



## Complaint Policy of Bronx Charter School for Excellence

### Purpose and Scope

This policy pertains to both formal and informal complaints. Informal complaints would include complaints about instructional materials, personnel, teacher vacancies or mis-assignments. Formal complaints would include violations of law or of the school's charter related to the management and operation of the school. This policy is to comply with applicable state laws and regulations governing these subjects in order to be responsible and compliant. This policy is not to be used for an emergency or urgent facilities condition that poses a threat to the health and safety to pupils or staff. In such cases, school leadership should be immediately notified or emergency responders contacted.

Pursuant to this policy, persons responsible for conducting investigations shall be knowledgeable about the matters that they are assigned to investigate, and be free of conflicts. In the event of a conflict, the staff position above or below the conflicted staff member will handle the complaint as determined by the Principal. The Bronx Charter School for Excellence schools shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with school mandates, procedures, and policies as set by the following: SUNY Charter Schools Institute; and the mission, charter, and philosophy of our schools.

In addition, Bronx Excellence maintains that this policy will serve as a uniform complaint procedure for investigating complaints of: (1) discrimination on the basis of age, sex, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability; and (2) complaints related to personnel issues, academic issues, any single person or combination of persons of staff, student, fellow parent, family, volunteer matters that appear to compromise and/or conflict with school's mission and/or charter, violations of the laws and regulations governing consolidated categorical aid programs, child development, counseling, special education and nutrition services. The school will receive and investigate uniform complaints that fall within these categories to ensure that the school is in compliance.

Furthermore, for complaints that address unlawful discrimination or lack of compliance with certain federal and state programs may have additional avenues of complaint governed by state and/or federal authority.



Bronx Charter School for Excellence encourages informal and formal resolution to complaints whenever possible. Many issues are best resolved through communication between the parties most immediately involved. Informal complaints will be resolved at the school level with an appeal to the CMO, then the Board of Trustees.

Complaint forms are available at the main office and will be forwarded to the Leadership Team.

### **Informal Complaints - Parent/Guardian Concerns**

Concerns raised by parents/guardians should be resolved as quickly as possible. Therefore, parents or guardians of students of Bronx Excellence are urged to fill out a complaint form and discuss their concerns directly with the leadership team when concerns surface.

The Principal/Leadership Team will seek the assistance of other members of the Leadership Team, staff, and/or student(s) in identifying specifics in order to gather information about the complaint, to continue investigation and/or to work toward resolution of the complaint. To aid in a timely investigation, monitoring, and logging of complaints, it is important that Bronx Excellence distribute the complaint policy and complaint form to staff via the staff handbook, to parents/guardians via the family handbook, and/or to the school community, if necessary, in order to satisfy complaint protocol and procedure needs. A complaint about problems beyond the authority of the Bronx Excellence Leadership Team shall be forwarded to the leadership of the CMO in a timely manner, but not to exceed ten (10) working days for resolution.

The CMO leadership shall provide a copy of the disposition to the Board of Trustees if and when a complaint resolution/decision has not satisfied the complainant and an appeals process has been initiated. The school will maintain a complaint log when either type of complaint is received.

### **Procedures**

All complaints and responses are subject to disclosure under the Freedom of Information Law (FOIL) but shall be redacted to protect personal privacy information under FOIL and the Family Educational Rights and Privacy Act. Complainants or scholar of complainant shall not be subject to retaliation as a result of the filing of a complaint. Complaints shall be processed in accordance with the steps below. In addition, any Title 1 complaints received shall be processed, resolved,



and tracked in accordance with the steps below and will be identified as a Title 1 parent complaint.

### **Step 1: Filing the Complaint**

Complaints are registered on the complaint form by complainant. Informal complaints may also be verbally communicated with the Principal and/or appropriate Leadership Team member(s); however, a record of a complaint must be in written form as indicated. If for any reason a complainant is unable to put a complaint in writing, the appropriate Leadership Team member(s) shall allow the complainant to record their complaint onto a recorder to be transcribed and/or translated and affirmed by the complainant. The complaint should state the date of the subject action of the complaint and a detailed statement of the circumstances, and the requested remedy. A complainant may include as much text as he/she feels is necessary to explain the complaint. The complainant shall be provided a copy of his/her complaint form and this complaint policy and procedure if complainant has not already received one. These materials will be translated into another language upon request, or a translator will be used to accommodate persons who do not speak or write English.

### **Step 2: Investigation of the Complaint**

Principal and/or appropriate Leadership Team member(s) will make all reasonable efforts to investigate complaint/problem within his/her authority. Investigation shall include, but not be limited to: interviews with the complainant and/or complainant's representative and any other person(s) believed to have relevant knowledge concerning the complaint; records review; and other evidence review.

### **Step 3: Response and Final Decision**

Principal and/or appropriate Leadership Team member(s) shall complete the investigation of a valid complaint within a reasonable time period but not to exceed ten (10) working days from the date the complaint was received. The Principal or appropriate Leadership Team member shall complete a written response/report within fifteen (15) working days of the initial filing and provide a copy to the complainant as well as place a copy in complaint log and teacher/student file, if applicable.

The reported decision shall be written in English and translated into the language of the complainant if the complainant does not speak or write English.



To the extent practicable, the complainant's right to a prompt and equitable resolution of the complaint will not be affected by the complainant's pursuit of other remedies, such as the filing of a complaint with any outside entity.

### **Appeal Process and Formal Complaints**

Bronx Excellence has provided the above as a procedure for resolving informally complaints brought by Bronx Excellence parents/guardians/school community. However, Bronx Excellence understands that any individual or group may bring a formal complaint to the Board of Trustees alleging a violation of the provisions of Article 56 of the Education Law (i.e. the New York Charter Schools Act), the school's charter, or any other provision of law relating to the management or operation of the charter school.

If a complaint is not able to be brought to resolution by the Bronx Excellence Leadership Team, or wishes to initially file a formal complaint, then the complainant(s) has/have the right to bring the complaint(s) to the Board of Trustees for resolution during a regularly scheduled Board Meeting. In the case of a formal complaint handled by the Bronx Excellence Leadership Team, the complainant(s) has/have the right to file a written appeal to the CMO leadership/Board of Trustees within fifteen (15) days of receiving the decision.

Complaints received at least five (5) business days in advance of a Board of Trustees meeting will likely be addressed at the next Board meeting. Those complaints not received within that time period will be addressed at the next regularly scheduled Board of Trustees meeting. Every effort will be made to respectfully address the matter to the satisfaction of the individual or group who presented the complaint. The Board of Trustees may need to go into Executive Session to resolve the complaint. The Board of Trustees, as necessary, shall direct the Principal and/or other responsible party to act upon the complaint and report to the Board. The Board shall render a determination in writing to include:

- (a) its written determination, including any remedial actions to be taken;
- (b) a written notice to the complainant that he or she may file an appeal with the SUNY Charter Schools Institute if the complaint involves a violation of law or charter; and
- (c) a copy of the SUNY Charter Schools Institute's Grievance Guidelines (available at: <http://www.newyorkcharters.org/contact/>).



If, after presentation of complaint to the Board of Trustees and receiving its written response, the individual or group determines that the Board has not adequately addressed the complaint, the complainant may present the complaint to the SUNY Charter Schools Institute, which shall investigate and respond. Contact information for the SUNY Charter Schools Institute is as follows:

Charter Schools Institute  
State University of New York  
353 Broadway  
Albany, NY 12246  
(518) 445-4250  
[charters@suny.edu](mailto:charters@suny.edu)

If, after presentation of complaint to SUNY Charter Schools Institute, the individual or group determines that SUNY Charter Schools Institute has not adequately addressed the complaint, the complainant may present the case to the New York State Board of Regents through the New York State Education Department, which shall investigate and respond. SUNY Charter Schools Institute and the Board of Regents have the power to take appropriate remedial action to address complaints.