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Title I Nonpublic Complaint Procedures

Definition

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

- a. A statement that the Wattsburg Area School District (WASD) has violated a requirement of federal statute or regulations which apply to programs under the ESEA, as amended by the ESSA.
- b. The facts on which the statement is based.
- c. Information on any discussions, meetings or correspondence with PDE or the WASD regarding the complaint.

Complaint Resolution Procedures

1. **Referral** — complaints against WASD or appeals from WASD decisions regarding complaints will be referred to the Regional Coordinator (RC) for the LEA against which the complaint has been filed.
2. **Notice to LEA** — the Regional Coordinator will notify the LEA’s superintendent or chief administrative officer that a complaint or appeal has been received, will provide a copy, and will direct the LEA to respond. For complaints addressing questions and concerns from private school officials and LEAs regarding the provision of equitable services under Titles I and VIII the RCs will notify the ombudsman as required under ESSA (ESEA sections 1117(b)(1) and 8501(b)(1)).
3. **Investigation** — after receiving the LEA’s response, the Regional Coordinator / Ombudsman will determine whether further investigation is necessary. If necessary, the Regional Coordinator / Ombudsman may carry out an independent investigation on-site at the LEA.
4. **Opportunity to Present Evidence** — the Regional Coordinator / Ombudsman may, in his or her discretion, provide for the complainant, the complainant’s representative, or both, and the LEA to present 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 Regional Coordinator / Ombudsman has finished any investigation and taking of evidence, he or she will prepare a final report with a recommendation for resolving the complaint or appeal. The final report will give the name of the party bringing the complaint or appeal, the nature of the complaint or appeal, a summary of the investigation, the recommended resolution, and the reasons for the recommendation. The RC/Ombudsman will issue the report to all parties to the complaint or appeal. The recommended resolution will become effective upon issuance of the final report.
6. **Follow-up** — the Regional Coordinator will insure that the resolution of the complaint or appeal is implemented.
7. **Time Limit** — the period between PDE’s receipt of a complaint or appeal and its resolution shall not exceed forty-five (45) calendar days.

8. **Extension of Time Limit** — the Chief of the Division of Federal Programs may extend the 45 day time limit if exceptional circumstances exist with respect to a particular complaint or appeal.
9. **Right to Appeal** — either party may appeal the final resolution to the United States Secretary of Education.

Local Complaint Procedures

1. **Adoption of Procedures** — each LEA must adopt written procedures for resolving complaints filed with them.
2. **Appeal to PDE** — the LEA's procedures must provide the complainant or the complainant's representative with the right to appeal the LEA's resolution of the complaint to PDE.

Filing a Complaint/Appeal to PDE

Complaints should be addressed as follows:

Susan McCrone
Division Chief
Division of Federal Programs
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333

Ken Krawchuk
Regional Coordinator
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717-783-6907