

# Lake County Education Service District

Code: **KL**  
Adopted: 12/19/07, 9/23/15

## Public Complaints

Although no community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative channels for resolution before investigation or action by the Board. Exceptions are complaints that concern Board actions or Board operations.

The Board advises the public that the proper channeling of complaints including but not limited to, instruction, discipline or learning materials or programs or services is as follows:

1. Specialist or staff member immediately involved;
2. Program administrator/supervisor;
3. Superintendent;
4. Board.

Any complaint about ESD personnel will be investigated by the superintendent, consistent with applicable provisions of the ESD's collective bargaining agreement, before consideration and action by the Board. The Board will not hear complaints against employees in open session unless an employee requests an open session.

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 chair will direct the visitor to the appropriate means for the resolution of 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. 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 Board vice chair.

If a complaint alleges a violation of state standards and is not resolved at the local level, then the ESD will supply the complainant with appropriate information in order to file a direct appeal to the State Superintendent of Public Instruction as outlined in Oregon Administrative Rule (OAR) 581-022-1940.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.610 - 192.690](#)

[ORS 334.125\(7\)](#)

[OAR 581-022 - 1940](#)

[OAR 581-022 - 1941](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).

Connick v. Myers, 461 U.S. 138 (1983).