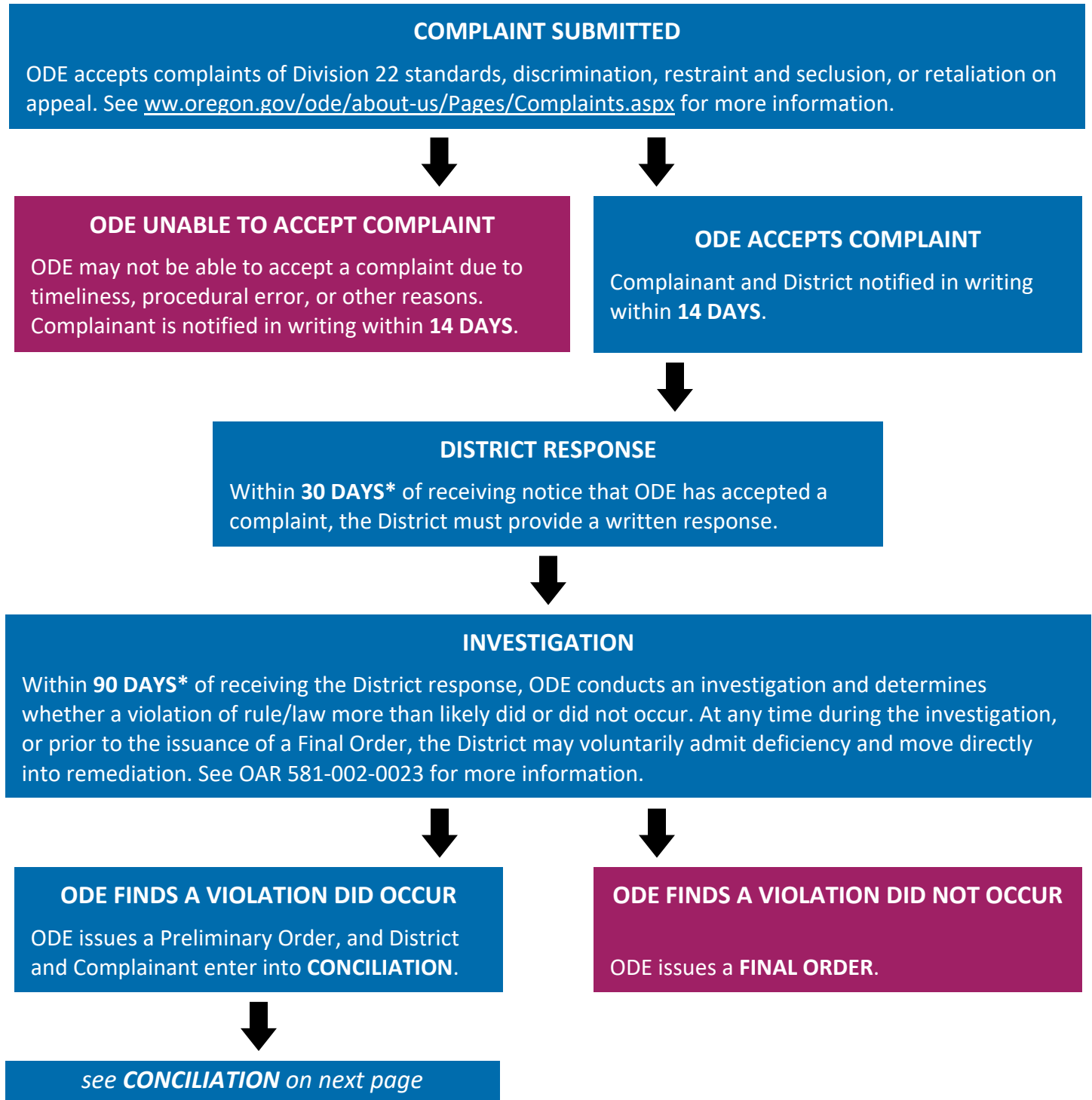


# OREGON DEPARTMENT OF EDUCATION COMPLAINT AND APPEAL PROCESS

This document provides a visual overview of the appeals process for complaints regarding Division 22 Standards, discrimination, restraint and seclusion, or retaliation. ODE can also accept complaints regarding the IDEA and complaints regarding religious entanglement that follow a different process; visit [www.oregon.gov/ode/about-us/Pages/Complaints.aspx](http://www.oregon.gov/ode/about-us/Pages/Complaints.aspx) for more information.



*Updated 3/21/2022. This document should not be construed as legal advice. This document should not be considered comprehensive or exhaustive; see [oregon.gov/ode](http://oregon.gov/ode) for links to the latest laws, rules, and policies.*

*For questions about this process call 503-947-5600 or contact:*

*Mark Mayer, Complaint and Appeals Coordinator, at [mark.mayer@state.or.us](mailto:mark.mayer@state.or.us).*

## CONCILIATION

Conciliation is an alternative out-of-court dispute resolution process. Like mediation, conciliation is a voluntary, flexible, confidential, and interest-based process. The parties seek to reach a dispute settlement with the assistance of a conciliator, who acts as a neutral third party.\*\*

- The conciliation period may not be longer than **30 DAYS\*** unless the complainant and the school district agree, in writing, to a longer time period.
- The school district may not have an attorney present during conciliation unless the complainant is accompanied by an attorney.
- Upon request, the Department will provide technical assistance to support the conciliation process.

*\*\*At any time during this process, the complainant or school district may communicate to the Department that they no longer wish to negotiate an agreement and the conciliation period ends.*



### CONCILIATION AGREEMENT NOT REACHED

ODE issues a **FINAL ORDER** based upon the conclusions of the Preliminary Order. The Order may include remedies or terms the District must comply with.

### CONCILIATION AGREEMENT REACHED

ODE supervises the fulfillment of the agreement.



### CONCILIATION AGREEMENT NOT FULFILLED

ODE issues a **FINAL ORDER**. The Order may include remedies or terms the District must comply with.

### CONCILIATION AGREEMENT FULFILLED

ODE issues a letter closing the complaint.

## RECONSIDERATION

Within **60 DAYS** of receiving a Final Order, a Complainant or District may request reconsideration from ODE.

## JUDICIAL REVIEW

Within **60 DAYS** of either receiving a Final Order **OR** receiving a denial of reconsideration, a complainant or a school district may seek judicial review of the Department's final order by filing a petition for review with the Marion County Circuit Court or with the circuit court in the county where petitioner resides.

\*Timelines may be extended for good cause at the request of Complainant, District, or ODE.

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