

InterMountain Education Service District

Code: **KL**
Adopted: 1/19/11
Readopted: 3/16/16

Public Complaints

No staff, student, parent or community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative process for resolution before investigation or action by the Board. Exceptions are complaints that concern the superintendent or involve Board actions or Board operations.

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 or programs or services; or
4. 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.

Community members, staff, parents and students who have a complaint are encouraged to start at the lowest level in the organization to attempt to resolve the issue.

The following order will be used unless otherwise identified:

1. Teacher or staff member immediately involved;
2. Program administrator/supervisor;
3. Superintendent;
4. Board.

Any complaint about ESD personnel will be investigated by the superintendent, consistent with applicable provisions of the ESD's collective bargaining agreement, 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.

While speakers may offer objective criticism of operations and programs, the Board will not hear personal complaints concerning ESD personnel nor against any person connected with the ESD. To do so could expose the Board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The Board chair will direct the visitor to the appropriate means for the resolution of complaints involving ESD personnel.

Complaints against a program administrator or supervisor may be filed with the superintendent.
Complaints against the superintendent should be referred to the board chair on behalf of the Board.

Complaints against the Board as a whole or against an individual board member should be made to the board chair on behalf of the Board. Complaints against the board chair may be made directly to the superintendent on behalf of the Board.

The superintendent will develop and administer the general complaint process, as appropriate.

If a complaint alleges a violation of state standards or a violation of other statutory or administrative rule for which State Superintendent of Public Instruction has appeal responsibilities, and the complaint is not resolved at the local level, the ESD will supply the complainant with appropriate information to file a direct appeal to the State Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-022-1940.

END OF POLICY

Legal Reference(s):

[ORS 192.610 to -192.690](#)
[ORS 334.125\(7\)](#)

[OAR 581-022-1940](#)
[OAR 581-022-1941](#)

House Bill (HB) 3371 (2015)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).

Cross Reference(s):

IIA - Instructional Resources/Instructional Materials