

## Discrimination Complaint Procedure

Complaints regarding discrimination 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 administrator or Human Resources. 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, they may submit a written appeal to the superintendent or designee within five school days after receipt of the program administrator's response to the complaint. The superintendent or designee shall review the program director's decision and may meet with all parties involved. The superintendent or designee 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 or designee, a written appeal may be filed with the Board within five school days of receipt of the superintendent's or designee'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 program director is the subject of the complaint, the individual start at step 2 and may file a complaint with the superintendent or designee. 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 ESD counsel. Complaints against the Board chair may start at step 3 and may be made directly to the Board vice chair.

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

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