

Public Complaint Procedure

Initiating a Complaint: Step One

Any member of the public who wishes to express a concern should discuss the matter with the public charter school employee involved. The employee shall respond within five working days.

The Administrator: Step Two:

If the individual is unable to resolve a problem or concern with the employee the individual may file a written, signed complaint with the administrator clearly stating the nature of the complaint and a suggested remedy. (A form is available, but is not required.)

The administrator shall investigate the complaint, confer with the complainant and the parties involved and prepare a report of his or her findings and conclusion and provide a report in writing or in an electronic form to the complainant within five working days of receipt of the written complaint.

The Board: Step Three

If the complainant is dissatisfied with the administrator's or designee's findings and conclusion, the complainant may appeal the decision to the Board within five working days of receiving the administrator's decision. The Board may hold a hearing to review the findings and conclusion of the administrator, to hear the complaint and to hear and evaluate any other evidence as it deems appropriate. All parties involved may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues.

If the Board chooses not to hear the complaint, the administrator's decision is final.

The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.

The complainant shall be informed in writing or in electronic form of the Board's decision within 20 working days from the hearing of the appeal to the Board. The Board's decision will address each allegation in the complaint and contain reasons for the Board's decision.

The complaint procedure will not be longer than 90 days from the filing date of the original complaint with the administrator.¹

¹The timelines may be extended upon written agreement between both parties. This applies to complaints filed against the administrator or any Board member.

Complaints against the administrator may start at step 3 and may be filed with 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, within 20 days, in open session what action, if any, is warranted.

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 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, within 20 days, in open session what action if any, is warranted.

Complaints against the Board chair may start at step 3 and be made directly to the Board vice chair on behalf of the Board. The Board vice 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, within 20 days, in open session what action, if any, is warranted.

The final decision for a complaint processed under this administrative regulation that alleges a violation of OAR Chapter 581, Division 22 (Standards), ORS 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the school's decision. If the complainant is a student, parent or guardian of a student attending the public charter school or a person that resides in the district where the school is located, and this complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Standards), ORS 339.285 to 339.383 or OAR 581-021-0550 to 581-021-0570 (Restraint and Seclusion) or ORS 659.852 (Retaliation), and is not resolved through the complaint process, the complainant may have appeal rights with the Deputy Superintendent of Public Instruction as outlined in OAR 581-002-0040.

If the complaint alleges discrimination pursuant to ORS 659.850 (Discrimination) and the complaint is not resolved at the local level through the Board's administrative regulation AC-AR - Discrimination Complaint Procedure, the complaint may meet the criteria to file an appeal with the Deputy Superintendent of Public Instruction as outlined in OAR 581-021-0049.

**Nixyaawii Community School
COMPLAINT FORM**

To: _____ (Name of school)

Person Making Complaint _____

Phone Number _____ Date _____

Nature of Complaint _____

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

Signature of Complainant: _____ Date: _____

Office Use: Disposition of Complaint: _____

Signature: _____ Date: _____