

# Tigard-Tualatin School District 23J

Code: KL-AR(1)  
Revised/Reviewed: 7/13/20  
Cabinet Review: 2/04/20

## Public Complaint Procedure

A parent or guardian of a student attending a school in the district, a person who resides in the district, a staff member, or a student who wishes to express a concern should discuss the matter with the school employee involved.

### **The Administrator/Supervisor or Designee: Step One**

If the individual is unable to resolve a problem or concern with the employee, the individual may file a written, signed complaint with the administrator/supervisor or designee. The administrator/supervisor or designee shall evaluate the complaint and render a decision within 15 working days after receiving the complaint.

### **The Director of Elementary, Middle or High School Programs: Step Two**

If the individual is unable to resolve a problem or concern with the administrator/supervisor or designee, within five working days from receiving the written response from the administrator/supervisor or designee, the complainant may file a written, signed complaint with the director in charge of the related program. The director receiving the complaint shall evaluate the complaint and render a decision within 15 working days after receiving the complaint.

### **The Superintendent or Designee: Step Three**

If Step 2 does not resolve the complaint, within 10 working days of the written response from the director, the complainant may pursue the action by filing a signed, written complaint with the superintendent or designee clearly stating the nature of the complaint and a suggested remedy. (A form is available, but is not required.)

The superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved and prepare a report with findings and conclusion and provide the report in writing or in an electronic form to the complainant within 10 working days after receiving the written complaint.

### **The Board: Step Four**

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusion, the complainant may appeal the decision to the Board within five working days of receiving the superintendent's decision. The Board may hold a hearing to review the findings and conclusion of the superintendent, to hear the complaint and to hear and evaluate any other evidence as it deems appropriate. All parties involved, including the school administration, may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues.

If the Board chooses not to hear the complaint, the superintendent's decision is final.

The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.

The complainant shall be informed in writing or in electronic form of the Board's decision within 20 working days from the hearing of the appeal by the Board. The Board's decision will address each allegation in the complaint and contain reasons for the district's decision. The Board's decision is final.

The complaint procedure set out above will not be longer than 90 days from the filing date of the original complaint with the administrator/supervisor or designee.<sup>1</sup>

The final decision for a complaint processed under this administrative regulation that alleges a violation of OAR Chapter 581, Division 22 (Standards), ORS 339.285 to 339.303 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and this complaint is not resolved through the complaint process, the complainant may have appeal rights with the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-0001 - 581-002-0023.

Complaints against an administrator may be filed with the director in charge of the related program. The director will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the director, the complainant may appeal the complaint to the superintendent.

Complaints against a director may be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board may use executive session if the subject matter qualifies under Oregon law. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

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<sup>1</sup> The timelines may be extended upon written agreement between both parties. This also applies to complaints filed against the superintendent or any Board member.

Complaints against the Board chair may be made directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

**Tigard Tualatin School District 23J**

**COMPLAINT FORM**

TO:  Employee\*  Administrator/Supervisor\*  Superintendent  Board chair  Board vice chair

\* Form available but is not required.

Person Making Complaint \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Nature of Complaint \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Who should we talk to and what evidence should we consider? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggested solution/resolution/outcome: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

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**Office Use**

Disposition of Complaint: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

cc: District Office