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Colt Gill

Director of the Department of Education

May 1, 2022

BY EMAIL

REDACTED
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Superintendent Kirk Kolb
Grants Pass School District 7
725 NE Dean Drive
Grants Pass, Oregon 97526

Case No. 2022-MM-08

Dear REDACTED and Superintendent Kirk Kolb:

On June 23, 2022, the Oregon Department of Education accepted an appeal filed by REDACTED (Complainant) against Grant Pass School District 7. Complainant's appeal specifically alleged that the district violated OAR 581-022-2370 (Complaint Procedures) and OAR 581-022-2310 (Equal Education Opportunities).

Under OAR 581-002-0009(3)(a)(C), the department may issue notice that it is closing an appeal if the department determines that a violation of a law or rule described in OAR 581-002-0003 did not occur. This letter constitutes notice that the department finds that the district is currently in compliance with OAR 581-022-2370 and OAR 581-022-2310. The department makes this finding on the following grounds:

- Complainant alleged that Grant Pass School District 7 violated OAR 581-022-2370 because (1) the district did not direct Complainant to use its formal complaint process when Complainant articulated certain grievances to the district, and (2) the district required Complainant to contact the district's attorney for purposes of filing a complaint. When analyzing whether a school district is in compliance with OAR 581-022-2370, the department analyzes whether the district has a policy containing the criteria set forth in the rule. The department does not have the authority to second guess or override the district's adherence to that policy. The department does not have the authority to require school districts to direct individuals to use their complaint process. The department does not have the authority to direct school districts to not use resources available to them.

Currently, the district has a policy meeting the criteria set forth in OAR 581-022-2370 (see <https://www.grantspass.k12.or.us/parents/complaint-process>).

- Complainant also alleged that Grants School District 7 violated OAR 581-022-2310 because the district policy implementing ORS 339.356 and OAR 581-022-2310 was missing key components required by the law. Immediately before Complainant filed his complaint with the district, the district school board was in the process of adopting a policy implementing ORS 339.356 and OAR 581-022-2310. On June 14, 2022, the school board adopted that policy. Currently, the district has a policy incorporating the criteria set forth by law (see <https://policy.osba.org/grantspass/J/JFCF%20D1.PDF>).

For the foregoing reasons, the department finds that the district is currently in compliance with OAR 581-022-2370 and OAR 581-022-2310.

Case Number 2022-MM-08 is closed.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Mayer', is centered within a light gray rectangular box.

Mark Mayer, Complaint and Appeals Specialist
Office of the Director
Oregon Department of Education
Mark.Mayer@state.or.us