

PUBLIC COMPLAINTS

The Board of Education welcomes constructive criticism of the schools whenever it is motivated by a desire to improve the quality of the educational program, facilities, or service. The Board has confidence in its staff and desires to support their actions in order that they be free from unnecessary, spiteful, or negative criticism and complaint. Therefore, whenever a complaint is made directly to the Board as a whole or to a Board member as an individual, it will be referred to the individual school employee or to the school or department administration for study and possible solution.

The Board expects that the administration will develop a procedure for receiving complaints courteously and that it will take steps to make a proper reply to the complainant. If resolution of the problem seems unlikely at the building or department level, either party may refer the matter to the appropriate member of the central staff and if still unresolved to the Superintendent of Schools for his or her review.

The Board will consider hearing citizen complaints when they cannot be resolved by the Superintendent. Matters referred to the Board must be in writing and should be specific in terms of the action desired. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level.

Citizens' complaints directed at personnel will be handled by the Board in executive session.

If parents are not satisfied with the resolution by the Horseheads Central School District, the district will inform them of their right to appeal to the New York State Education Department. If parents are not satisfied with the resolution by the New York State Education Department, they may appeal to the United States Department of Education. The district will provide parents with additional information from the Superintendent's office or by directing them to the New York State Department of Education's Written Complaints and Procedures website at <http://www.emsc.nysed.gov/nclb/complaintappeals>.

Title I Complaint and Appeal Procedures

Complaints/appeals regarding the District's administration and implementation of its Title I Grant including, but not limited to, disputes regarding homeless eligibility, school selection, enrollment, and transportation, should be sent first to the Superintendent. The District has 30 business days to resolve a complaint, which must:

- be written;
- be signed by the person or agency representative filing the complaint;
- specify the requirement of law or regulation being violated and the related issue, problem, and/or the concern;
- contain information/evidence supporting the complaint; and
- state the nature of the corrective action desired.

If the District fails to resolve the complaint within 30 business days, or fails to resolve the issue to the satisfaction of the complainant, the complainant may appeal to the New York State Education Department (NYSED) by forwarding the original signed complaint and the District's

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response (or a statement that the District failed to respond in 30 business days) to the Title I School and Community Services Office, Room 320 EB, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.

Parties dissatisfied with the NYSED's complaint resolution may file an appeal directly with the United States Department of Education at:

United States Department of Education
Compensatory Education Programs
400 Maryland Avenue, S.W.
Room 3W230, FOB #6
Washington, D.C. 20202-6132

Complaints/appeals from nonpublic school officials regarding the District's administration and implementation of Title I should be sent to the NYSED. NYSED has a 60-business day period in which to resolve a nonpublic school complaint. No later than 30 days following the written response by the NYSED, or in the event the NYSED fails to resolve the complaint within a reasonable period of time, the nonpublic school official may appeal NYSED's decision to the U.S. Department of Education. A copy of the NYSED's written response, if available, and a complete statement of the reasons supporting the appeal must accompany such appeal.

The District shall disseminate free of charge, adequate information about these complaint and appeal procedures to parents of students, and appropriate nonpublic school officials or representatives.

Cross-ref: 1440, Complaints about School Personnel
2330, Executive Session
4810, Teaching about Controversial Issues

Ref: 42 U.S.C. 11432(g)(3)(E)
N.Y. Education Law §310
8 NYCRR §275.16

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