

SECTION: COMMUNITY

TITLE: PUBLIC COMPLAINTS

ADOPTED: August 18, 2004

REVISED: February 20, 2008

NEW CASTLE AREA SCHOOL DISTRICT

<p>1. Authority SC 510</p> <p>20 U.S.C. Sec. 7844</p> <p>2. Delegation of Responsibility</p> <p>3. Guidelines</p>	<p style="text-align: center;">906. PUBLIC COMPLAINTS</p> <p>Any parent/guardian, resident, or community group shall have the right to present a request, suggestion, or complaint concerning District personnel, programs, and facilities, or operations of the New Castle Area School District. It is the Board's intent to provide a fair and impartial manner for seeking appropriate solutions. However, the Board also has a duty to protect its staff from unnecessary harassment.</p> <p>Any misunderstandings between the public and the New Castle Area School District shall be resolved by 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 utilized.</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 education 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.</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>General Complaint Procedure</u></p> <p>General Complaints about Board policy and District procedures, programs, operations, facilities, and personnel shall be processed in accordance with the following procedures.</p> <p><u>Matters Regarding A Staff Member</u></p> <p>First Level - A matter specifically directed toward a District staff member shall be addressed initially to the concerned employee, who shall discuss it with the</p>
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complainant and make every effort 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.

Second Level - If the matter 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 will provide to the Superintendent or 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.

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.

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.

Parent/Guardian Complaint About a Building Level Issue

1. If a parent/guardian or complainant calls the Superintendent or designee about a building level issue, the caller will be directed to the building principal for an attempted resolution. A simple follow-up note will be sent to the principal with basic information about the complaint and caller. No further response to the note by the principal is needed.
2. If the complainant has discussed the matter with the building principal and is still dissatisfied, the Superintendent or designee will take all the information on a Parent Complaint Form and inform the caller what further procedure will take place.
3. The completed complaint form will then be sent to the building principal who will draft a response to the complaint and return it to the central office.

4. The Superintendent or designee may wish to confer further with the principal, particularly if a District-wide policy is involved in the complaint. The Superintendent or designee may then ask the complainant to come in for a conference; let the original administrative action stand; or seek a compromise solution.
5. If the complainant is unsatisfied with the results of the above step, the Superintendent may bring the matter to a committee of the Board for their information.

Matters Regarding Student Progress and Well-Being

In the case of a complaint directed toward this area, the guidelines specified in this policy shall be followed.

NCLB Complaint Procedure

Complaints alleging violations of law in the District's administration of NCLB education programs shall be processed in accordance with the following procedure.

The complaint must be filed with the District as a written, signed statement that identifies:

1. Alleged NCLB violation.
2. Facts supporting the alleged violation.
3. Supporting documentation, such as information on discussions, correspondence, or meetings with the District regarding the complaint.

Complaints shall be referred to the Administrative Assistant, Title I and Technology, who will notify the Superintendent or designee.

The Administrative Assistant, Title I and Technology, will conduct an investigation, which 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 each side to question parties of other side and witnesses.

When the investigation is complete, the Administrative Assistant, Title I and Technology, will prepare a report with a recommendation for resolving the complaint. The report 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 Administrative Assistant, Title I and Technology, will submit the report to the Superintendent or designee, who will determine whether further investigation is required and/or the District's final response.

All parties involved in the complaint will be notified of the resolution of the complaint by the Superintendent or designee.

The Administrative Assistant, Title I and Technology, will ensure that the resolution of the complaint is implemented.

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

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

References:

School Code - 24 P.S. Sec. 510

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