication. This policy and the accompanying administrative regulation establish the process for addressing complaints.

Steps for complaint resolution

Whenever possible, the Board supports resolution of concerns with the person most directly involved in the issue. Direct communication can often facilitate prompt problem-solving and mutual understanding of concerns.

When a concern cannot be resolved through informal, direct communication, formal complaints may be filed in certain circumstances. The general steps for resolving complaints are as follows:

1. Step 1: If the complainant has not been able to resolve a concern with the person directly involved, the complainant may file a formal complaint with the building administrator or District-level administrator. Complainants are encouraged to use the complaint form attached to KL-AR, and must provide the information listed on that form. Multiple supports are available to parties involved in the complaint process.
2. Step 2: If the complaint is not resolved at Step 1, the complainant may appeal to the supervisor of the building administrator or District-level administrator. Complainants are encouraged to use the complaint appeal form attached to KL-AR, and must provide the information listed on that form.
3. Step 3: If the complaint is not resolved at Step 2, the complainant may appeal to the superintendent or the superintendent's designee. The decision of the superintendent or designee constitutes the final decision of the District, unless a specific law or District policy provides otherwise.

A complaint against a principal shall start at Step 2 and be filed with the principal's supervisor.

A complaint against the superintendent shall be filed with the Board chair.

A complaint against the Board as a whole shall be filed with the Board chair. A complaint against a Board member shall be filed with the Board chair on behalf of the Board. A complaint against the Board chair shall be filed with the Board vice chair on behalf of the Board.

Specific timelines and requirements for each step are set out in KL-AR, Complaint Process.

Persons eligible to file complaints

Complaints may be filed by a person who resides in the district, any parent or guardian of a student who attends school in the district, or a student. A complainant may only bring an individual complaint forward

regarding their own situation or, as appropriate, on behalf of their own student. Complaints cannot be filed on behalf of someone else's circumstances or on behalf of a group.

Timeline for filing complaints

All complaints must be received by the district on the later date of:

1. Within two years of the alleged violation or the complainant's discovery of the alleged violation. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
2. Within one year after the affected student has graduated from, moved away from or otherwise left the district.

Additional provisions

While speakers at public board meetings may offer objective criticism of operations and programs, the Board will not hear personal complaints concerning district personnel nor against any person connected with the school system. The Board chair will direct the speaker to the complaint process for complaints involving individuals.

The superintendent will administer the complaint process set forth in KL-AR Complaint Procedure, unless the complaint is against the superintendent, the Board or a Board member, in which case the procedure described in KL-AR shall be administered by the Board.

These complaint procedures do not apply to certain types of complaints. When the district has other policies or administrative rules that require a specific complaint resolution or appeal process, those specific rules will apply rather than the general complaint procedure.

If a complaint is made directly to the Board or to an individual Board member, the complainant will be referred to the process above. A Board member shall not attempt to consider such complaints in any official capacity acting as an individual Board member.

Retaliation against any person who files a complaint or participates in the complaint process is strictly forbidden. Concerns about retaliation should be brought promptly to the attention of the appropriate party as outlined in KL-AR Complaint Procedure.

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Division 22 Standards); Oregon Revised Statute (ORS) 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion); ORS 659.850, OAR 581-021-0045, or OAR 581-021-0046 (related to Discrimination); OAR 581-021-0047 (Native American Mascots); or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, if a student, a parent or guardian of a student attending a school in the district or a person who resides in the district, may appeal the district's final decision to the Oregon Department of Education. The Oregon Department of Education will determine if it will accept the appeal.

Charter Schools of which the District Board is a Sponsor

The district Board, through its charter agreement with charters schools sponsored by the district, will not review an appeal of a decision reached by the board of a charter school on any complaint, including but not limited to those 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 (Division 22 Standards), for which the district Board has jurisdiction, and recognizes a decision reached by the board of charter school as the district Board's final decision.

**As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.107](#)

[ORS 659.852](#)
[OAR 581-002-0001 - 002-0005](#)

[OAR 581-022-2370](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).

Cross Reference(s):

AC - Nondiscrimination
ACB - Every Student Belongs – Hate Symbols and Bias Incidents