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## **Public Complaint Procedure**

A parent or guardian of a student attending Powell Butte Community Charter School (PBCCS), a staff member, a student or patron of the public charter school who wishes to express a concern should discuss the matter with the PBCCS employee involved. If the concern remains unresolved, a complaint may be filed.

An individual or organization that alleges PBCCS 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.

### **The Administrator: Step One:**

A complainant may file a complaint with the administrator within 10 school days from the last informal effort toward resolution. The written complaint should clearly state the nature of the complaint, the informal efforts to resolve 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 written report via mail or e-mail to the complainant within [five] school days of receipt of the complaint.

### **The Board: Step Two**

If the complainant is dissatisfied with the administrator's findings and conclusion, the complainant may appeal the decision to the Board within five school days of receiving the administrator's decision. The Board will review the findings and conclusion of the administrator in a public meeting to determine what action is appropriate. The Board may use executive sessions 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 administrator's decision as the PBCCS 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 administrator's decision is final.

The complaint procedure will not be longer than 90 days from the filing date of the original complaint with the administrator. The timelines may be extended upon written agreement between PBCCS and the complainant.

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{<sup>1</sup>} Complaints against the administrator should be filed with the Board chair on behalf of the Board. The Board chair will attempt to resolve the complaint. If the complaint remains unresolved after 10 school days of receipt by the Board chair, 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 of receipt of the complaint by the Board.

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, 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 PBCCS 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.

The timelines may be extended upon written agreement between PBCCS and the complainant.

PBCCS shall have no obligation to consider complaints asserted:

1. Two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, this time limitation runs from the date of the most recent incident;
2. One year after the affected student has graduated from, moved away from, or otherwise left the school.

PBCCS may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.

### **Appeal Process**

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<sup>1</sup> If there is only one administrator, the complainant may file with the Board chair. Please make appropriate bracketed language selections in this paragraph then delete the following paragraph. If there is an administrator and a director, make the appropriate bracketed language selections in this paragraph for the complaint to go to the director (delete board language in brackets) and the following paragraph, using the first and second sentences to outline to whom a complaint is filed. Remove this footnote. <sup>1</sup>

A final decision reached by the PBCCS 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), is recognized as the final decision regarding this complaint<sup>2</sup> by the Board of PBCCS. A final decision may be appealed to the Oregon Department of Education under OAR 581-002-0003 - 581-002-0005.

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<sup>2</sup> 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].

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**Powell Butte Community Charter School**

**COMPLAINT FORM**

To:  Employee  Administrator  Board chair  Board vice chair

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

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

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

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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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Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

**Office Use**

Disposition of Complaint: \_\_\_\_\_

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

cc: School Office