

Public Appeals and Complaints about Alleged Violations of Standards

It is the policy of the Board to establish a process for the prompt resolution of a complaint by a person who resides in the district or any parent or guardian of a student attending school in the district. Unless specifically provided by state or federal law or administrative rule, the decision of the district shall be final. Such complaints will be handled in accordance with the following procedures:

1. Level One - Principal or Project Director and/or Complaints: Upon written or oral request for a discussion of the alleged violation(s), the principal or project director will arrange for a meeting within five working days with the concerned parties. The purpose of this meeting is for clarification, explanation or resolution of the problem. A written report of this meeting will be kept on file and delivered to the superintendent if resolution is not reached at Level One;
2. Level Two - District Superintendent
 - a. The complainant prepares and delivers to the superintendent a written statement of the situation(s) and any evidence within five working days of the date of his/her meeting with the principal or project director in Level One.
 - b. The principal or project director also presents the written report of the Level One meeting to the superintendent.
 - c. Within five working days of receipt of the complainant's statement, the superintendent will arrange a meeting with the complainant. Failure to attend this meeting or to arrange for a change of date shall constitute a dismissal of the complaint. The purpose of this meeting is the presentation of evidence and the opportunity for each party to explain their respective positions.

Within five working days of this meeting, the superintendent will respond in writing to both the complainant and the principal or project director of his/her decision in the matter with the remedies, if any, to be implemented.

3. Level Three - Board
 - a. Within five working days, if the complainant does not feel the matter has been resolved at Level Two, a written request appealing the superintendent's decision must be presented to the Board chair. The Board chair will notify all parties involved of the date that the Board will hear the complaint. This hearing shall be within 30 working days of receipt of the appeal.
 - b. Failure of the complainant to attend this meeting with the Board or to request in writing a change of meeting dates with valid reasons listed shall constitute dismissal of the complaint. Both the Board and the complainant may be represented by counsel. Counsel expenses for the complainant shall be borne by the complainant. The Board and/or its counsel will review the written evidence, call witnesses and question witnesses.

- c. Within five working days of the Board hearing, the complainant will be notified in writing of the decision and of complainant's right to appeal to the State Superintendent of Public Instruction as provided in OAR 581-022-1940.
 - d. After exhausting local procedures as set forth in this policy or 45 or more days after filing, a written complaint alleging a violation of standards with the district (whichever occurs first), the complainant may make a direct appeal to the Superintendent of Public Instruction.
4. Level Four - Superintendent of Public Instruction. Upon receipt of the complainant's report for a hearing by the Superintendent of Public Instruction, the district may be requested to furnish that agency with copies of all reports, testimony, decisions and resolutions. Expenses incurred by the complainant shall be borne by the complainant in his/her appeal to the Superintendent of Public Instruction.

END OF POLICY

Legal Reference(s):

[ORS 327.103](#)

[ORS 329.085](#)

[ORS 336.035 - 336.088](#)

[OAR 581-022-0102 to -1940](#)