

Coburg Community Charter School Policy

Code: **AC-AR 1**
Adopted: 10/10/16
Revised: 12/10/18, 2/10/20, 10/5/21, 12/16/24

Discrimination or Civil Rights Complaint Procedure

Any person, including students, staff, visitors and third parties may file a complaint.

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step 1 Complaints of sex-based discrimination received by the public charter school, in addition to the procedures outlined below, must follow additional requirements in AC -AR(2) - Sex-Based Discrimination Complaints.

{¹} Complaints may be oral or in writing and may be filed with the [administrator] [director] or civil rights coordinator. Any staff member that receives a written or oral complaint shall report the complaint to the [administrator] [director]. If a complaint is filed with the civil rights coordinator, the civil rights coordinator will forward it to the [administrator] [director]. If a complaint is filed with the [administrator] [director], the [administrator] [director] will notify the civil rights coordinator of the complaint. The civil rights coordinator will oversee the investigation {²} conducted by the [administrator] [director] and ensure the investigation is resolved.

The [administrator] [director] shall ensure that any required notices are provided.³

The [administrator] [director] 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.

¹ {For public charter school information. The public charter school must include a timeline at each step. If a written decision is not issued within 30 days at any step (unless the school and complainant have agreed in writing to a different time period for that step), or 90 days overall, the complainant can appeal the complaint directly to the Oregon Department of Education. (OAR 581-075-0010 (the rules are amended by OAR 581-075-0901 until April 30, 2025))}

² {The investigator can be someone other than the civil rights coordinator or administrator.}

³ See the following for notice requirements:

1. Administrative regulation ACB-AR - Bias Incident Complaint Procedures
2. Administrative regulation AC-AR(2) - Sex-Based Discrimination Under Title IX
3. Board policy GBN/JBA - Sexual Harassment

{⁴} [Step 2 If the complainant wishes to appeal the decision of the [administrator], the complainant may submit a written appeal to the [director] [or designee] within [five] school days after receipt of the [administrator’s] response to the complaint.

The [director] [or designee] shall review the [administrator’s] decision within [five] school days and may meet with all parties involved. The [director] [or designee] will review the merits of the complaint and the [administrator’s] decision. The [director] will respond in writing to the complainant within [10] school days.]

Step [3] {⁵} If the complainant is not satisfied with the decision of the [director] [or designee], a written appeal may be filed with the Board within [five] school days of receipt of the [director’s] [or designee’s] response in [Step 2]. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at [the next regular or special Board meeting] [a Board meeting]. The Board’s decision will address each allegation in the complaint and contain the reasons for the Board’s decision. A copy of the Board’s decision shall be sent to the complainant in writing within [30] days of receipt of the appeal by the Board.

If the Board decides not to hear the appeal the [administrator’s] decision is final.

{⁶} If the [administrator] is the subject of the complaint the individual may start at Step [2] [3] and file a complaint with the [director] [Board chair]. [If the director 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.] The [director] [Board chair] will direct notification to the civil rights coordinator.

Complaints against the Board as a whole or against an individual Board member may start at Step [3], should be submitted to the Board chair, and may be referred to counsel. Complaints against the Board chair may start at Step [3] and should be referred directly to [counsel] [the Board vice chair]. The Board chair will direct notification to the civil rights coordinator.

[Timelines may be extended by [the public charter school for good cause. Any extension will be communicated to the parties and include a reason for the delay] [mutual agreement between the public charter school and the complainant] in writing.]

Appeal Process

A decision reached by this public charter school board for a complaint that alleges a violation of OAR 581-021-0047 (Prohibition against using Native American mascots) may be appealed to Oregon

⁴ {Notes on preparation of this administrative regulation for adoption: If there is only an administrator, delete step 2 and move directly to step 3. Be sure to change ‘director’ to ‘administrator’ in Step [3] as appropriate and renumber the steps appropriately.}

⁵ {Individuals tasked with making decisions regarding complaints for types of discrimination may be required to be trained prior to making those decisions. See July 2022 Dear Colleague letter.}

⁶ {If there is only a public charter school administrator, the complainant may file with the Board chair; make appropriate bracketed language selections in the first sentence then delete second sentence. **If there is an administrator and a director**, make the appropriate bracketed language selections and/or edits here to outline to whom a complaint is filed.}

Department of Education (ODE) under OAR 581-075-0001 - 581-075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025).

{⁷}

[A decision reached by this public charter school board for a complaint that alleges a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or OAR 581-021-0046 (Discrimination), or OAR 581-021-0655 (Duty to Designate a Civil Rights Coordinator) or 581-021-0660 (Duties of and Training Requirements for Civil Rights Coordinator), may be appealed to the board of the [{⁸} school sponsor]. The complainant may file such appeal with the [superintendent] [Board chair] of the [school sponsor]. A final decision reached by the Board of [school sponsor] may be appealed to ODE under OAR 581-075-0001 - 581-075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025).]

OR

[A final decision reached by the public charter school board for a complaint that alleges a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or OAR 581-021-0046 (Discrimination), or OAR 581-021-0655 (Duty to Designate a Civil Rights Coordinator) or 581-021-0660 (Duties of and Training Requirements for Civil Rights Coordinator), is recognized as the final decision regarding this complaint⁹ by the Board of [name of public charter school's sponsor]. A final decision may be appealed to ODE under OAR 581-075-0001 - 581-075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025).]

⁷ {The public charter school board is strongly encouraged to have a discussion with their sponsor about the next step for a complainant – choose one of the following bracketed options.}

⁸ {Insert the name of the public charter school's sponsor/sponsoring district.}

⁹ The public charter school board is given this authority by the school's sponsor, [name of school sponsor], as established by [the charter agreement] [Board policy] [a resolution of the [name of school sponsor] board].

DISCRIMINATION OR CIVIL RIGHTS COMPLAINT FORM

Name of Person Filing Complaint Date School or Activity

Student/Parent Employee Job applicant Other _____

Type of discrimination or harassment:

- | | | |
|--|---|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Familial status | <input type="checkbox"/> Income level |
| <input type="checkbox"/> Color | <input type="checkbox"/> Economic status | <input type="checkbox"/> Athletic ability |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Veterans' status | <input type="checkbox"/> Proficiency in English language |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Age | <input type="checkbox"/> Discriminatory use of a Native American mascot |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Sexual orientation | |
| <input type="checkbox"/> Mental or physical disability | <input type="checkbox"/> Gender identity | |
| <input type="checkbox"/> Marital status | <input type="checkbox"/> Pregnancy | |
| <input type="checkbox"/> Other _____ | | |

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

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

Suggested solution/resolution/outcome:

This complaint form should be mailed or submitted to the [administrator] [director].

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.