

POLICY

SOMERSET COUNTY
BOARD OF EDUCATION

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Subject: Federal/State Statute- Regulation-Complaint Policy	Date Approved: June 20, 2006 November 21, 2006 December 16, 2008 Date Revised: May 16, 2006 October 17, 2006 October 21, 2008 Date Effective: June 20, 2006 November 21, 2006 December 16, 2008

1. PURPOSE

To establish a policy and procedure which provides a mechanism for the acceptance, review, investigation, and resolution of written complaints about State or Federal programs received by Somerset County Public Schools (SCPS).

2. BELIEFS

It is the policy of Somerset County Public Schools that:

These procedures shall be implemented whenever Somerset County Public Schools receives a written complaint alleging that Somerset County Public Schools has violated a State or Federal statute or regulation.

3. PROCEDURE

In order to implement this policy in a consistent manner, the procedures describing herein shall be followed:

A. Filing of Complaint

- (1) An organization or an individual may file a complaint with Somerset County Public Schools.
- (2) The complaint shall be in writing and signed by the individual complainant or by an official of the complaining organization.
- (3) Each complaint shall contain:
 - (a) A statement alleging that Somerset County Public Schools has violated a specific requirement of a Federal or State statute or regulation that apply to a program and
 - (b) The facts upon which the statement is based.

- (4) The complaint may include a request to review a decision of Somerset County Public Schools if the decision is alleged to be a violation.
- (5) Complainants whose allegations fail to meet the requirements are to be notified that they must comply with the requirements in order for the complaint to receive full investigation.

B. Receipt of Complaint by Somerset County Public Schools

- (1) Complaints against Somerset County Public Schools shall be received by the Assistant Superintendent.
- (2) Initial Processing by the Assistant Superintendent
 - (a) All complaints shall be logged in, in writing, with information: Identifying the complaint and supply the date upon which the complaint was filed.
 - (b) Within ten (10) days of a receipt of a complaint, the Assistant Superintendent or designee shall notify the complainant in writing of:
 - (1) The date of receipt of the complaint;
 - (2) The complainant will be notified of the resolution within 60 calendar days from the date of receipt of the complaint;
 - (3) The name of staff assigned to the complaint; and
 - (4) Somerset County Public Schools' intent to fully investigate the complaint.

C. Investigation of Complaints

- (1) The designated staff shall review and investigate the complaint.
 - (a) Where necessary, an independent on-site investigation shall be conducted.
 - (b) If the Assistant Superintendent determines that exceptional circumstances warrant an extension of time in excess of 60 days to investigate and resolve the complaint, the complainant shall be so informed in writing with inclusion of the extended deadline date. Exceptional circumstances may include but are not limited to the complexity of the issues raised in the complaint or the unavailability of key personnel.
- (2) Upon completion of the investigation, the designated staff shall report the findings to the Assistant Superintendent.

D. Resolution of Complaint

- (1) The Assistant Superintendent shall inform the parties in writing of Somerset County Public School's resolution of the complaint and include:
 - (a) Somerset County Public Schools' final decision as to the action which will be taken, if any, in response to the complaint; and
 - (b) Notice of the right to appeal and the appeal process.

(2) After the resolution letter is sent, the Assistant Superintendent or designee shall note on the complaint log the date of the letter, and whether or not any further action is required.

E. **Appeals Process** – Appeals will be handled in accordance with the 4-205 Appeals process.

F. **Personnel Issues** – Complaints involving personnel issues will be handled in accordance with Somerset County Public School’s personnel policies.