

Coburg Community Charter School Policy

Code: **KL-AR**
Revised/Reviewed: 6/12/17
Adopted: 2/10/20
6/5/23

Public Complaint Procedure

An individual or organization that alleges the public charter school is violating or has violated provisions of restraint or seclusion in Oregon Revised Statute (ORS) 339.285 - 339.303 or Oregon Administrative Rule (OAR) 581-021-0550 - 581-021-0570 (Restraint or Seclusion) is encouraged to initiate Step One of this complaint procedure and file a complaint with the administrator.

A parent or guardian of a student attending the public charter school, a staff member, a student or patron of the public charter school who wishes to express a concern **should discuss the matter with the public charter school employee involved**. If the concern remains unresolved, a complaint may be filed.

The Administrator: Step One:

A complainant may file a 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, prepare a report of the 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 complaint.

The Executive Director: Step Two

If the complainant is unable to resolve the complaint and wishes to pursue the action, the complainant, within 10 working days of the response from the administrator, may notify the executive director of the complaint and a suggested remedy. A form is available, but is not required.

The executive director shall review the findings and conclusion of the administrator on the complaint, confer with the complainant and the parties involved, prepare a report of the findings and conclusion, and provide the report in writing or in an electronic form to the complainant within 10 working days of receipt of the complaint.

The Board: Step Three

If the complainant is dissatisfied with the executive director's findings and conclusion, the complainant may appeal the decision to the Board within five working days of receiving the executive director's decision. The Board will review the findings and conclusion of the executive director in a public meeting to determine what action is appropriate. The Board may use executive session if the subject

matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the executive director's decision as the public charter school board's decision. All parties involved may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues.

The complainant shall be informed of the Board's decision within 30 days from the receipt 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 Board's decision will be final.

If the Board chooses not to hear the complaint the executive director's decision is final.

The complaint procedure will not be longer than 90 days from the filing date of the original complaint with the executive director. The timelines may be extended upon written agreement between the public charter school and the complainant.

Complaints against the administrator should be filed with the executive director. The executive director will attempt to resolve the complaint. If the complaint remains unresolved after [10] working days of receipt by the executive director, the complainant may request to place the complaint on the Board agenda [at the next regularly scheduled or special Board meeting. The Board chair shall present the complaint to the Board in a Board meeting. 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. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide, within [20] days, in open session what action, if any, is warranted. The written final decision of the Board regarding the complaint shall be issued by the Board within 30 days.]

Complaints against the executive director should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. 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. The Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board may use executive session if the subject matter qualifies under Oregon law. The written final decision of the Board regarding the complaint shall be issued by the Board within 10 days.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. 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. The Board shall decide, within 20 days, in open session what action if any, is warranted. The written final decision of the Board regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint.

Complaints against the Board chair should be referred directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. 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. The Board shall decide in open session what action, if any is warranted. The written decision of the Board regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint..

Appeal Process

A final decision reached by the public charter school board for a complaint that alleges a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - OAR 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), may be appealed to the board of the Eugene 4J School District¹. The complainant may file such appeal with the superintendent. A final decision reached by the Board of the Eugene 4J School District will be the district's final decision and may be appealed to the Oregon Department of Education under OAR 581-002-0003 - 581-002-0005.

¹ The public charter school's sponsor will hear this appeal as established through [the charter agreement] [Board policy] [a resolution] of the [name of school sponsor] board.

Coburg Community Charter School

COMPLAINT FORM

To: Employee* Administrator/Executive Director* Board chair Board vice chair * Form available but is not required.

Person Making Complaint _____

Phone Number _____ Email _____

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: _____

cc: School Office