

RED HOOK CENTRAL SCHOOL DISTRICT

POLICY #5405

TITLE I COMPLAINT RESOLUTION POLICY

The Red Hook Central School District has the primary responsibility to ensure compliance with applicable federal laws and regulations, and shall investigate complaints alleging failure to comply with applicable federal laws and regulations. The following Complaint Procedure has been developed to address concerns, complaints and alleged discrimination or violations of federal regulations concerning the Title I programs experienced by students or parents over which the Red Hook Central School District may have control. It is the commitment of the District to resolve complaints with fairness to all parties, quickly, efficiently and, to the extent possible, at the local level. Accordingly, complaints concerning violations of Elementary and Secondary Education Act (ESEA) shall be covered by the following procedures.

DEFINITIONS

“Complainant” shall refer to an individual, including a person’s duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging a violation of Title I protections.

“Complaint” shall refer to a written and signed statement alleging a violation of federal laws or regulations under ESEA. If the Complainant is unable to put the complaint in writing, due to conditions such as a disability or illiteracy, the District shall assist the Complainant in the filing of the complaint.

“Days” shall mean calendar days, unless designated otherwise.

Step 1

A complaint shall be presented in writing to the Title I Coordinator, who shall be considered the representative of the District of purposes of receiving and coordinating responses to complaints and correspondence related to this policy. This District ensures that the Title I Coordinator assigned to investigate complaints is knowledgeable in federal and state laws and regulations pertaining to Title I and the complaint procedure.

An informal conference, by telephone or in person, shall be scheduled to occur between the Title I Coordinator and Complainant within two (2) days of the date of the filing of the complaint. The Title I Coordinator, within two (2) days of the informal conference, shall render a determination on the matter.

Step 2

If the complaint is not resolved at Step 1, an appeal may be filed within five (5) days of the date of determination with the Superintendent of Schools. The Superintendent of

Schools and the Complainant shall hold a conference within five (5) days of the appeal to formally discuss the complaint. The Complainant or Complainant's designee shall have the opportunity to question all parties involved. The Superintendent of Schools, within two (2) days of the conference, shall issue a determination on the matter.

Step 3

If the Complainant is not satisfied with the Superintendent's determination at Step 2, Complainant may file an appeal within five (5) days with the Board of Education. Within five (5) days, the Board, or committee thereof, shall hold a meeting on the complaint, in executive session, with the Complainant and/or the Complainant's designee. Within two (2) days thereafter, the Board of Education shall render a written decision concerning the complaint.

Step 4

The Complainant has the right to appeal the final resolution of the Board of Education to the State Educational Agency. An appeal to the New York State Education Department must be requested and postmarked within twenty (20) business days of receipt of the Board of Education's response to the original complaint.

In every circumstance, the District has a thirty (30) business day period in which to resolve the complaint at the local level.

CONFIDENTIALITY AND NONRETALIATION

Complaints shall be handled in a confidential manner to respect the privacy of all parties to the fullest extent possible. Every effort shall be made to limit the distribution of information to those persons with a need to know. Moreover, the District prohibits retaliation in any form for the filing of a complaint or an appeal, reporting instances of noncompliance or discrimination, or for participation in the complaint filing or investigation process.

The confidentiality and nonretaliation requirements of this provision shall extend to all parties involved.

SOURCES: 34 C.F.R. 299.10
34 C.F.R. 299.11
34 C.F.R. 299.12