

West Linn-Wilsonville School District 3J

Code: **KL**
Adopted: 1/07/08
Readopted: 3/07/16, 10/12/26

Public Complaints

The Board is committed to providing a fair and effective 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 (KL-AR) establish the process for addressing complaints.

Steps for complaint resolution

Whenever possible, the Board supports and offers mediation or other alternative dispute resolution processes as an option available if all parties to the complaint agree in writing to participate.

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: The building or district administrator

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 administrator. Complainants are encouraged to use the Complaint Form attached to KL-AR, and provide the information listed on that form.

2. Step 2: The District-Level Supervisor

If the complaint is not resolved in Step 1, the complainant may appeal to the supervisor of the building administrator, or to the appropriate District-Level administrator. Complainants are encouraged to use the Complaint Appeal Form attached to KL-AR, and provide the information listed on that form.

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

3. Step 3: The Superintendent or Designee

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 the superintendent shall be filed with the Board Chair.

4. Complaints Appeal Process with Oregon Department of Education

The complainant may appeal the Superintendent's decision by submitting a request to the Oregon Department of Education (ODE). The procedure for hearing and acting on complaints alleging violation of the Oregon Administrative Rules, Chapter 581, division 22 (division 22 standards), ORS 339 to 330.303 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), ORS 659.850 or OAR 581-021-0038 , 581-021-0045, 581-021-0046, 581-021-0047 (Discrimination); or ORS 659.852 (Retaliation) will include: (a) the point at which the district's decision is final; and (b) a final decision in written or electronic form that addresses each allegation in the complaint and contains reasons for the district's decision and notifies the complainant that the district's decision may be appealed to the Deputy Superintendent of Public Instruction under OAR 581-075-0001 to 581-075-0045 or 581-075-0205.

School Board Awareness of Complaints

Formal complaint appeals that rise to district level (Steps 2 & 3) will be documented annually by the Superintendent. In order to ensure that the Board is aware of the concerns of the community that have moved through the formal complaint process, the School Board Chair shall be informed regularly by the Superintendent of complaints in process and/or those resolved. This helps the Board evaluate if there are any trends across the complaints that may indicate policy attention. Furthermore, any Board member may inquire of the Superintendent about a formal complaint to gain further insight only; this information sharing is not to be confused with the formal complaint process. All Board members shall maintain the confidentiality of the complaint process.

Complaints Against the Superintendent or Board

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.

Processes for these types of complaints are outlined in the Administrative Regulation (Policy KL-AR).

Complainants

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 any person who alleges that they have been subjected to discrimination, or a third party representing such persons or groups of persons. 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, unless it is a third party representing such persons or groups of persons. Specific timelines and requirements for each step are set out in KL-AR, Complaint Process.

Public Comment

The public has the right to address the Board during the public comment agenda item at regular board meetings or through written comment submitted to the Board. Policy BDDH provides guidance for these processes and procedures. The Board Chair may direct a speaker to the formal complaint process (Policy KL) for complaints that involve individuals and/or require resolution through district staff and administration.

Additional Provisions

From time-to-time Board members may receive complaints from community members, groups or staff by email or other means. Board members shall refer complainants to the complaint process or to the Superintendent.

Complaints involving allegations of misconduct by a specific district staff member will be processed in accordance with Human Resources procedures. Additionally, complaints regarding licensed or classified staff will be processed in accordance with applicable collective bargaining agreements. Complainants should be aware that the collective bargaining agreements and other considerations place limits on the processing of anonymous complaints. Complainants should be aware that employees are entitled to certain confidentiality rights under state and federal law, as well as applicable collective bargaining agreements. Taking into account these confidentiality protections, complainants will be notified of the outcome of complaints against employees to the extent permitted by law, district policy and practice, and applicable collective bargaining agreements.

District-Sponsored Charter School

The district Board 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.

END OF POLICY

Legal Reference(s):

[ORS 192.610 to -192.690](#)

[ORS 332.107](#)

[ORS 659.852](#)

[OAR 581-022-2370](#)

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

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

Cross Reference(s):

Policy AC – Nondiscrimination

Policy ACB – Every Student Belongs

Policy IIA-AR - Textbook/Instructional Materials Selection and Adoptions

Legal Reference(s):

[ORS 192](#).610 to -192.690
[ORS 332](#).107

[OAR 581-022](#)-1940
[OAR 581-022](#)-1941

House Bill (HB) 3371 (2015)

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

Cross Reference(s):

IIA - Textbook/Instructional Materials Selection and Adoptions