Philomath School District 17J

Code: AC-AR
Revised/Reviewed: 11/17/05; 10/18/18; 5/18/23
Orig. Code: AC-AR

Discrimination or Harassment Complaint Procedure

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

Step 1 Complaints may be oral or written and must be filed with the building principal. Any staff member that receives an oral or written complaint shall report the complaint to the building principal . The building principal shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within 10 school days of receipt of the complaint.

Step 2 If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent within five school 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. The superintendent will respond in writing to the complainant within 10 school days.

Step 3: If the complainant is not satisfied with the decision of the superintendent a written appeal may be filed with the Board within five school days of receipt of the superintendent's response to Step 2. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, 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 30 calendar days of receipt of the appeal by the Board.

If the principal is the subject of the complaint, the individual may start at step 2 and should file a complaint with the superintendent.

If the superintendent is the subject of the complaint, the complaint may start at step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party.

Complaints against the Board as a whole or against an individual Board member, may start at step 3 and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step 3 and be referred directly to the Board vice chair.

The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing. 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.

If the complainant, is a person who resides in the district, is a parent or guardian of a student who attends school in the district or is 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 90 days of the initial filing of the complaint, may appeal[1] the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Charter Schools of which the District Board is a Sponsor

The district Board, through its charter agreement with King's Valley Charter School, through this administrative regulation, will review an appeal of a decision reached by the Board of King's Valley Charter School, on a complaint alleging violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative 581-021-0045 or 581-021-0046 (Discrimination). A complainant may appeal and will submit to the superintendent on behalf of the district Board within 30 days of receipt of the decision from the public charter school board. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.

Calendar days, would include all 7 days of the week.
School days, would include only days when students were in school, so this would not count summer, winter breaks, etc.

Work days, would include those days when the district office is open; this would possibly include summer and winter breaks depending on the district office's schedule.

[1] 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

Name of person filling in this form Date

Student/Parent □ Employee Job applicant ☐) Other □ _____

Type of discrimination:

□ Race □ Mental or physical disability □ Age

□ Color □ Marital status □ Sexual Orientation

□ Religion □ Familial status □ Pregnancy

□ Sex □ Economic status □ Discriminatory use of a

□National Origin □ Veterans' status Native American mascot

□ Gender identity □ Other _____

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

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

Suggested solution/resolution/outcome: _____

This complaint form should be mailed or submitted to the supervising administrator.

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.