



# Complaint and Appeals Resolution Process

**November 18, 2025**

**Senate Education Committee**

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# Agenda

- Complaints & Appeals Resolution Process
- Path to Current State: How We Got Here
- Systemic Improvements
- Path Forward
- Questions

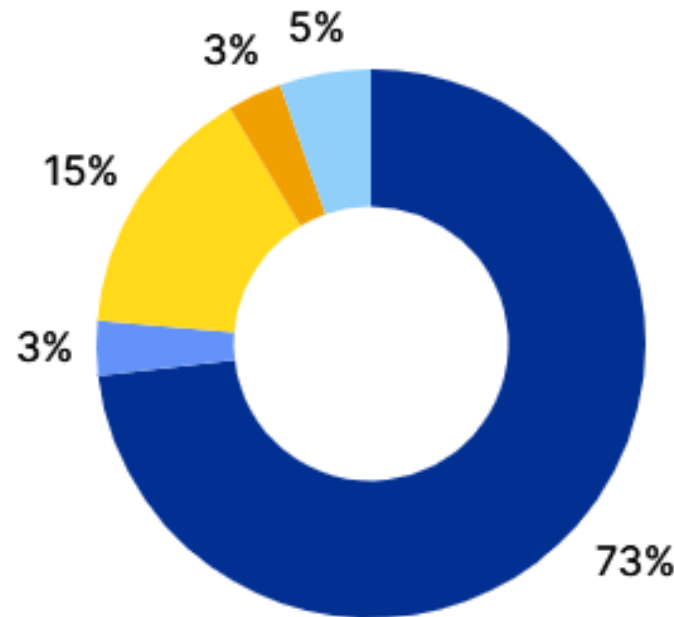


# Complaint and Appeals Resolution Process

# Types of ODE Complaints

## Complaint & Appeals Resolution Unit

- Discrimination (ORS 659.850)
- Violations of Division 22 Standards (ORS 327.103)
- Violations of Restraint & Seclusion law (ORS 339.285-339.303)
- Retaliation (ORS 659.852)
- Impermissible religious activity (ORS 327.109)



## Other Units at ODE

- Special Education (IDEA)
- Abbreviated School Day Programs
- Reports of Sexual Conduct by Classified Staff
- Child Nutrition

# Complaint Process\*

## Appeals

- Petition for reconsideration
- Request for judicial review



These deadlines can be extended for good cause.

\*The information on this slide reflects the current complaint process adopted on October 23, 2024. Cases accepted prior to that date proceed under the previous complaint process.



Complaint submitted



Intake process



Notice of Acceptance or Denial Issued within 14 days



District response within 30 days



Investigation



Order prepared and issued 210 days after acceptance




Corrective action tracking



# Path to Current State: How We Got Here

# Significant Increase In Complaints Over Time


In 2019, in order to make its process more accessible to students and families, ODE launched an online complaint form on the ODE website.



Resulted in a significant increase in the number of complaints received that year compared to previous years.

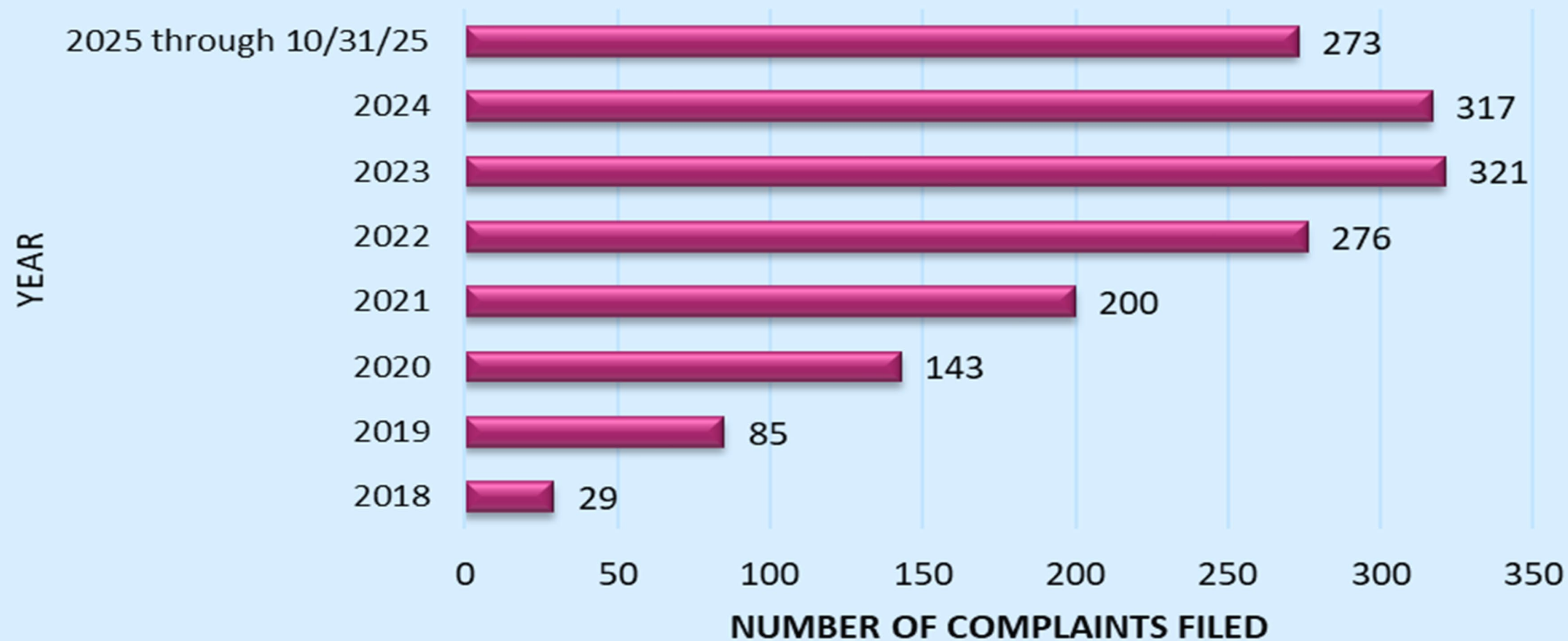


Between 2018 and 2019, the number of complaints filed with the Complaint & Appeals Resolution Unit grew by more than 190%.



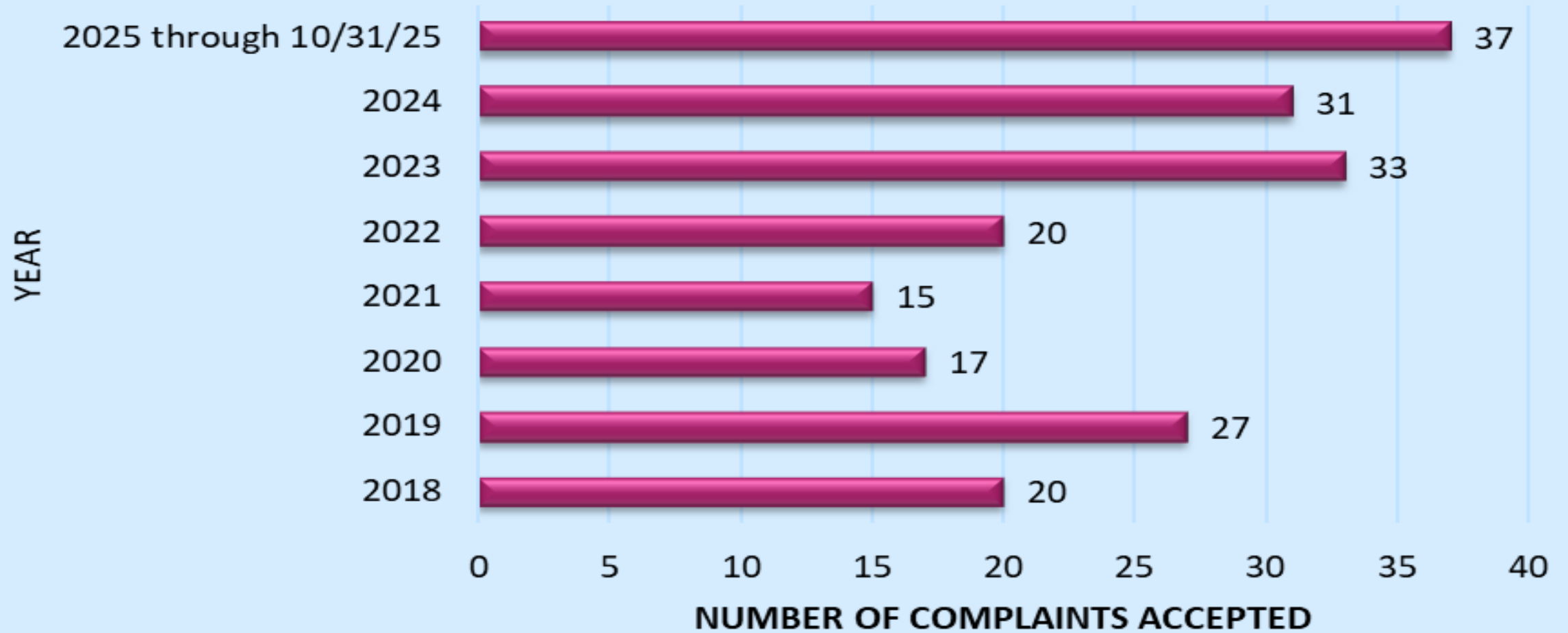
Between 2019 and 2024, the number of complaints filed with the Complaint & Appeals Resolution Unit grew by more than 270%.

# COMPLAINTS FILED BY YEAR





# COMPLAINTS ACCEPTED BY YEAR



# Current Backlog Information

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Current open cases in which agency order has not yet been issued

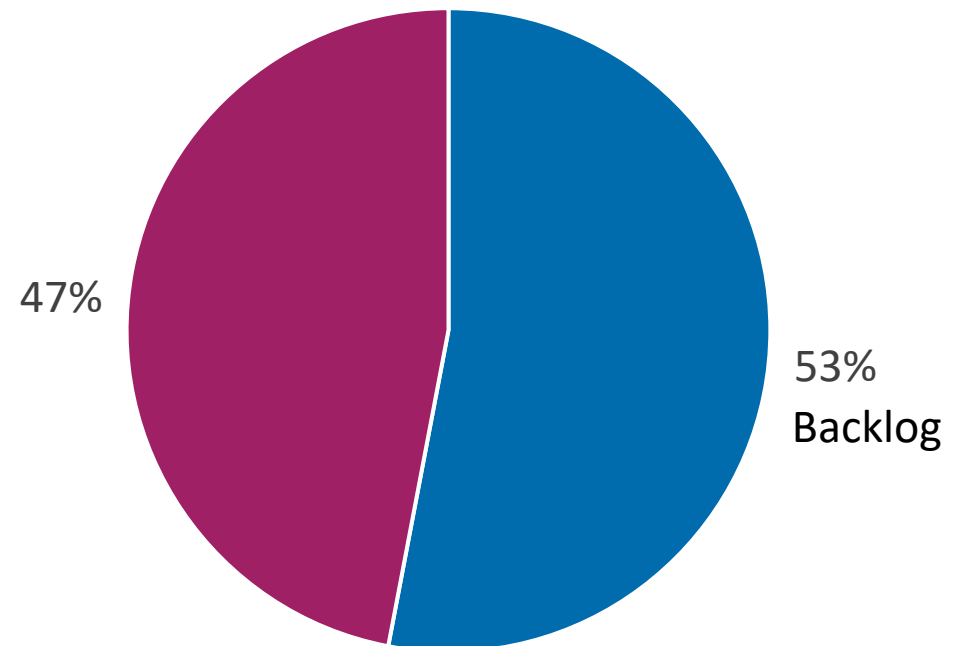
- 66

Cases in the backlog (more than 210 days):

- 35 cases
- 53%

Current cases (under 210 days):

- 31 cases
- 47%



# Investigation/Case Completion Drivers

## Size and Complexity

- Multiple types of allegations raised (discrimination, retaliation, Division 22, etc.)
- Number of allegations raised
- Allegation of systemic violation

## Documents

- Number of documents needing to be collected, reviewed, and considered

## Interviews

- Number of individuals needing to be interviewed

## Additional Investigation

- Case needing to be sent out for additional investigation during order preparation stage of process



# Systemic Improvements

# Efforts to Expand Capacity: 2018 - 2024

Used unbudgeted temporary and limited duration positions to increase capacity

Ongoing conversations with the Legislature and Governor's Office about the need for increased capacity

In 2024, Governor Kotek requested and the Legislature approved a total of 14 positions and an additional \$150,000 per biennium for ODE's investigator contract

# New Programs

- District Civil Rights Coordinators, HB 2281 (2023)
  - Responsible for ensuring districts comply with state and federal civil rights laws, including overseeing discrimination complaints to ensure that complaints are resolved and remedied
  - Assist with resolving complaints at the lowest level
- Expansion of ODE's Civil Rights Unit
  - Title VI Civil Rights Specialist
  - Civil Rights Support Specialist Program within our Civil Rights Unit

# Appeals Process Improvement Project: Summer 2022

- Conducted eight community listening sessions to gather input regarding ODE's appeals procedures and elicit suggestions for improvement
- Received both positive and negative feedback
  - Most consistent negative feedback was amount of time taken to resolve complaints
- Following the listening sessions, ODE proposed legislation, initiated rulemakings, and made changes to internal agency procedures
- ODE continued to engage attendees by periodically sending reports of improvements made
- A final report was sent in February 2024



# Path Forward



# Next Steps

- Continue recruitment to fill vacant positions
  - In-house investigators
    - Anticipate position(s) to be filled by mid-December
  - Complaint & Appeal Specialists
    - Positions currently posted for recruitment
- Learn what other agencies in Oregon and in other states are doing
- Continue improvement efforts in coordination with
  - ODE Leadership
  - Governor's Office
  - Legislature



# Questions