

Multnomah Education Service District

Code: **KL-AR(1)**
Adopted: 10/12/94
Amended/Reviewed: 4/26/10; 12/16/14; 10/20/15;
9/22/16

Public Complaint Procedure

The following procedure will be followed for all complaints:

1. A student or parent with a complaint shall first present it orally and informally to his/her teacher or the appropriate MESD employee involved;
2. If the complaint is not resolved at step one within ten working days of the meeting with the employee, the complainant may present a formal claim in writing using KL-AR(2) - Suggestion or Complaint Regarding an Employee, Program or Practice Reporting Form (including all supporting statements and evidence) the informal conference to the supervising director. The supervising director shall evaluate the complaint and render a decision within ten days after receiving and reviewing the appeal;
3. If the complainant deems it desirable to carry the complaint beyond the decision reached by the supervising director, he/she may file the complaint with the superintendent or his/her designee within ten days of the meeting with the supervising director. The superintendent or his/her designee shall evaluate the complaint and render a decision and provide the written report to the complainant within 10 working days after receiving the appeal;
4. If the complainant deems it desirable to carry the complaint beyond the decision reached by the superintendent or his/her designee, he/she may request a review by the Board at its next regularly scheduled meeting. A final determination shall be made by the Board;

The complainant shall be informed of the Board's decision within 20 working days from the hearing of the appeal by the Board. The Board's decision will be final¹.

5. Persons may, after exhausting local complaint procedures, appeal in writing to the Superintendent of public instruction.

The complaint procedure set out above will not be longer than 90 days from the filing date of the original complaint with the MESD employee involved.

Complaints against an 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. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will

¹Timelines may be extended upon written agreement between both parties.

be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

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. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation the Board shall decide in open session what action, if any, is warranted.

Complaints against the Board chair may be made directly to the MESD counsel on behalf of the Board. The MESD counsel shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted.

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

Withdrawal

A complaint may be withdrawn by the complainant at any level without prejudice, reprisal or record.

Hearings and Decisions

At each of the levels the complainant shall be given the opportunity to be present and to be heard. All decisions at each level shall be in writing and include supporting rationale with the exception of the initial informal contact. Copies of all decisions and recommendations shall be furnished promptly to all parties of interest.