



NONPUBLIC COMPLAINT RESOLUTION POLICY

Introduction

The No Child Left Behind Act of 2001 (NCLB) legislation requires State Educational Agencies (SEAs) to adopt written procedures for “receiving and resolving any complaint alleging violations of the law in administration of programs.” In accordance with this legislative requirement, the Pennsylvania Department of Education (PDE) has also required Local Educational Agencies (LEAs) to adopt written procedures for resolving complaints filed.

Definition

A “complaint” is a written, signed statement filed by an individual or an organization. It must include:

- a) A statement that a school has violated a requirement of federal statute or regulation that applies to Title I, II, III, IV, or any similar federal program.
- b) The facts on which the statement is based.
- c) Information on any discussions, meetings or correspondence with a school regarding the complaint.

Complaint Resolution Procedures

- 1) **Referral** – Complaints against schools should be referred to the District’s Federal/State Programs Office:

Noelle Haney-Federal Programs Director
West Mifflin Area High School
91 Commonwealth Avenue
West Mifflin, PA 15122

- 2) **Notice to School** – The Federal/State Programs Office will notify the school Superintendent and Principal that a complaint has been received. A copy of the complaint will be given to the Superintendent and Principal with directions given for the team to respond.

- 3) **Investigation** – After receiving the team’s response, the Federal/State Programs Office, along with the Superintendent, will determine whether further investigation is necessary. If necessary, the Federal/State Programs Director and the Superintendent may do an onsite investigation at the school.

4) **Opportunity to Present Evidence** – The Federal/State Programs Director may provide for the complainant and the Principal to present evidence.

5) **Report and Recommended Resolution** – Once the Federal/State Programs Director has completed the investigation and the taking of evidence, a report will be prepared with a recommendation for resolving the complaint. The report will give the name of the party bringing the complaint, the nature of the complaint, a summary of the investigation, the recommended resolution and the reasons for the recommendation. Copies of the report will be issued to all parties involved. The recommended resolution will become effective upon issuance of the report.

6) **Follow up** – The Federal/State Programs Director and the Superintendent will ensure that the resolution of the complaint is implemented.

7) **Time Limit** – The period between the Federal/State Programs Director receiving the complaint and resolution of the complaint shall not exceed sixty (60) calendar days.

8) **Right to Appeal** – Either party may appeal the final resolution to the Department of Education. Appeals should be addressed as follows:

**Ms. Susan McCrone, Chief
Division of Federal Programs
Pennsylvania Department of Education
333 Market Street, 7th Floor
Harrisburg, PA 17126-0333**