

The Lighthouse School

Code: KL
Adopted: March 4, 2020
Revised/Reviewed:

Recommended

Public Complaints

Members of the public, parents, staff and students are encouraged to make their concerns known to the public charter school and to afford the public charter school an opportunity to review those concerns and respond to them.

No staff member, student, parent or guardian of a student attending the public charter school or person that resides in the district where the public charter school is located will be denied the right to petition the school with a complaint.

The complainant must follow the complaint procedure as outlined in administrative regulation KL-AR(1) Public Complaint Procedure.

The complaint procedure is available at:

- the public charter school's front office
- on the home page of the public charter school's website
- in the Employee Handbook
- and in the Board handbook

The Board advises the public there is a proper process for resolving complaints, including but not limited to concerns in the following areas:

1. Instruction;
2. Discipline;
3. Learning materials;
4. Compliance with State Standards;
5. Restraint and/or seclusion;
6. With any member of the staff;
7. With any member of the board; or
8. Retaliation against a student or a student's parent who in good faith reported information that the student believes is evidence of a violation of state and federal law, rule or regulation.

Any complaint about public charter school personnel (other than the Director & Human Resources) will be investigated by the Director and Human Resources, before consideration and action by the Board.

Any complaint about public charter school Director, will be investigated by Human Resources, before consideration and action by the Board.

Any complaint about public charter school Human Resources, will be investigated by the Director, before consideration and action by the Board.

The Board will not hear charges against employees in a session open to the public unless an employee requests an open session.

Complaints against the Board as a whole or against an individual Board Member will be investigated by the Director and Human Resources, before they are presented to the Board Chair on behalf of the Board.

Complaints against the Board Chair will be investigated by the Director and Human Resources, before they are presented to the Board Vice Chair on behalf of the Board.

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 public charter school.

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), Oregon Revised Statute (ORS) 339.285 - 339.303 or OAR 581-021-0550 - OAR 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, is a parent or guardian of a student who attends the school or who is a person who resides in the district where the school is located, may have appeal rights with the Deputy Superintendent of Public Instruction as outlined in OAR 581-002-0040.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination) and the complaint is not resolved at the local level through administrative regulation AC-AR - Discrimination Complaint Procedure, the complaint may meet the criteria to file an appeal with the Superintendent of Public Instruction as outlined in OAR 581-021-0049.

END OF POLICY

Legal Reference(s):

[ORS 192.610](#) to -192.690
[ORS 338.115\(2\)](#)

[ORS 659.852](#)

[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).

The Lighthouse School

Code: KL-AR(1)
Adopted: March 4, 2020
Revised/Reviewed:

Recommended

Public Complaint Procedure

Step One

Any member of the public who wishes to express a concern should discuss the matter with the public charter school staff or board member involved. The staff or board member shall respond in writing, within [five] working days to the complainant.

Step Two

If the complainant is unable to resolve a problem or concern with the staff or board member the individual may file a written, signed complaint with the school's Director and Human Resources, clearly stating the nature of the complaint and a suggested remedy.

The Director or Human Resources, shall investigate the complaint, confer with the complainant and the parties involved and prepare a report of their findings and conclusion and provide a report in writing or in an electronic form to the complainant within [ten] working days of receipt of the written complaint.

Step Three

If the complainant is dissatisfied with the findings and conclusion, the complainant may appeal the decision to the Board within [five] working days of receiving the school's decision. The Board may hold a hearing to review the findings and conclusion of the report, to hear the complaint and to hear and evaluate any other evidence as it deems appropriate. All parties involved 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 written decision from the Director and/or Human Resources 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 to the Board. The Board's decision will address each allegation in the complaint and contain reasons for the Board's decision.

The complaint procedure will not be longer than 90 days from the filing date of the original complaint.¹

¹ The timelines may be extended upon written agreement between parties. This applies to complaints filed against the [human resources], [director] or any [Board member].

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 - 339.303 or OAR 581-021-0550 - 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 school's decision. If the complainant is a student, parent or guardian of a student attending the public charter school or a person that resides in the district where the school is located, and this complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), ORS 339.285 - 339.303 or

OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), and is not resolved through the complaint process, the complainant may have appeal rights with the Deputy Superintendent of Public Instruction as outlined in OAR 581-002-0040.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination) and the complaint is not resolved at the local level through the Board's administrative regulation AC-AR - Discrimination Complaint Procedure, the complaint may meet the criteria to file an appeal with the Deputy Superintendent of Public Instruction as outlined in OAR 581-021-0049.

END OF POLICY

The Lighthouse School

COMPLAINT FORM

TO: _____ (Name of School)

Person Making Complaint _____

Telephone Number _____ Date _____

Nature of Complaint _____

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

Signature of Complainant: _____ Date: _____

.....

Office Use

Disposition of Complaint: _____

Signature: _____ Date: _____

cc: School Office