



## **Public Complaint Procedure**

### **Initiating a Complaint: Step One**

Any member of the public who wishes to express a complaint should discuss the matter with the ESD 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, the individual may file a written, signed complaint with the supervising administrator. The supervising administrator shall evaluate the evidence and render a decision within five working days after receiving the complaint.

### **The Superintendent: Step Three**

If such a discussion with the supervising administrator does not resolve the complaint, within 10 working days of the meeting with the supervising administrator, the complainant, if he/she wishes to pursue the action, shall file a signed, written complaint with the superintendent or designee clearly stating the nature of the complaint and a suggested remedy. (A form is available, but is not required.)

The superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved and prepare a report of findings and his/her conclusion and provide the report in writing or in an electronic to the complainant within 10 working days after receiving the written complaint.

### **The Board: Step Four**

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusion, the complainant may appeal the decision to the Board within five days of receiving the superintendent's decision. The Board shall hold a hearing to review the findings and conclusion of the superintendent, to hear the complainant and hear and evaluate such other evidence as it deems appropriate. All parties involved, including the administration, 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 superintendent's decision will be final.

The Board may hold the hearing in executive session in accordance with Oregon law.

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

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

Complaints against an administrator or supervisor may be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting. Complaints against the superintendent should be referred to the Board chair. 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 working days, 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 and may be referred to ESD counsel. Complaints against the Board chair may be made directly to the Board vice chair. The ESD 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, within 20 working 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 339.303 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 ESD's decision. If the complainant is a student, parent or guardian of a student attending school in the ESD or a person that resides in the ESD, and this complaint is not resolved through the complaint process, the complainant may have appeal rights with the Deputy Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-002-0040.

**WILLAMETTE EDUCATION SERVICE DISTRICT**

**COMPLAINT FORM**

Person Making Complaint \_\_\_\_\_

Telephone Number \_\_\_\_\_ Date \_\_\_\_\_

Nature of Complaint \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Who should we talk to and what evidence should we consider? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggested solution/resolution/outcome: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Office Use: Disposition of Complaint: \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

cc: Superintendent