

Windsor C-1 School District

2017-2018 ANNUAL PARENT NOTIFICATIONS

The Windsor School District, its Board of Education, Administration, teachers, and staff look forward to a wonderful school year. Please find enclosed in this document key information and notifications as we head back to school.

District Board of Education Policies as well as helpful parent and student school specific information can be found in our student handbooks on our District's website at <http://windsor.k12.mo.us>.

PROHIBITION AGAINST DISCRIMINATION, HARASSMENT AND RETALIATION

The Windsor C-1 School District Board of Education is committed to maintaining a workplace and educational environment that is free from discrimination and harassment in admission or access to, or treatment or employment in, its programs, services, activities and facilities. In accordance with law, the District does not discriminate on the basis of race, color, national origin, ancestry, religion, sex, disability, age, genetic information, or any other characteristic protected by law in its programs and activities. In addition, the District provides equal access to the Boy Scouts of America and other designated youth groups. Any person having an inquiry concerning the District's compliance with the above regulations and established grievance procedures should contact the District's Assistant Superintendent, Mr. Jeff Buscher, at 636-464-4400.

PUBLIC ACCESS TO DISTRICT DOCUMENTS

Ms. Linda Schober, the Secretary to the Board of Education, has been appointed custodian of district records. She is responsible for maintaining the District's public records as well as assuring access to the District's public records. Residents inquiring about District records should contact:

Ms. Linda Schober
6208 Highway 61-67
Imperial, MO 63052
Telephone: 636-464-4400

For more information, please refer to Board Policy KBA.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) PUBLIC NOTICE

All responsible public agencies are required to locate, evaluate, and identify children with disabilities who are under the jurisdiction of the agency, regardless of the severity of the disability, including children attending private schools, children who live outside the district but are attending a private school within the district, highly mobile children, such as migrant and homeless children, children who are wards of the state, and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade. The Windsor C-1 School District assures that it will provide a free, appropriate public education (FAPE) to all eligible children with disabilities between the ages of 3 and 21 under its jurisdiction. Disabilities include autism, deaf/blindness, emotional disorders, hearing impairment and deafness, intellectual disability, multiple disabilities, orthopedic impairment, other health impairments, specific learning disabilities, speech or language impairment, traumatic brain injury, visual impairment/blindness and young child with a developmental delay.

The Windsor C-1 School District assures that it will provide information and referral services necessary to assist the State in the implementation of early intervention services for infants and toddlers eligible for the Missouri First Steps program.

The Windsor C-1 School District assures that personally identifiable information collected, used, or maintained by the agency for the purposes of identification, evaluation, placement or provision of FAPE of children with disabilities may be inspected and/or reviewed by their parents/guardians. Parents/guardians may request amendment to the educational record if the parent/guardian believes the record is inaccurate, misleading, or violates the privacy or other rights of their child. Parents have the right to file complaints with the U.S. Department of Education or the Missouri Department of Elementary and Secondary Education concerning alleged failures by the district to meet the requirements of the Family Educational Rights and Privacy Act (FERPA).

The Windsor C-1 School District has developed a Local Compliance Plan for the implementation of State Regulations for the Individuals with Disabilities Education Act (IDEA). This plan contains the agency's policies and procedures regarding storage, disclosure to third parties, retention and destruction of personally identifiable information and the agency's assurances that services are provided in compliance with the General Education Provision Act (GEPA). This plan may be reviewed at the Windsor C-1 School District Central Office, Highway 61-67, Imperial, Missouri 63052, between the hours of 8:00 a.m. and 4:30 p.m. Monday-Friday or for more information contact the District's Director of Special Services, Ms. Christin Greenlee, at (636) 464-4400.

This notice will be provided in native languages as appropriate.

SECTION 504 OF THE REHABILITATION ACT OF 1973 PUBLIC NOTICE

The District seeks to identify, evaluate and provide free and appropriate educational services to all qualified students with disabilities within the definitions of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district program, including nonacademic services and extracurricular activities.

The District will provide a free appropriate public education to each qualified student with a disability in the District's jurisdiction. An appropriate education is the provision of regular or special education and related aids and services that are designed to meet the individual education needs of students with disabilities as adequately as the needs of students without disabilities are met, and complies with applicable federal regulations.

For more information regarding the District's obligations under Section 504 more information contact the District's Director of Special Services, Ms. Christin Greenlee, at (636) 464-4400.

NOTICE OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day a request for access is received.

Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend their child's or their education record should write the school principal or District Superintendent clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Also, in accordance with Board Policy JO, a school official has a legitimate educational interest if the official is:

1. Performing a task that is specified in his or her position description or by a contract agreement.
2. Performing a task related to a student's education in accordance with the school official's position.
3. Performing a task related to the discipline of a student in accordance with the school official's position.

4. Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement or financial aid.
5. Maintaining the safety and security of the campus.
6. Under the direct supervision of a staff member and, with authorization from the district, assisting a staff member in performing his or her job.

*Also, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. These records will be sent upon request of another school in which a student seeks to enroll in accordance with Missouri State Law.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Windsor School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

STUDENT EDUCATIONAL RECORDS/DIRECTORY INFORMATION

FERPA requires that **Windsor C-1 School District**, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the **Windsor C-1 School District** may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the **Windsor C-1 School District** to include this type of information from your child's education records in certain school publications. Examples include:

A playbill, showing your student's role in a drama production;
The annual yearbook;
Honor roll or other recognition lists;
Graduation programs; and
Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act* to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.[1]

The District has designated the following information as directory information: (See Board Policy JO):

General Directory Information – The following information the district maintains about a personally identifiable student may be disclosed by the district to the school community through, for example, district publications, or to any person without first obtaining written consent from a parent or eligible student:

Student's name; date and place of birth; parents' names; grade level; enrollment status (e.g., full-time or part-time); student identification number; user identification or other unique personal identifier used by the student for the purposes of accessing or communicating in electronic systems as long as that information alone cannot be used to access protected educational records; participation in district-sponsored or district-recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees, honors and awards received; artwork or course work displayed by the district; schools or school districts previously attended; and photographs, videotapes, digital images and recorded sound, specifically excluding video footage from the district's security cameras in/around district buildings and properties and on district buses and excluding such records that would be considered harmful or an invasion of privacy.

Limited Directory Information – In addition to general directory information, the following information the district maintains about a personally identifiable student may be disclosed to: school officials with a legitimate educational interest; parent groups or booster clubs that are recognized by the Board and are created solely to work with the district, its staff, students and parents and to raise funds for district activities; parents of other students enrolled in the same school as the student whose information is released; students enrolled in the same school as the student whose information is released; governmental entities including, but not limited to, law enforcement, the juvenile office and the Children's Division (CD) of the Department of Social Services:

The student's address, telephone number and e-mail address and the parents' addresses, telephone numbers and e-mail addresses.

If you do not want **Windsor C-1 School District** to disclose directory information from your child's education records without your prior written consent, you must notify your child's building principal in writing by August 31, 2017.

[1] These laws are: Section 9528 of the Elementary and Secondary Education Act (20 U.S.C. § 7908), as amended, and 10 U.S.C. § 503(c), as amended.

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

The Board of Education has adopted Board Policy JHDA regarding student privacy, parental access to information, participation in surveys, and the administration of certain physical exams to minors. This policy can be reviewed on the District's website: <http://windsor.k12.mo.us/> or upon request.

In accordance with the law, no student of the Windsor C-1 School shall be required to submit to a survey funded in whole or in part by a program of the U.S. Department of Education, that reveals any of the following information without written consent of a parent:

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;

3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

In accordance with the law, parents will receive prior notice and an opportunity to opt a student out of a protected information survey, physical screenings, or marketing activities in accordance with Policy JHDA prior to such activities. At this time, no such surveys or activities are planned or expected to be planned for the 2017-2018 school year.

STUDENT ASSESSMENT

The District has established a written policy on student participation in statewide assessments. Please find a copy of the policy at the link below. A copy of this policy is also available in the District's Central Office.

<https://simbli.eboardsolutions.com/ePolicy/policy.aspx?PC=IL&Sch=244&S=244&C=I&RevNo=1.21&T=A&Z=P&St=ADOPTED&PG=6&SN=true>

PHYSICAL EXAMINATIONS AND SCREENINGS

At this time, the District does not have any physical screenings as detailed herein planned for the 2017-2108 school year.

PROFESSIONAL QUALIFICATIONS OF TEACHERS

In accordance with the Every Student Succeeds Act of 2015 (Public Law 114-95), upon your request, our District is required to provide to you in a timely manner, the following information:

- Whether your student's teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- Whether your student's teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
- Whether your student's teacher is teaching in the field of discipline of the certification of the teacher.
- Whether your child is provided services by paraprofessionals and, if so, their qualifications.

In addition to the information that parents may request, a building receiving Title I.A funds must provide to each individual parent:

- Information on the level of achievement and academic growth of your student, if applicable and available, on each of the State academic assessments required under Title I.A.
- Timely notice that your student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who has not met applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

SCHOOL NUTRITION PROGRAM

The food services program provided by the District is designed to provide wholesome and appetizing school meals to district students. School meals contribute to good nutrition, which is vital to mental and physical growth during the formative years. As such, the food services program operates as an integral part of the total school program.

Meal prices shall be established annually by the Board of Education.

***The Windsor C-1 School District offers eligible students with nutritious school meals, snack and milk either free or at a reduced price if state and federal resources for school food programs are available. For the criteria for participation in this program and an application for free and reduced-price meals, please click here:**

http://windsor.k12.mo.us/wp-content/uploads/2013/07/1415-FR_Lunch_Application.pdf

HOMELESS STUDENTS

The Windsor C-1 School District Board of Education recognizes that homelessness alone should not be sufficient reason to separate students from the mainstream school environment. Therefore, the District, in accordance with state and federal law and the Missouri state plan for education of the homeless, will give special attention to ensure that homeless students in the school district have access to a free and appropriate public education. For more information please see Board Policy IGBCA.

BULLYING POLICY

Board Policy JFCF

General

In order to promote a safe learning environment for all students, the Windsor C-1 School District prohibits all forms of bullying. The district also prohibits reprisal or retaliation against any person who reports an act of bullying among or against students. Students who have been subjected to bullying will have several safe places around the buildings to report acts of bullying, and are instructed to promptly report such incidents to a school official.

Definitions

Bullying – In accordance with state law, bullying is defined as intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable student to fear for his or her physical safety or property; that substantially interferes with the educational performance, opportunities or benefits of any student without exception; or that substantially disrupts the orderly operation of the school. Bullying includes, but is not limited to: physical actions, including violence, gestures, theft, or property damage; oral, written, or electronic communication, including name-calling, put-downs, extortion, or threats; or threats of reprisal or retaliation for reporting such acts.

Cyberbullying – A form of bullying committed by transmission of a communication including, but not limited to, a message, text, sound or image by means of an electronic device including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. The district has jurisdiction over cyberbullying that uses the district's technology resources or that originates on district property, at a district activity or on district transportation. Even when cyberbullying does not involve district property, activities or technology resources, the district will impose consequences and discipline for those who engage in cyberbullying if there is a sufficient nexus to the educational environment, the behavior materially and substantially disrupts the educational environment, the communication involves a threat as defined by law, or the district is otherwise allowed by law to address the behavior.

School Day – A day on the school calendar when students are required to attend school.

Designated Officials

The principal of each building is hereby designated as the individual to receive and investigate reports of bullying. Each building principal shall designate at least two teachers or administrators in the building who are authorized to receive and investigate reports of bullying in the principal's absence or at the principal's discretion.

The district compliance officer appointed in policy AC will serve as the districtwide antibullying coordinator. The antibullying coordinator will receive all completed investigative reports from all buildings and analyze the reports to identify any information that would inform the district's antidiscrimination and antibullying education and training programs. In addition, the antibullying coordinator will assist in making any relevant reports as required by state and federal law.

Reporting Bullying

School employees, substitutes or volunteers are expected to intervene to prevent student bullying, appropriately discipline the perpetrator, assist the victim and report the incident to the building principal or designee for further investigation and action. Any school employee, substitute or volunteer who witnesses or has firsthand knowledge of bullying of a student must report the incident to the building principal or designee as soon as possible, but no later than two school days after the incident.

Students who have been subjected to bullying, or who have witnessed or have knowledge of bullying, are encouraged to promptly report such incidents to a school employee. Any school employee receiving such a report shall promptly transmit the report to the building principal or designee.

If the bullying incident involves students from more than one district building, the report should be made to the principal or designee of the building in which the incident took place or, if more appropriate, to the principal or designee of the building attended by the majority of the participants in the incident.

Investigation

Within two school days of receiving a report of bullying, the principal or designee will initiate an investigation of the incident. Reports that involve students from multiple buildings will be investigated cooperatively by the principals of each building involved, or those principals may request that the district's compliance officer designated in policy AC conduct the investigation. If at any time during the investigation the principal determines that the bullying involves illegal

discrimination, harassment or retaliation as described in policy AC, the principal will report the incident to the compliance officer designated in that policy, who will assist in the investigation. If the alleged bullying involves a special education student or a student with disabilities, the principal will also notify the special education director.

The investigation shall be completed within ten school days of the date the report of bullying was received unless good cause exists to extend the investigation. Upon completion of the investigation, the principal will decide whether bullying or harassment occurred and, if so, whether additional discipline is warranted in accordance with the district's student discipline code. The principal will generate a written report of the investigation and findings and send a copy of the completed report to the district's antibullying coordinator. The principal or designee will document the report in the files of the victim and the alleged or actual perpetrator of bullying. All reports will be kept confidential in accordance with state and federal law.

If the incident involved allegations of illegal discrimination or harassment, the principal's decision may be appealed in accordance with policy AC. Student discipline may be appealed when allowed by law in accordance with Board policy.

The principal or other appropriate district staff will work with victims and their families to access resources and services to help them deal with any negative effects that resulted from the incident.

Consequences

Students who participate in bullying or who retaliate against anyone who reports bullying will be disciplined in accordance with the district's discipline code. Such discipline may include detention, in-school suspension, out-of-school suspension, expulsion, removal from participation in activities, exclusion from honors and awards, and other consequences deemed appropriate by the principal or superintendent. The district will also contact law enforcement when required by law or notify social media companies of inappropriate online activity when appropriate.

Even in situations where the district does not have jurisdiction to discipline a student for bullying, such as when the acts take place off campus and there is an insufficient nexus to the district, the principal or designee will take appropriate actions to assist student victims. Such actions may include, but are not limited to, contacting the parents/guardians of the victim and the alleged perpetrators, communicating that this behavior is not allowed on district grounds or at district activities, notifying the appropriate district staff to assist the victim, and taking additional action when appropriate, such as notifying law enforcement or social media companies of inappropriate online activity.

District employees and substitutes who violate this policy will be disciplined or terminated. Discipline may include suspension with or without pay, a negative evaluation, prohibition from being on district property or at district activities, mandated training or other appropriate remedial action. Volunteers who violate this policy will no longer be permitted to volunteer.

Policy Publication

The district shall annually notify students, parents/guardians, district employees, substitutes and volunteers about this policy and the district's prohibition against bullying. A copy of this policy shall be included in student handbooks and posted on the district's website.

Annual notification will be done through a newsletter at the beginning of each school year . Parents will be provided the definition of bullying, types of bullying and reduction techniques. Updates

from individual buildings will occur throughout the year as things occur within the buildings.

Training and Education

The district's anti-bullying coordinator will provide information and appropriate training designed to assist employees, substitutes and volunteers who have significant contact with students in identifying, preventing and responding to incidents of bullying. This training will occur prior to the start of each school year as part of in-service training. During this training employees will be notified of their requirements to report first-hand knowledge of bullying to the appropriate staff person, as determined by the building principals. Staff who want more information will be allowed to attend I-Safe Training meetings to help further their knowledge.

The district will provide education and information about bullying and this policy to students every year. The principal of each school, in consultation with school counselors and other appropriate school employees, will determine the best methods for facilitating the discussion. Methods may include, but are not limited to: assemblies; homeroom presentations; class meetings; team or club meetings; special presentations by counselors, social workers or mental health professionals; and open-house events. When practical, parents/guardians will be invited to attend.

In addition to educating students about the content of this policy, the district will inform students of:

- The procedure for reporting bullying.
- The harmful effects of bullying.
- Any initiatives the school or district has created to address bullying, including student peer-to-peer initiatives.
- The consequences for those who participate in bullying or engage in reprisal or retaliation against those who report bullying.

School counselors, social workers, mental health professionals, school psychologists or other appropriate district staff will educate students who are victims of bullying about how to overcome the negative effects of bullying including, but not limited to:

- Cultivating the student's self-worth and self-esteem.
- Teaching the student to defend him- or herself assertively and effectively without violence.
- Helping the student develop social skills.
- Encouraging the student to develop an internal locus of control.

Additional School Programs and Resources

The Board directs the superintendent or designee to implement programs and other initiatives to address bullying, respond to such conduct in a manner that does not stigmatize the victim, and make resources or referrals available to victims of bullying. Such initiatives may include educating parents/guardians and families on bullying prevention and resources.

DISTRICT ACCOUNTABILITY REPORT CARDS

A school accountability report card for each school building in the District and the District as a whole will be produced in accordance with law and made available to the public. The District will provide information included in the report card to parents, community members, the print and broadcast news media, and legislators by December 1 annually or as soon thereafter as the information is available to the District.

HAZARDOUS MATERIALS

The Windsor C-1 School District will implement and maintain procedures necessary to comply with the Asbestos Hazard Emergency Response Act of 1986 (AHERA) by adhering to the following guidelines:

1. Use specifically accredited/certified persons to conduct inspections on all school buildings for asbestos-containing material.
2. Take appropriate action to control the release of asbestos fibers, upon completion of inspection.
3. Describe corrective steps and long-range maintenance in a management plan, to be made available to all concerned persons and filed with the appropriate state agencies.
4. Post warning(s) on all areas containing asbestos, and send a written notice to parents and employees, apprising them of the conditions.

Further information concerning the school district's procedures for asbestos control can be found in Board of Education Policy EBAB.

EARTHQUAKE SAFETY

In accordance with Missouri law Section 160.455 RSMo, please click on the link below for information prepared by FEMA regarding earthquake safety at school:

<http://www.fema.gov/earthquake/earthquake-safety-school>

Please also see Board of Education Policy ECB about emergency drills.

<https://simbli.eboardsolutions.com/ePolicy/policy.aspx?PC=ECB&Sch=244&S=244&C=E&RevNo=1.01&T=A&Z=P&St=ADOPTED&PG=6&SN=true>

Missouri Department of Elementary and Secondary Education
Every Student Succeeds Act of 2015 (ESSA)
COMPLAINT PROCEDURES

This guide explains how to file a complaint about any of the programs¹ that are administered by the Missouri Department of Elementary and Secondary Education (the Department) under the Every Student Succeeds Act of 2015 (ESSA)².

Missouri Department of Elementary and Secondary Education Complaint Procedures for ESSA Programs Table of Contents	
General Information	
<ol style="list-style-type: none"> 1. What is a complaint under ESSA? 2. Who may file a complaint? 3. How can a complaint be filed? 	
Complaints filed with LEA <ol style="list-style-type: none"> 4. How will a complaint filed with the LEA be investigated? 5. What happens if a complaint is not resolved at the local level (LEA)? 	Complaints filed with the Department <ol style="list-style-type: none"> 6. How can a complaint be filed with the Department? 7. How will a complaint filed with the Department be investigated? 8. How are complaints related to equitable services to nonpublic school children handled differently?
Appeals	
<ol style="list-style-type: none"> 9. How will appeals to the Department be investigated? 10. What happens if the complaint is not resolved at the state level (the Department)? 	

1. What is a complaint?

For these purposes, a complaint is a written allegation that a local education agency (LEA) or the Missouri Department of Elementary and Secondary Education (the Department) has violated a federal statute or regulation that applies to a program under ESSA.

2. Who may file a complaint?

Any individual or organization may file a complaint.

3. How can a complaint be filed?

Complaints can be filed with the LEA or with the Department.

4. How will a complaint filed with the LEA be investigated?

Complaints filed with the LEA are to be investigated and attempted to be resolved according to the locally developed and adopted procedures.

5. What happens if a complaint is not resolved at the local level (LEA)?

A complaint not resolved at the local level may be appealed to the Department.

¹ Programs include Title I, A, B, C, D, Title II, Title III, Title IV.A, Title V

Revised 4/17

² In compliance with ESSA Title VIII- Part C. Sec. 8304(a)(3)(C)

Local education agencies are required to disseminate, free of charge, this information regarding ESSA complaint procedures to parents of students and appropriate private school officials or representatives.

6. How can a complaint be filed with the Department?

A complaint filed with the Department must be a written, signed statement that includes:

1. A statement that a requirement that applies to an ESSA program has been violated by the LEA or the Department, and
2. The facts on which the statement is based and the specific requirement allegedly violated.

7. How will a complaint filed with the Department be investigated?

The investigation and complaint resolution proceedings will be completed within a time limit of forty-five calendar days. That time limit can be extended by the agreement of all parties.

The following activities will occur in the investigation:

1. **Record.** A written record of the investigation will be kept.
2. **Notification of LEA.** The LEA will be notified of the complaint within five days of the complaint being filed.
3. **Resolution at LEA.** The LEA will then initiate its local complaint procedures in an effort to first resolve the complaint at the local level.
4. **Report by LEA.** Within thirty-five days of the complaint being filed, the LEA will submit a written summary of the LEA investigation and complaint resolution. This report is considered public record and may be made available to parents, teachers, and other members of the general public.
5. **Verification.** Within five days of receiving the written summary of a complaint resolution, the Department will verify the resolution of the complaint through an on-site visit, letter, or telephone call(s).
6. **Appeal.** The complainant or the LEA may appeal the decision of the Department to the U.S. Department of Education.

8. How are complaints related to equitable services to nonpublic school children handled differently?

In addition to the procedures listed in number 7 above, complaints related to equitable services will also be filed with the U.S. Department of Education, and they will receive all information related to the investigation and resolution of the complaint. Also, appeals to the United States Department of Education must be filed no longer than thirty days following the Department's resolution of the complaint (or its failure to resolve the complaint).

9. How will appeals to the Department be investigated?

The Department will initiate an investigation within ten days, which will be concluded within thirty days from the day of the appeal. This investigation may be continued beyond the thirty day limit at the discretion of the Department. At the conclusion of the investigation, the Department will communicate the decision and reasons for the decision to the complainant and the LEA. Recommendations and details of the decision are to be implemented within fifteen days of the decision being delivered to the LEA.

10. What happens if a complaint is not resolved at the state level (the Department)?

The complainant or the LEA may appeal the decision of the Department to the United States Department of Education.