

EPHRATA AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: PUBLIC COMPLAINT
PROCEDURES

ADOPTED: December 17, 2007

REVISED: May 14, 2018

906. PUBLIC COMPLAINT PROCEDURES	
1. 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.
2. 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.
20 U.S.C. 7844	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.
24 P.S. 510.2	The Board shall ensure that this policy is posted on the district’s publicly accessible website in accordance with law.
2. 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.
3. Guidelines	<p><u>General Complaint Procedure</u></p> <p>It is the intent of the Board that complaints, concerns, and suggestions be addressed and/or resolved at the lowest appropriate level.</p> <p>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.</p>

<p>20 U.S.C. 7844</p>	<p>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.</p> <p>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.</p> <p>When an informal discussion fails to resolve the complaint, the following procedure shall be used.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>The Board, after reviewing all information relative to the complaint, shall provide the complainant with its written response. 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.</p> <p>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.</p> <p><u>Complaint Procedure for Federal Programs</u></p> <p>Complaints alleging violations of law in the district's administration of federally-funded programs shall be processed in accordance with the following procedure.</p>
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The complaint shall submit a written, signed statement to the district's administration office that includes:

1. Contact information of the individual 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.

All individuals and/or organizations making the complaint or that are the subject of the complaint shall be notified of the resolution of the complaint by the Superintendent or designee.

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.

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

References:

School Code – 24 P.S. Sec. 510.2
20 U.S.C. Sec. 7844