

581-022-~~1941~~2370

Complaint Procedures

(1) Each school district must establish a process for the prompt resolution of a complaint by a person who resides in the district or by any parent or guardian of a student who attends school in the school district. ~~The process must be in writing and state clearly who within the school district has the responsibility for responding to the complaint.~~

(2) A school district's complaint procedure must:

(a) Be in writing available at the main administrative office and, if the school district has a website, in a form available on the home page of the school district's website;

(b) Include the name of the person, position, or office within the school district with the responsibility for responding to the complaint; and

(c) Specify the time period during which the complaint will be addressed and a final decision issued. If the complaint procedure has multiple steps, the procedure must establish the time period for each step as well as the overall time period for completing the complaint procedure.

(3) A school district's complaint procedure may:

(a) Distinguish between those complaints that may be appealed under OAR 581-~~022002~~-00401940 and other complaints;

~~(b4) A school district's complaint procedure may include mediation or other alternative dispute resolution processes;~~

(c) Impose a time limitation for filing a complaint that is not less than two years from the date of the alleged incident or the date of the discovery of the alleged incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident or discovery; and

(d) Include more than one but no more than four steps for addressing the complaint.

~~(54)~~ The procedure for hearing and acting on complaints alleging violation of the Oregon Administrative Rules, chapter 581, division 22 (Division 22 Standards), ORS 339.285 to 330.303 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion), ORS 659.850 (Discrimination);

or ORS 659.852 (Retaliation) that may be appealed under OAR 581-022-1940 must include the following:

(a) ~~A~~ The point at which the district's decision is final; and

~~(b) A provision for the complainant receive written notice that the district's decision may be appealed to the State Superintendent of Public Instruction under OAR 581-022-1940; and~~

~~(c) A final written 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 581-002-0040. clearly establishes the legal basis for the decision, findings of fact and conclusions of law.~~

(5) This rule applies to appeals filed with the a school district on or after January 1, 2018.

Stat. Auth.: ORS 326.051

Stats. Implemented: ORS 327.103 & 326.051

Hist.: ODE 31-2007, f. & cert. ef. 12-12-07