

**Harney Education
Service District**

Code: **AC-AR**
Revised/Reviewed: 12/11/02; 12/12/12; 11/18/15;
2/14/18
Orig. Code(s): AC-AR

Discrimination Complaint Procedure

Complaints regarding nondiscrimination 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 be filed with the program. The program administrator shall investigate and determine the action to be taken, if any, and reply, in writing, to the complainant within 10 school days of receipt of the complaint.

Any staff member that receives a written or oral complaint shall report the complaint to the program administrator.

Step 2: If the complainant wishes to appeal the decision of the program administrator, he/she may submit a written appeal to the superintendent within five school days after receipt of the program administrator's response to the complaint. The superintendent shall review the program director's decision and may meet with all parties involved. The superintendent will review the merits of the complaint and the program director's decision and respond, in writing, to the complainant within 10 school days.

Step 3: If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within five school days of receipt of the superintendent's response to Step 2. The Board may decide to hear or deny the request for 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 10 days of this meeting.

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.

Complaints against the Board as a whole or against an individual Board member may start at step 3 and should be made to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at step 3 and be made directly to Board vice chair.

Timelines may be extended based upon mutual consent of both parties in writing.

If the complainant is a person who resides within the ESD boundaries, a parent or guardian of a student who attends a school operated by the ESD or a student and is not satisfied after exhausting local complaint procedures or 90 days, whichever occurs first, he/she may appeal in writing to the Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-021-0049.

DISCRIMINATION COMPLAINT FORM

Discrimination Complaint Procedure - AC-AR

Name of Person Filing Complaint	Date	School or Activity	
<input type="checkbox"/> Student/Parent	<input type="checkbox"/> Employee	<input type="checkbox"/> Nonemployee (Job applicant)	<input type="checkbox"/> Other _____
Type of discrimination:	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> Religion
	<input type="checkbox"/> Sex	<input type="checkbox"/> National Origin	<input type="checkbox"/> Disability
	<input type="checkbox"/> Marital Status	<input type="checkbox"/> Age	<input type="checkbox"/> Sexual Orientation
	<input type="checkbox"/> Other _____		

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of informal 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 human resource director.

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.