

EAST STROUDSBURG AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: PUBLIC COMPLAINTS

ADOPTED: August 19, 2002

REVISED: July 21, 2008
2018

<p>1. Purpose</p> <p>2. <u>Authority</u></p>	<p style="text-align: center;">906. PUBLIC COMPLAINTS</p> <p>The Board welcomes inquiries, suggestions, and constructive criticism regarding the district's programs, personnel, operations and facilities. Any parent/guardian, student, <u>district</u> resident or community group of the school district shall have the right to present a request, suggestion or complaint. The Board <u>adopts this policy to establish procedures</u> intends to provide a fair and impartial method for seeking appropriate resolution <u>to complaints</u>.</p> <p>Attempts to resolve public concerns and complaints from the above individuals or groups shall begin with informal, direct discussions among the interested parties, following the established organizational structure. Only when informal meetings fail to resolve the differences shall more formal procedures be employed.</p> <p>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 shall be maintained in each school, and a copy shall be distributed annually to parents/guardians and staff.</p> <p><u>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.</u></p> <p><u>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.</u></p> <p><u>The Board shall ensure that this policy is posted on the district's publicly accessible website in accordance with law.</u></p>
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<p>3. Delegation of Responsibility</p>	<p>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 established guidelines.</p> <p><u>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.</u></p>
<p>4. Guidelines</p>	<p><u>General Complaint Procedure</u></p> <p>General complaints about Board policies and district procedures, programs, operations, facilities and personnel shall be processed in accordance with the following procedure.</p> <p><u>It is the intent of the Board that complaints, concerns and suggestions be addressed and/or resolved at the lowest appropriate level.</u></p> <p><u>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.</u></p> <p><u>General complaints about Board policy and district procedures, programs, personnel, operations and facilities shall begin with an informal, direct discussion between the complainant and district employee who is most directly involved.</u></p> <p><u>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.</u></p> <p><u>When an informal discussion fails to resolve the complaint, the following procedure shall be used.</u></p> <p>First Level - Complaints and requests which fall under authority of a District employee, or if a particular District employee is responsible 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 to resolve the matter. 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</p>

the action requested.

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

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

~~**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 his/her designee. The principal or supervisor will provide to the Superintendent or his/her designee a report that includes the specific nature of the complaint, and a 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. 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.~~

~~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.~~

~~**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 shall provide the Board with a complete written report.~~

~~**Final Level**— The Board, after reviewing all material relative to the case, shall provide the complainant with its written decision and may grant a hearing before the Board or a committee of the Board.~~

~~The complainant shall be advised of the Board's decision, in writing, no more than ten (10) days following the hearing or other determination.~~

Complaint Procedure for Federal Programs

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

The complainant shall submit a written, signed statement to the district's administration office that includes:

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

District staff shall forward complaints to the district administrator responsible for federal programs, who will notify the Superintendent and acknowledge receipt of the complaint in writing.

The district administrator responsible for federal programs shall conduct an independent investigation, which may 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 and witnesses.

When the investigation is completed, the district administrator responsible for federal programs shall prepare a written report with a recommendation for resolving the complaint. The report shall 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 shall submit the written report to the Superintendent, who will determine whether further investigation is required and/or the district's final response.

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

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

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

Inquiries Or Complaints

~~The following explains how visitors may appeal to the Superintendent and the Board in case they have inquiries or complaints:~~

- ~~1. The School Board holds that it is reasonable and expected that the school district taxpayers, parents and other interested parties will from time to time, have complaints and inquiries. It is not reasonable to expect that most or all such matters can be accommodated at Board meetings.~~
- ~~2. Inquiries and complaints can best be taken initially to those persons who are closest to the problem. This normally means taking the matter up with a teacher or school principal.~~
- ~~3. After talking to a teacher and/or a school principal, the parent may wish to carry the concern to a Central Office Administrator. The Administrator will ask for a summary statement of previous investigation with the teacher or principal. The Administrator will then investigate the matter personally and report his/her findings and conclusions in writing to the parent.~~
- ~~4. A taxpayer, parent or interested party always has the right to request an appeal to the Board after following the aforementioned. Even in matters directly related to acts of the Board itself, it is proper to first present the matter to the Superintendent whose duty it is to interpret and administer school district policy.~~
- ~~5. The time allotted for Board meetings is usually rigidly scheduled to accommodate the necessary business at hand. Matters irrelevant to the scheduled business are a distraction to the efficient conduct of that business.~~
- ~~6. Taxpayers', parents' or other interested parties' appeals to the Board will be met with a request for a written statement to include:~~

- ~~a. An outline of the problem and circumstances related thereto.~~
- ~~a. A proposal or recommendation offered as a possible solution.~~
- ~~b. A review of prior discussion with, and decisions given by, teaching and/or administrative personnel.~~

- 7. ~~The Board retains the discretion to determine whether a formal hearing will be held of any appeal.~~

Division Chief

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

References:

School Code – 24 P.S. Sec. 510

No Child Left Behind Act – 20 U.S.C. Sec. 7844

Pol. 103, 103.1, 104, 105.1, 108, 109, 116, 127