



Book	Draft Policies from NYSSBA
Section	1000
Title	PUBLIC COMPLAINTS
Code	1400
Status	First Reading
Last Revised	March 19, 2024

( ) Required  
 (X) Local  
 (X) Notice

*NOTE: The following is offered to update and replace the Board's current policy 3230. This policy has been updated to address the Elementary and Secondary Education Act, as reauthorized by the Every Student Succeeds Act (ESSA). Under ESSA, school districts must have a complaint procedure for parents alleging violations of that law. Once a person has followed that process, they may submit their complaint to the State Education Department (SED), which has its own complaint procedure.*

Constructive criticism of the schools, when accepted by a Board of Education in a receptive spirit, may operate to improve the quality of the educational program or to equip the district schools to do their tasks more effectively. While no community member should be denied the right to bring complaints to the Board, complaints may be referred through administrative channels for solution before Board investigation or action.

This policy serves to give notice to all persons of the process by which public complaints will be addressed in the district. This general complaint policy is offered for the Board's consideration.

The Board of Education recognizes the right of community members to register individual or group concerns regarding instruction, district programs, materials, operations, and/or staff members. The main goal of the district is to resolve such concerns specifically with the parties involved, whenever possible.

*NOTE: Complaints and grievances are often best handled and resolved as close to their origin as possible, and the professional staff should be given every opportunity to consider the issues and attempt to resolve a problem prior to involvement by the Board. Often, Board members receive the initial contact from a parent or community member about an issue dealing with a specific school, administrator, or teacher. As noted in the next paragraph, individual Board members should not attempt to address the concern, but direct the individual to the proper administrator or teacher in an attempt to resolve the problem at the lowest level possible. Exceptions may be made when the complaints concern Board actions and Board operations only.*

Public complaints about the school district will be directed to the proper administrative personnel. Complaints regarding the district's implementation and administration of Title I funds are addressed in the section below. Complaints about specific classroom practices will be directed to the teacher concerned. If the matter is not settled satisfactorily, the complainant will then contact the Building Principal; if there is no resolution on this level, the Superintendent of Schools or designee will be contacted. The Superintendent will refer the issue to the Board for final resolution, if necessary.

All matters referred to the Superintendent and/or the Board will be in writing. Concerns registered directly to the Board as a whole or to an individual Board member will be referred as soon as is reasonably possible to the Superintendent for investigation, report, and/or resolution.

### **Complaints Regarding Title I of the ESEA or Academic Intervention Services**

*NOTE: SED has a suggested Title I complaint procedure where the complaint goes first to the Superintendent, and then to SED. We have followed that process below. However, the district could establish a different process; for example, require a complainant to submit complaints first to the Building Principal, then the Superintendent, and finally the Board, before submitting the complaint to SED.*

Any person or entity representative alleging the district has not upheld its responsibilities under Title I of the Elementary and Secondary Education Act (ESEA), as well as the district's responsibilities for Academic Intervention Services under the Commissioner's regulations section 100.2(ee), may submit a complaint in writing to the Superintendent. After 30 days, any decision of the Superintendent which is unsatisfactory to the complainant, or the district's lack of a response to the complaint, may be appealed to the State Education Department (SED).

All such complaints to SED must, as outlined by SED (see the following website: <http://www.p12.nysed.gov/accountability/T1/complaintappeals.htm>):

1. Be submitted in writing to New York State Education Department, Title I School & Community Services Office, Room 320 EB, 89 Washington Avenue, Albany, NY 12234;
2. Be signed by the person or agency representative filing the complaint;
3. Specify the requirement of law or regulation being violated and the related issue, problem, and/or the concern;
4. Contain information/evidence supporting the complaint;
5. State the nature of the corrective action desired;
6. Contain a copy of the original signed complaint; and
7. Contain a copy of the district's response to the original complaint, or a statement that the district failed to respond or resolve the issue within 30 business days.

The district will disseminate this complaint procedure to parents of students in Title I funded programs, as well as school officials at nonpublic schools for which the district administers or implements Title I funds or programs.

Ref:  
20 USC 7844 (ESEA)

34 CFR 299.10 299.12 [299.11(d) LEAs must disseminate, free of charge, adequate information about the complaint procedures to parents of students, and appropriate private school officials or representatives.]  
8 NYCRR 100.2(ee) (Academic Intervention Services)

Adoption date: