

## **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 designee. The Program Administrator or designee 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 or designee.

**Step 2:** If the complainant wishes to appeal the decision of the Program Administrator or designee, he/she may submit a written appeal to the superintendent or designee within five school days after receipt of the Program Administrator's or designee's response to the complaint. The superintendent or designee may review the Program Administrator's or designee's decision and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the Program Administrator'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 include the legal basis for the decision, findings of fact and conclusions of law. A copy of the Board's final decision shall be sent to the complainant in writing within 10 days of this meeting.

If the Program Administrator is the subject of the complaint, the individual may file a complaint with the superintendent or designee. If the superintendent is the subject of the complaint, the complaint 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 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.

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

If the complainant is not satisfied after exhausting local complaint procedures, or 90 days, whichever occurs first, he/she may appeal in writing to the State Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-022-1940.

**DISCRIMINATION COMPLAINT FORM**

Name of Person Filing Complaint                      Date                      School or Activity

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Student/Parent     Employee     Nonemployee  (Job applicant)    Other  \_\_\_\_\_

Type of discrimination:     Race                                       Color                                       Religion  
                                          Sex                                               National Origin                       Disability  
                                          Marital Status                       Age                                               Sexual Orientation  
                                          Other \_\_\_\_\_

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of informal discussion.)

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

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

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The complaint form should be mailed or taken to the Program administrator. Direct complaints related to educational programs and services may be made to the U. S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.