

Public Complaints

Although no community member or parent will be denied the right to petition the High Desert ESD (ESD) Board for redress of a complaint, complaints will be referred through the proper administrative channels for solution before investigation or action by the Board. Exceptions are complaints that concern Board actions or Board operations.

The Board advises the public there is a proper process for resolving complaints, included but not limited to concerns in the following areas:

1. Instruction;
2. Discipline;
3. Learning materials or programs or services;
4. Retaliation against a students or a student's parent who in good faith reported information that the student believes is evidence of a violation of state and federal law, rule or regulation.

Community members or parents who have a complaint are encouraged to start at the lowest level in the organization to attempt to resolve the issue. The following order will be used unless otherwise identifies (see administrative regulation GBM/KL-AR – Public Complaint Procedure for specific procedures and timelines):

1. Teacher;
2. Program administrator/supervisor;
3. Superintendent;
4. Board.

Any complaint about ESD personnel will be investigated by the superintendent, or the superintendent's designee consistent with applicable provisions of the ESD's collective bargaining agreement, before consideration and action by the Board. The Board will not hear charges against employees in open session unless an employee requests an open session. An individual board member shall not attempt to consider such complaints in any official capacity.

While speakers may offer objective criticism of operations and programs, the Board will not hear personal complaints concerning ESD personnel nor against any person connected with the ESD. To do so could expose the Board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The Board chairman will direct the visitor to the appropriate means for Board consideration and disposition of legitimate complaints involving ESD personnel.

Complaints against a program administrator or supervisor may be filed with the superintendent. Complaints against the superintendent should be referred to the Board chair. Complaints against the Board as a whole or against an individual Board member should be made to the board Chair. Complaints against the Board chair may be made directly to the Board vice chair.

If a complaint alleges a violation of state standards or a violation of other statutory or administrative rule for which State Superintendent of Public Instruction has appeal responsibilities, and the complaint is not resolved at the local level, the complainant may appeal to the State Superintendent of Public Instruction.

END OF POLICY

Legal Reference(s):

[ORS 192.610 - 192.690](#)
[ORS 334.125\(7\)](#)

[OAR 581-022-1941](#)

Anderson v. Central Point School District No. 6, 554 F. Supp. 600 (D. Oregon 1982); aff'd in part, 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).