

Book	Policy Manual
Section	900 Community
Title	Public Complaints Procedures
Number	906
Status	First Reading
Adopted	August 25, 2014
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### **Purpose**

The Board welcomes inquiries, suggestions, and constructive criticism from parents/guardians, district residents or community groups regarding the district's programs, personnel, operations and facilities. The Board adopts this policy to establish procedures for seeking appropriate resolution to complaints. ~~Any parent/guardian, student, resident or community group shall have the right to present a request, suggestion or complaint. The Board intends to provide a fair and impartial method for seeking appropriate resolution.~~

### **Authority**

**The Board encourages parents/guardians, district residents or community groups who have general complaints about Board policy and district procedures, district programs, personnel, operations and facilities to follow the general complaint procedure established in this policy.**

The Board directs parents/guardians, other individuals and organizations alleging violations of law in the district's administration of federally-funded programs to submit complaints in accordance with the separate federal program complaint procedure established in this policy.<sup>[1]</sup>

The Board shall ensure that this policy is posted on the district's publicly accessible website in accordance with law.<sup>[2]</sup>

~~Attempts to resolve public concerns and complaints of district residents shall begin with informal, direct discussions among the affected parties, following the established guidelines and district organizational structure. Only when informal meetings fail to resolve the issue shall more formal procedures be employed.~~

~~In accordance with law, the Board shall adopt a written procedure that provides parents/guardians, public agencies, other individuals, and organizations a means to submit and resolve complaints alleging violations in the administration of educational programs under the No Child Left Behind Act. The complaint procedure shall be available to the public, a copy maintained in each school, and be distributed annually to parents/guardians and staff.~~<sup>[1]</sup>

~~Any requests, suggestions or complaints directed to individual Board members and/or the Board shall be referred to the Superintendent for consideration and action. If further action is warranted, based on the initial investigation, such action shall be in accordance with the following procedures.~~

### **Delegation of Responsibility**

**The district shall annually notify parents/guardians, employees and the public of this policy and established complaint procedures via the district website, newsletters, posted notices**

**and/or other efficient communication methods.**

**Guidelines**

General Complaint Procedure

**It is the intent of the Board that complaints, concerns and suggestions be addressed and/or resolved at the lowest appropriate level.**

**At all levels of this procedure, district employees shall make a determination as to whether the complaint should proceed as outlined in this policy or if the complaint should be submitted through a specialized complaint process addressed in a separate Board policy, district procedure or administrative regulation that is directly related to the nature of the complaint.**

General complaints about Board policy and district procedures, programs, instruction, operations, facilities and personnel shall begin with an informal, direct discussion between the complainant and the district employee who is most directly involved. ~~be processed in accordance with the following procedure.~~

**The employee shall attempt to provide a reasonable explanation or take appropriate action within the employee's authority. The employee shall report the matter and the resolution to the building principal or immediate supervisor.**

**When an informal discussion fails to resolve the complaint, the following procedure shall be used.**

~~**First Level**—Complaints and requests shall be addressed initially to the concerned employee, who shall discuss it with the complainant and attempt to provide a reasonable explanation or take appropriate action within the employee's authority.~~

~~As appropriate, the staff member shall report the matter and the resolution to the building principal or immediate supervisor.~~

**First Level - If a satisfactory resolution is not achieved by discussion with the employee, the complainant shall submit a written complaint to the building principal or designee and a conference shall be scheduled with the complainant. The written complaint shall include the contact information of the person or group filing the complaint, the specific nature of the complaint, a brief statement of relevant facts, how the complainant has been affected adversely, and the action requested. The building principal or designee shall provide a written response to the complainant.**

**Second Level - If a satisfactory resolution is not achieved through a conference with the building principal or designee, the complaint shall be referred to the Superintendent or designee. The Superintendent or designee shall review the complaint and may schedule a conference with the complainant. The Superintendent or designee shall provide a written response to the complainant.**

**Third Level - If a satisfactory resolution is not achieved through referral to the Superintendent or designee or if resolution of the complaint is beyond his/her authority and requires Board action, the Superintendent or designee shall refer the complaint to the Board.**

~~**Second Level**—If the issue cannot be resolved satisfactorily at the first level, it shall be discussed by the complainant with the building principal or the employee's immediate supervisor.~~

~~**Third Level**—If a satisfactory solution is not achieved by discussion with the building principal or immediate supervisor, a conference shall be scheduled with the Superintendent or designee. The principal or supervisor shall provide to the Superintendent or designee a report that includes the specific nature of the complaint, brief statement of relevant facts, how the complainant has been affected adversely, the action requested, and the reasons why such action should be taken or not taken.~~  
~~**Fourth Level**—Should the matter not be resolved by the Superintendent or designee or is beyond his/her authority and requires Board action, the Superintendent or designee shall provide the Board with a complete report.~~

**The Board Final Level**—~~A~~After reviewing all information relative to the complaint, ~~the Board~~ shall provide the complainant with its written response. ~~decision and~~ The Board may, at its discretion, grant a hearing before the Board or a committee of the Board. If a hearing is granted, the complainant shall be advised of the Board's response, in writing, no more than thirty (30) days following the hearing.

Any requests, suggestions or complaints first directed to individual Board members and/or the Board shall be referred to the Superintendent for consideration, investigation and action. If further action is warranted, based on the initial investigation, such action shall be in accordance with the procedures outlined above.

~~Complaints regarding reconsideration of library or resource materials shall be addressed in accordance with Policy 109.[2]~~

~~Public participation in Board meetings shall be governed by applicable Board policies.[3][4]~~

#### NCLB Complaint Procedure for Federal Programs

Complaints alleging violations of the law in the district's administration of federally-funded NCLB education programs shall be processed in accordance with the following procedure.[1]

The complainant shall submit ~~must be filed with the district as~~ a written, signed statement to the district's administration office that ~~includes~~ identifies:

1. Contact information of individual or organization filing the complaint.
2. Alleged federal program ~~NCLB~~ violation.
3. Facts supporting the alleged violation.
4. Supporting documentation, such as information on discussions, correspondence or meetings with the district staff regarding the complaint.

District staff shall forward complaints ~~shall be referred~~ to the district administrator responsible for federal programs, ~~Directors of Curriculum,~~ who will notify the Superintendent and acknowledge receipt of the complaint in writing ~~or designee.~~

The district administrator responsible for federal programs ~~Directors of Curriculum~~ shall conduct an independent investigation, which ~~may~~ could include but not be limited to:

1. On-site visit to the building that is the subject of the complaint.
2. Opportunity to present evidence by all individuals and/or organizations involved.
3. Opportunity for participants to ask questions of each other ~~each side to question parties of other side~~ and witnesses.

When the investigation is completed, the district administrator responsible for federal programs ~~Directors of Curriculum~~ shall prepare a written report with a recommendation for resolving the complaint. The report ~~shall~~ will include:

1. Name of the individual or organization filing the complaint.
2. Nature of the complaint.
3. Summary of the investigation.
4. Recommended resolution.
5. Reasons for the recommended resolution.

The district administrator responsible for federal programs~~Directors of Curriculum~~ shall submit the written report to the Superintendent or designee, who shall determine whether further investigation is required and/or the district's final response.

All individuals and/or organizations making the complaint or that are the subject of~~parties involved in~~ the complaint ~~shall~~will be notified of the resolution of the complaint by the Superintendent or designee~~Directors of Curriculum~~.

The district administrator responsible for federal programs~~Directors of Curriculum~~ shall ensure that the resolution of the complaint is implemented.

The time period between receipt and resolution of a complaint ~~shall~~will not exceed sixty (60) calendar days, unless circumstances require additional time.

The complainant~~Either party~~ may appeal the final resolution to the Pennsylvania Department of Education.

Division of Federal Programs  
PA Department of Education  
333 Market Street  
Harrisburg, PA 17126-0333

Legal

1. 20 U.S.C. 7844
2. Pol. 109
3. Pol. 006
4. Pol. 903

Last Modified by Janet Nahay on November 1, 2018