



## Blue Mountain Community College *Administrative Procedures*

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**Procedure Title:** Public Complaints  
**Procedure Number:** 06-2005-0005  
**Board Policy Reference:** I.E.

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**Accountable Administrator:** President  
**Position responsible for updating:** President  
**Original Date:** 12-21-05  
**Date Approved by Cabinet:** 01-17-06  
**Authorized Signature:** *Signed original on file*  
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**Revised:**  
**Reviewed:**

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### **Purpose/Principle/Definitions:**

Any person or group having a legitimate interest in the College shall have the right to present a request, suggestion, or complaint concerning College personnel, programs or operations. At the same time, the College has a duty to protect its staff from unnecessary harassment. It is the intent of this procedure to provide the means for judging each public complaint in a fair and impartial manner and for seeking a remedy where appropriate.

It is the desire of the President to rectify any misunderstandings between the public and the College by direct discussions of an informal nature among the interested parties. It is only when such informal meetings fail to resolve the differences that more formal procedures shall be employed.

Any requests, suggestions, or complaints reaching the Board of Education or Board members shall be referred to the President, who will direct the complainant to established complaint procedures.

The President will not hear or review any complaint concerning any employee, officer, or Board member unless the complaint is stated in writing and presented in accordance with College procedures, collective bargaining agreement provisions, and the requirements of law.

### **Guidelines:**

#### **Step One: Initiating a Complaint**

Any member of the public who wishes to express a complaint should discuss the matter with the employee involved. It is the intent of the College to solve problems and address all complaints

as close as possible to their origin.

### **Step Two: Supervisor/Administrator**

If unable to resolve a problem or concern at Step One, the complainant should work with the supervisor/administrator to resolve the complaint or concern.

### **Step Three: The President**

If the discussion at Step Two does not resolve the complaint or if such discussion is not practical under the circumstances, the complainant, if he/she wishes to pursue the action, shall file a signed, written complaint with the President clearly stating the nature of the complaint and a suggested remedy. (A form is available but is not required.)

The President or designee shall investigate the complaint, confer with the complainant and the parties involved, and prepare a written report of his/her findings and his/her conclusion. (Approximately one week in most cases will be required unless the President convenes an informal inquiry. In the case of an inquiry, 2-3 weeks may be required.)

### **Step Four: The Board of Education**

If the complainant is dissatisfied with the President's findings and conclusion, the complainant may appeal the decision to the Board. The Board shall hold a hearing to review the findings and conclusion of the President, to hear the complainant, and to take such other evidence as it deems appropriate. Generally all parties involved, including the supervisor/administrator, will be asked to attend such meeting for the purposes of presenting additional facts, making further explanations, and clarifying the issues.

The Board may elect to hold the hearing in executive session if the subject matter qualifies under Oregon Revised Statutes.

### **Special Forms:**

Complaint Form

### **Legal References:**

[ORS 192.610 - 192.690](#)

[ORS 341.290](#)

[OAR 589-004-0510](#)

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).