

Highland Falls-Fort Montgomery CSE Complaint Procedures under the No Child Left Behind Act

As required by Title IX, General Provisions of the Elementary and Secondary Education Act (ESEA), the Highland Falls-Fort Montgomery CSD has adopted the following procedures for receiving and resolving complaints. Complaints concerning violations of ESEA Title I Part A, are covered by these procedures.

Title I Part A is a federally funded program that must adhere to the rules and regulations set forth by both the US Department of Education and the New York State Department of Education. Every effort is made to ensure compliance with the regulations and parent satisfaction with Title I services.

A. Grounds for a Complaint

Any individual, organization, or agency (“complainant”) may file a complaint with the Highland Falls-Fort Montgomery CSD (HFFMCSD) if that individual, organization, or agency believes and alleges that HFFMCSD is violating a Federal statute or regulation that applies to a program under the No Child Left Behind Act. The complaint must allege a violation that occurred not more than one (1) year prior to the date the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing.

B. Federal Programs for Which Complaints Can Be Filed

- Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies
- Title II, Part A: Teacher and Principal Training and Recruiting Fund
- Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement

C. Complaints Originating at the Local Level

As part of its Assurances within NCLB program grant applications and pursuant to Section 9306 of the No Child Left Behind Act, a Local School District accepting federal funds must have local written procedures for the receipt and resolution of complaints alleging violations of law in the administration of covered programs. Therefore a complaint should not be filed with the New York State Department of Education until every effort has been made to resolve through local written complaint procedures. If the complainant has tried to file a complaint with the Highland Falls-Fort Montgomery CSD to no avail, the complainant must provide the New York State Department of Education written proof of their attempt to resolve the issue with the Highland Falls-Fort Montgomery CSD.

D. Filing a Complaint

A complaint must be made in writing and signed by the complainant. The complaint must include the following:

1. A statement that the Highland Falls-Fort Montgomery CSD has violated a requirement of a Federal statute or regulation that applies to an applicable program;
2. The date on which the violation occurred;
3. The facts on which the statement is based and the specific requirement allegedly violated (include citation to the Federal statute or regulation);
4. A list of the names and telephone numbers of individuals who can provide additional information;
5. Whether a complaint has been filed with any other government agency, and if so, which agency;
6. Copies of all applicable documents supporting the complainant’s position; and
7. The address of the complainant.

The complaint must be addressed to:
Dr. Debra Jackson
Superintendent of Schools
Highland Falls-Fort Montgomery CSD
PO Box 287
Highland Falls, NY 10928

Once the complaint is received by the Highland Falls-Fort Montgomery CSD, it will be copied and forwarded to the appropriate Federal Program Director/Coordinator.

E. Investigation of Complaint

Within ten (10) days of receipt of the complaint, HFFMCS D will issue a Letter of Acknowledgement to the complainant that contains the following information:

1. The date HFFMCS D received the complaint;
2. How the complainant may provide additional information;
3. A statement of the ways in which HFFMCS D may investigate or address the complaint; and
4. Any other pertinent information.

If additional information or an investigation is necessary, HFFMCS D will have sixty (60) days from receipt of the information to complete the investigation and issue a Letter of Findings.

If the Letter of Findings indicates that a violation has been found, a timeline for corrective action will be included.

The sixty (60) day timeline may be extended if exceptional circumstances occur.

The Letter of Findings will be sent directly to the complainant, as well as the other parties involved.

F. Right of Appeal

If an individual, organization, or agency is aggrieved by the final decision of the Highland Falls-Fort Montgomery CSD, that individual, organization, or agency has the right to request review of the decision by the New York State Department of Education.

For complaints filed pursuant to Section 9503 a complainant may appeal to the New York State Department of Education no later than thirty (30) days from the date on which the complainant receives the Letter of Findings. The appeal must be accompanied by a copy of the Highland Falls-Fort Montgomery CSD's decision and include a complete statement of the reasons supporting the appeal. Please refer to the New York State Department of Education Complaint Process found at this web site: <http://www.p12.nysed.gov/nclb/complaintappeals.htm>

**Highland Falls-Fort Montgomery CSD
Complaint Form for Federal Programs under the No Child Left Behind Act of 2001**

Name (Complainant):	
Mailing Address:	
Phone Number (Home):	
Phone Number (Work/Cell):	
Mailing Address:	
Date on which violation occurred:	
Statement that the Highland Falls-Fort Montgomery CSD has violated a requirement of a Federal statute or regulation that applies to an applicable program (include citation to the Federal statute or regulation) (attach additional sheets if necessary):	
The facts on which the statement is based and the specific requirement allegedly violated (attach additional sheets if necessary):	
List the names and telephone numbers of individuals who can provide additional information.	
Has a complaint been filed with any other government agency? If so, provide the name of agency.	
Please attach/enclose copies of all applicable documents supporting your position.	
Signature of Complainant:	Date:
Mail this form to: Dr. Debra Jackson, Superintendent Highland Falls-Fort Montgomery CSD PO Box 287 Highland Falls, NY 10928	