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Dr. Charlene Williams
Director of the Department of Education

TO: Chair Frederick & Members of the Senate Education Committee

DATE: December 4, 2025

FROM: Zoe Larmer, Government Relations Director

RE: Questions posed during informational on complaints and appeals

Chair Frederick and Members of the Senate Education Committee,

Thank you so much for the opportunity to share more information. Please find below our responses regarding your questions on the complaints and appeals process.

We are more than happy to continue providing information to you on our work and look forward to our continued partnership on behalf of all Oregon students. Please do not hesitate to reach out to me if you need further clarification.

With gratitude,
Zoe Larmer

Question: What are the efficiencies you have on your list to eliminate the backlog, and what are the timelines?

First, we wanted to highlight efficiencies the Complaint & Appeals Resolutions Unit has already made.

We proposed new process rules adopted by the State Board of Education on October 23, 2024, which included changes designed to improve our timeliness in resolving complaints.

We have also sought efficiencies from the Legislature, which you have granted us as an agency. These include:

- HB 2281 (2023) - established civil rights coordinators in all school districts
 - These individuals are responsible for ensuring that a district complies with state and federal civil rights laws, including overseeing discrimination complaints at the district level to ensure that complaints are resolved and remedied at the lowest level.
 - Both from a time-to-resolve a complaint standpoint and in order to achieve the best results for students and families, it is best if complaints are resolved at the lowest level.



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- While this program is still new, we are hoping to eventually see it result in a reduction in the number of discrimination complaints coming to ODE as more complaints are resolved at the district level.
- SB 215 (2023) - This change provided ODE with the authority to issue subpoenas in support of its investigations, which enables it to more quickly obtain the materials needed from a district under circumstances where a district is not cooperating with ODE's request for information related to a case.
- SB 867 (2025) - This allowed ODE the authority to order certain student-specific remedies in discrimination cases, delivering another pathway for student and family justice.

We have restructured how we operate at the agency, with ODE Civil Rights Support Specialists focusing on assisting members of the school community in navigating local, state, and federal dispute resolution processes to ensure instances of discrimination are addressed. Shifting that work from the Complaint & Appeals Resolution Unit has allowed the staff in that unit to focus on resolving complaints.

We have also made improvements in data tracking, reducing our administrative burden by creating automations in our tracking system. This will help us to understand trends and track our progress on reducing our backlog. We currently are tracking the following:

- Where cases are located in our process and how many cases are at each stage of our process
- The number of each type of case (Discrimination, Division 22, Restraint & Seclusion, Retaliation, Religious Entanglement) we have in our process
- How many cases are current vs. in our backlog

Second, we want to provide you with the efforts we are currently working on or are planning for.

While the Complaint & Appeals Resolution Unit will be fully staffed soon with our recruiting efforts, we are also making additional improvements in data tracking. We are continuing to identify elements of data that it would be helpful for us to track in order to better understand and eliminate our backlog.

We are establishing data tracking, including for:

- the average number of days that it takes for us to complete various stages of our process (investigation, order writing, etc.)
- real-time tracking for our issued findings (finding of deficiencies vs. no deficiencies) and also for deficiencies found by allegation type (race discrimination, disability discrimination, Division 22-TAG, Restraint, Seclusion, etc.)



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- the specific reason that complaints are denied during our intake stage

These pieces of data will enable us to better understand trends in our process and where it would be best to focus efficiency efforts. It will also allow us to see, in real time, whether the efforts we are making are having a positive impact on the length of time to complete various stages of our process. It will enable us to better tailor district-level training as we are seeing trends in certain areas. It can also enable us to better target the efforts of our Civil Rights Support Specialists when they are engaging with families involved in complaint processes at the local level and to refine our process.

ODE does not currently have a case management system, which makes it challenging to pull data in general. Each new data tracking is a time-consuming undertaking on our various tracking logs (which we are using until we can obtain a case management system). We can keep you abreast of challenges as we go through this data tracking process.

We are in the planning stage for making improvements to our Complaint & Appeals webpage. The first thing we will be working on is creating a “landing page” for our webpage that will better direct students/families to various ODE complaint processes in order to reduce the number of complaints incorrectly filed with this unit that are outside of our scope of authority. This should reduce the number of complaints we need to navigate at the intake stage, and get students and families on the right path sooner. Our target date for completing these updates to our webpage is Spring 2026.

We anticipate further revising our complaint process. At this point, we are working to gather ideas for rulemaking. We anticipate initiating the rulemaking by Fall 2026.

We know that complaint backlogs are an issue that other agencies in Oregon and other states are grappling with. We believe we are able to learn from each other; for example, we are reviewing the recent Secretary of State’s audit of Oregon Bureau of Labor and Industries (BOLI) and their complaint processes to assess whether the strategies identified in the audit would apply for our process.

Question: How often does ODE rule differently than the school district has determined?

We have not historically tracked the specific data requested, and therefore we are unable to provide a direct response to this exact question. However, we do maintain related data that we are able to share.

Below is a chart reflecting 2024 data and 2025 year-to-date data showing the frequency with which we identified one or more deficiencies in cases we resolved. The chart includes:

- Orders issued finding one or more deficiencies,



- Orders issued finding no deficiencies, and
- Orders closing a case for other reasons (ex. cases where a complainant withdrew the complaint or our investigation determined we lacked jurisdiction over the allegation).

It is important to note that, because we accept cases when a district fails to respond to a complainant within a specified timeframe, a finding of deficiency does not always reflect a differing conclusion from that of the district. In some instances, the district may not have issued a determination at all. Additionally, in cases where we found deficiencies, multiple allegations may have been raised, and we may have found no deficiency on some of those allegations. The chart below does not capture these nuances; instead, it reflects only whether at least one deficiency was identified in a case.

In both 2024 and 2025 (to date), we issued more orders finding no deficiencies than orders finding one or more deficiencies. This indicates that, in the majority of cases, districts were either not in violation of the law or, have recognized their error and taken appropriate steps to address it.

