



Grievance Policy

Kalmiopsis Community Arts High School (KCA) will handle and resolve any complaints as close to the origin as possible. KCA uses a Restorative Justice approach that focuses on resolving an incident or a harm through restorative conversations in which both parties can express their own feelings and hear the expression of the other parties. This approach will also be the first attempt at resolving a conflict.

No staff member, student, and/or parent/ guardian of a student attending KCA will be denied the right to petition a complaint; the procedure to do so is outlined below. A complainant will be referred through the proper administrative process for resolution of a conflict before investigation by the Three Rivers School District (TRSD) Board. KCA advises that this process should be followed for resolving complaints, including but not limited to a complaint in one or more of the following areas: instruction, discipline, learning materials, compliance with state standards, restraint and/or seclusion, with a staff member, or 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.

The following order will be used to process a complaint unless otherwise noted in the procedure guide below.

1. Teacher Leader/Office
2. KCA Board
3. TRSD Superintendent
4. TRSD Board.

Any complaint about school personnel other than the superintendent will be investigated by administration at school level before consideration and action by the TRSD Board. Neither the KCA Board nor the TRSD Board will hear complaints against employees in a session open to the public unless an employee requests an open session.

Complaints against the KCA board may start at step 3 and may be filed with the Superintendent.

Complaints against the superintendent may start at step 4 and should be referred to the TRSD Board chair on behalf of the board.

Complaints against the TRSD Board as a whole or against an individual TRSD Board member may start at step 4 and should be made to the TRSD Board Chair on behalf of the Board.

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Complaints against the TRSD Board Chair may start at step 4 and should be made directly to the TRSD Board Vice-Chair.

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 a guardian of a student attending KCA) may 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 this procedure, the complainant may meet the criteria to file an appeal with the Superintendent of Public Instruction as outlined in OAR 581-002-0049.

Public Complaint Procedure

1. Initiating a Complaint: Step One

It is the intent of KCA to solve problems and address all complaints as close as possible to their origin. Any student, parent or guardian of a student who wishes to express a concern should discuss the matter with the student's Person (their designated Teacher Leader). The Restorative Justice Chair or Co-Chair can assist in a mediation conversation. The employee shall respond to the request for conversation within five working days. If the complaint is related to the student's Person, the complaint should be emailed to grievance@kcahs.org to be directed to the next appropriate Teacher Leader.

2. KCA Board: Step Two

If the individual is unable to resolve a problem or concern with the employee after mediation attempts at the Teacher Leader level, the individual may file a written, signed complaint with the KCA Board. That can be sent to office@kcahs.org with Complaint for Board in the subject line, they will be forwarded to the KCA Board. KCA Board will respond to the complainant within five working days to discuss scheduling a closed session board meeting to hear the complainant and the employee and review additional information as needed. The Board shall inform the complainant of their decision in writing within five working days of the closed session.

3. The TRSD Superintendent: Step Three

If Step Two does not resolve the complaint, if the complainant wishes to pursue further action then the complainant shall, within ten working days of the meeting

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with the KCA Board, shall file a signed, written complaint with the superintendent or designee clearly stating the nature of the complaint and a suggested remedy. (A form is available but not required)

The Superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved and prepare a report of his/her/their findings and conclusion, and will provide the report in writing or in an electronic form to the complainant within ten working days after receiving the written complaint.

4. The TRSD Board: Step Four

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusions, the complainant may appeal the decision to the TRSD Board within five working days of receiving the superintendent's decision. TRSD Board may hold a hearing to review the findings and conclusions of the superintendent, to hear the complainant and to hear and evaluate any other evidence as it deems appropriate. All parties involved, including the school employee and any Teacher Leader involved, may be asked to attend such a hearing for the purposes of making further explanations and clarifying the issues.

If the TRSD Board chooses not to hear the complaint, the superintendent's decision is final.

The TRSD Board may hold the hearing in an executive session if the subject matter qualifies under Oregon Law.

The complainant shall be informed in writing or electronic form of the TRSD Board's decision within 20 working days from the hearing of the appeal by the TRSD Board. TRSD Board's decision will address each allegation in the complaint and contain reasons for the district's decision. The TRSD Board's decision will be final.

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

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 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint or 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 district's decision.

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