

COMPLAINT RESOLUTION PROCESS FOR FEDERAL PROGRAMS OF THE NO CHILD LEFT BEHIND ACT OF 2001

Introduction

The No Child Left Behind Act of 2001 (NCLB) legislation requires Local Educational Agencies (LEAs) 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 **Lackawanna Trail School District** has adopted the following procedures.

Definition

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

- a. A statement that the district has violated a requirement of federal statute or regulations which apply to programs under the No Child Left Behind Act.
- b. The facts on which the statement is based.
- c. Information on any discussions, meetings or correspondence with PDE or the district regarding the complaint.

Complaint Resolution Procedures

- 1) ***Referral*** – Complaints against the Lackawanna Trail School District must be filed in writing with the Lackawanna Trail Elementary Center Principal.
- 2) ***Acknowledgement*** – The Elementary Principal will acknowledge receipt of the complaint in writing and inform the Federal Programs Coordinator and Superintendent.
- 3) ***Investigation*** – The Elementary Principal will thoroughly investigate the complaint and attempt to resolve it informally. If the problem cannot be resolved informally, it will be referred to the Federal Programs Coordinator.
- 4) ***Opportunity to Present Evidence*** – At the Federal Programs Coordinator’s discretion, the complainant (or a representative) may provide evidence. Such presentation may include the opportunity for each side to question parties to the dispute and any of their witnesses.
- 5) ***Report and Recommended Resolution*** – Once the Federal Programs Coordinator has finished the investigation and taking of evidence, he or she will prepare a final report with a recommendation for resolving the complaint. The final 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. The Federal Programs Coordinator will issue the report to all parties of the complaint, along with the Elementary Principal and the Superintendent.
- 6) ***Follow-up*** – The Federal Programs Coordinator will ensure that the resolution of the complaint or appeal is implemented.
- 7) ***Time Limit*** – The period between Lackawanna Trail School District’s receipt of a complaint and its resolution shall not exceed sixty (60) calendar days.
- 8) ***Right to Appeal*** – In appropriate cases, the complainant may appeal the recommended resolution to the Chief of the Division of Federal Programs, Pennsylvania Department of Education.

Filing a Complaint

Complaints should be dated and filed in writing with the Lackawanna Trail Elementary Center Principal.