

1400 COMPLAINTS FROM THE PUBLIC

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 Board of Education has established the following policies designed to process certain specific complaints:

BOARD POLICY	SUBJECT MATTER OF COMPLAINT
1420 Complaints About Curricula or Instructional Materials	Complaints by community members, including parents and students relating to the selection of instructional or library materials.
5020.3 Students With Disabilities Pursuant To Section 504	Complaints by parents, guardians, persons in parental relation or students relating to placement, evaluation, identification and rights of students with disabilities including complaints and grievances under Title IX, Section 504 of the Rehabilitation Act (Section 504).
5031 Student Complaints and Grievances	Complaints by parents, guardians, persons in parental relation or students relating to student programs, facilities, operations and rights including complaints and grievances under Title IX, Section 504 of the Rehabilitation Act (Section 504).
0110 Sexual Harassment	Complaints by community members, parents, students and staff relating to unwelcome behavior of a sexual nature which is designed to extort sexual favors from a student or employee as a term or condition of academic achievement or employment or which has the effect of creating a hostile, intimidating, or offensive learning or working environment, including any retaliatory conduct relating to such a complaint.
5500 Student Records	Complaints by parents, guardians, persons in parental relation or students over the age of 18 relating to student records.
8111 Reporting of Hazards	Complaints by community members, including parents and students relating to the presence of hazardous materials in school buildings.
9140.1 Staff Complaints and Grievances	Complaints by employees alleging a violation of Title IX and Section 504 or the ADA. Complaints by employees not covered by collective bargaining agreements or whose negotiated agreements do not include grievance procedures. Staff complaints that are not covered under the General Municipal Law shall subject to the discretion of the Board of Education as to the method by which the complaint may be brought.

To ensure efficient processing of complaints, community members are directed to the appropriate policy to address their specific complaint. Timelines in all complaints shall be extended to the extent that complainants do not utilize the appropriate policy.

Public complaints regarding instruction, district programs, materials, operations, and/or staff members will be processed as follows:

Complaints about specific classroom practices:

1. All complaints shall be directed to the teacher concerned. The classroom teacher may address the complaint informally unless it falls within a category of complaint outlined above, in which case the appropriate policy shall be followed.
2. If the complaint is not resolved by the classroom teacher, the complainant shall then address any complaint to the Building Principal. The Building Principal may address the complaint informally unless it falls within a category of complaint outlined above, in which case the appropriate policy shall be followed.
3. If the complaint is not resolved by the Building Principal the complainant shall address any complaint in writing to the Superintendent of Schools. The Superintendent of Schools may refer the matter to his or her designee for investigation and/or resolution. If the complaint is not resolved by the Superintendent, the complainant shall address any complaint in writing to the Board of Education setting forth the basis of his or her appeal of any decision of the Superintendent of Schools.
4. The Board of Education shall consider the complaint and respond either through the District Clerk or refer the matter back to the Superintendent of Schools.

Complaints Regarding Title I of the ESEA or Academic Intervention Services

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 Building Principal. The Building Principal will respond to the complainant within 10 business days. If the complainant is not satisfied with the decision of the Building Principal, the complainant may appeal in writing to the Superintendent of Schools. The Superintendent will respond to the complainant within 20 business 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 shall disseminate this complaint procedure to parents of students in Title 1 funded programs, as well as school officials at nonpublic schools for which the District administers or implements Title I funds or programs.

All other Complaints:

1. Complainants shall direct all complaints to the Building Principal concerned. The Building Principal may address the complaint informally, and may refer the complaint to appropriate building personnel, unless it falls within a category of complaint outlined above, in which case the appropriate policy shall be followed.
2. If the complaint is not resolved by the Building Principal, the complainant shall address any complaint in writing to the Superintendent of Schools. The Superintendent of Schools may refer the matter to his or her designee for investigation and/or resolution.
3. If the complaint is not resolved by the Superintendent, the complainant shall address any complaint in writing to the Board of Education setting forth the basis of his or her appeal of any decision of the Superintendent of Schools.
4. The Board of Education shall consider the complaint and respond either through the District Clerk or refer the matter back to the Superintendent of Schools.

All matters referred to the Superintendent and/or the Board must be in writing. Concerns registered directly to the Board as a whole or to an individual Board member shall be referred as soon as is reasonably possible to the Superintendent of Schools. The Superintendent of Schools may refer any such matter to the appropriate personnel for investigation, report, and/or resolution. Except for complaints for which a specific Policy applies, the Superintendent of Schools retains the authority to investigate, report, and resolve any complaint under this Policy, or to select a designee for that purpose.

Members of the public retain the right to speak directly to the Board consistent with Board Policy 1230: Public Participation at Board Meetings.

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Valley Stream Central High School District