

Clatskanie School District 6J

Code: AC-AR
Revised/Reviewed: 1/09/22; 1/08/24
Orig. Code: AC-AR

Discrimination or Civil Rights Complaint Procedure

Any person, including students, staff, visitors and third parties, may file a complaint.

The district may have additional responsibilities addressing reports and complaints, including but not limited to, those found in the following policies and their associated administrative regulations:

1. ACA - Americans with Disabilities Act;
2. ACB - Every Student Belongs;
3. GBEA - Workplace Harassment;
4. GBM - Staff Complaints;
5. GBMA - Whistleblower;
6. GBN/JBA - Sexual Harassment;
7. GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying – Staff;
8. GBNA/JHFF - Reporting of Suspected Sexual Conduct with Students;
9. GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements;
10. IIA - Instructional Materials**;
11. JFCF - Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence – Student**; and
12. KL - Public Complaints.

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 in writing and ~~must~~ may be filed with the principal or civil rights coordinator. Any staff member that receives an oral or written complaint shall report the complaint to the principal, ~~who shall investigate and determine the action to be taken, if any.~~ If a complaint is filed with the civil rights coordinator, and the coordinator is not the principal, the civil rights coordinator will forward it to the principal. If a complaint is filed with the principal, the principal will notify the civil rights coordinator of the complaint. The principal or the civil rights coordinator will ensure the superintendent is notified when such a complaint or report has been received by the district. The civil rights coordinator will oversee the investigation conducted by the principal and ensure the investigation is resolved.

The principal shall ensure that any required notices are provided.¹

The principal shall investigate and determine the action to be taken, if any, and will reply, in writing, to the complainant within 10 school days of receipt of the complaint.

¹ See the following for notice requirements:

1. Administrative regulation ACB-AR - Bias Incident Complaint Procedures
2. Board policy GBN/JBA - Sexual Harassment

Step 2: If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent or designee within five school days after receipt of the principal's response to the complaint. The superintendent or designee shall review the principal's decision within 10 school days and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the principal's decision. The superintendent or designee 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 or designee, a written appeal may be filed with the Board within five school days of receipt of the superintendent's or designee'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 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. The superintendent will notify the civil rights coordinator.

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. The Board chair will direct notification to the civil rights coordinator.

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. The Board chair will direct notification to the civil rights coordinator.

Complaints against the Board chair may start at Step 3 and be referred directly to the Board vice chair. The Board vice chair will direct notification to the civil rights coordinator.

All complaints, including those starting at Step 2 or later, will meet all legal requirements. The civil rights coordinator will oversee these requirements.

~~The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing, but will not be longer than 30 days from the date of the submission of the complaint at any step. 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.~~

The timelines established in each step of this procedure may be extended by the district for good cause. Any extension will be communicated to the parties and include a reason for the delay.

The complainant, if a person who resides in the district, 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 (unless the district and complainant have agreed in writing to a different time period for that step) or fails to resolve

the complaint within 90 days of the initial filing of the complaint, may appeal² the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-075-0001 - 581-075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025).~~002-0001—581-002-0023.~~

² An appeal must meet the criteria found in OAR 581-075-0010 (the rules are amended by OAR 581-075-0901 until April 30, 2025).~~002-0005(1)(a).~~

Discrimination or Civil Rights Complaint Form

Any person, including students, staff, visitors and third parties, may file a complaint.

Name of Person Filing Complaint	Date	School or Activity
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Student/Parent ☐ Employee ☐ Job applicant ☐ Other ☐ _____

Type of discrimination or harassment:

- | | | |
|--|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Mental or physical disability | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital status | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Familial status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Economic status | <input type="checkbox"/> Discriminatory use of a Native American mascot |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Veterans' status | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Gender identity | | |

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 principal.

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.

Corrected 12/16/24; Corrected 1/27/25