

PUBLIC COMPLAINTS

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 main goal of the district is to resolve such concerns specifically with the parties involved, whenever possible.

Public complaints about the school district will be directed to the proper administrative personnel. Complaints regarding the district's implementation and administration of Title I funds are addressed in the section below. Complaints about specific classroom practices shall be directed to the teacher concerned. If the matter is not settled satisfactorily, the complainant shall then contact the Building Principal; if there is no resolution on this level, the Superintendent of Schools or his/her designee shall be contacted. The Superintendent shall refer the issue to the Board for final resolution, if necessary.

All matters referred to the Superintendent and/or the Board shall be in writing. Concerns registered directly to the Board as a whole or to an individual Trustee shall be referred as soon as is reasonably possible to the Superintendent for investigation, report, and/or resolution.

Any person or entity representative alleging the district has not upheld its Responsibilities under Title I of the Elementary and Secondary 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 Superintendent. After 30 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.p12nysed.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 I funded programs, as well as school officials at nonpublic schools for which the district administers or implements title I funds or programs.

Ref: 20 USC §7844 (ESEA)
34 CFR §§299.10-299.12 [299.11(d)-LEAs must disseminate, free of charge, adequate information about the complaint procedures to parents of students, and appropriate private school officials or representatives.]
8 NYCRR §100.2(ee) (Academic Intervention Services)

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COMPLAINTS ABOUT CURRICULA OR INSTRUCTIONAL MATERIALS

The Board of Education recognizes its responsibility for the purchase of instructional materials. The Board encourages district teachers and administrators to select books and other materials in accord with sound educational principles and practices, and to use them effectively in the classrooms. However, the Board also recognizes the right of community members to voice concerns and/or complaints regarding the implementation of a particular curriculum and/or instructional material.

All complaints concerning textbooks, library books and other instructional material shall be submitted to the Superintendent of Schools. The Superintendent shall promulgate regulations subject to Board of Education approval establishing a complaint procedure which shall include:

1. an opportunity for an informal conference with the complainant;
2. the submission of formal written complaints on a prescribed form;
3. the formation of an instructional material review committee. The members of the committee shall be appointed annually by the Board on recommendation by the Superintendent. The committee shall make recommendations to the Superintendent concerning the disposition of any complaint;
4. a decision by the Superintendent; and
5. an appeal to the Board. The decision of the Board shall be final.

Cross-ref: 4511, Textbook Selection and Adoption
4513, Library Materials Selection and Adoption

Ref: Education Law §§1709(15); 1711(5)(f)
Board of Educ., Island Trees UFSD v. Pico, 457 US 853 (1982)

Adoption date: February 14, 2006

COMPLAINTS ABOUT CURRICULA OR INSTRUCTIONAL MATERIALS REGULATION

Complaint procedures concerning textbooks, library material and other instructional material

The following procedures shall be employed in handling complaints concerning any textbook, library book or material and any other instructional material used in district schools.

1. At the discretion of the Superintendent of Schools, an informal meeting may be held between the complainant and the Superintendent.
2. If a complaint is not resolved informally the complainant must submit a written complaint with the Building Principal on the appropriate form (see exhibit 1420-E).
3. The Superintendent shall notify the Board of Education of the complaint.
4. Any written complaint will be presented to the Instructional Material Review Committee. The membership of the committee shall consist of a library media specialist, who shall chair the committee; a classroom teacher; a Principal or Assistant Principal; and a member of the community. Members shall be appointed by the Superintendent. The committee shall:
 - a. read and examine the challenged materials;
 - b. consider the specific objections to the material voiced by the complainant;
 - c. weigh the values and faults of the material as a whole;
 - d. consider oral presentations made to the committee. The committee will determine whether any oral presentations will be beneficial to its deliberations;
 - e. where appropriate, solicit advice or opinion from other district faculty and staff; and
 - f. issue a report to the Superintendent containing its recommendations concerning any complaint.
5. The Superintendent shall review the report of the committee, make a decision and notify the complainant and appropriate staff.
6. If the complainant is not satisfied with the Superintendent's decision he/she may refer the complaint to the Board. The Superintendent will deliver a copy of his/her decision and the committee's report to the Board for its consideration.

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