

Tigard-Tualatin School District 23J

Code: KL
Adopted: 5/06/19
Revised/Readopted: 4/20/20; 5/24/21; 6/12/23

Public Complaints**

The district is committed to effectively addressing complaints, voiced by employees, students, parents of a student who attends school in the district or persons who reside in the district and will use recognized channels of communication.

The Board advises that the proper channeling of complaints is as follows:

1. Employee; Administrator/Supervisor;
2. Superintendent;
3. Board.

The complaint procedure is available at the district's administrative office and on the home page of the district's website.

If a complaint addresses one or more of the issues identified below, a complainant should use the complaint process available in the following policies and administrative regulations (AR):

1. Discrimination or harassment on a basis protected by law: Board policy AC, AC-AR;
2. Bias incidents or display of symbols of hate: Board policy ACB, GBB/ JBC, ACB-AR;
3. Sexual harassment (staff): Board policy GBN/JBA, GBN/JBA-AR(1), GBN/JBA-AR(2);
4. Sexual harassment (student): Board policy JBA/GBN, JBA/GBN-AR(1), JBA/GBN-AR(2);
5. Workplace harassment: Board policy GBEA, GBEA-AR;
6. Hazing, harassment, intimidation, bullying, menacing or cyberbullying (staff): Board policy GBNA, GBNA-AR;
7. Hazing, harassment, intimidation, bullying, menacing, cyberbullying, or teen dating violence (student): Board policy JFCF, JFCF-AR;
8. Sexual conduct with a student (staff): Board policy GBNAA/JHFF, GBNAA/JHFF-AR;
9. Sexual conduct with a student (student): Board policy JHFF/GBNAA, JHFF/GBNAA-AR.

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the Board. The Board will not hear complaints against employees in a session open to the public unless an employee requests an open session.

A complaint of retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation, should be reported to the superintendent.

Complaints against the principal should be filed with the superintendent. (See KL-AR(1) – Public Complaint Procedure).

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. (See KL-AR (1) – Public Complaint Procedure).

Complaints against the Board chair should be referred directly to the Board vice chair on behalf of the Board. (See KL-AR(1)– Public Complaint Procedure).

For all other complaints, use KL-AR.

The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.

A complainant must file a complaint within the later of either time limit set below, in accordance with state law:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. 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.

The superintendent will administer the complaint process, as appropriate, established by administrative regulation KL-AR(1) – Public Complaint Procedure.

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, who is 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 rights with the Oregon Department of Education under OARs 581-002-0001 - 581-002-0023 (See KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction).

Charter Schools of which the District Board is a Sponsor

The district Board, through this policy, will not review an appeal of a decision reached by the Board of the MITCH Charter School on a complaint 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 MITCH Charter School as the district Board's final decision. A final decision reached by the district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.

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 - All Students Belong
IIA - Instructional Resources/Instructional Materials