



MIDDLEBURGH CENTRAL SCHOOL DISTRICT
Director of Curriculum, Instruction and Assessment
291 Main Street – P.O. Box 606
Middleburgh, New York 12122
(518) 827-3625

No Child Left Behind
Written Complaint and Appeal Procedures
For Title I, Parts A, C, and D
Or Section 100.2(ee) of Commissioner's Regulations
Regarding Academic Intervention Services

As required by Title IX, General Provisions of the Elementary and Secondary Education Act (ESEA), the New York State Education Department (NYSED) has adopted the following procedures for receiving and resolving complaints and for reviewing appeals from decisions of local educational agencies (LEAs). Complaints concerning violations of ESEA Title I, Parts A, C, and D, or of the General Education Provisions Act; or of Section 100.2(ee) Academic Intervention Services of the Regulations of the Commissioner are covered by these procedures.

Middleburgh Central School District must disseminate free of charge, adequate information about the State Complaint and Appeal Procedures to parents of students, and appropriate private school officials or representatives. [General Provisions Regulations, 34 CFR Sections 299.10-299.12]

Procedures for Filing Complaints/Appeals with a LEA:

Who may submit a complaint?

Any public or nonpublic school parent or teacher, other interested person, or agency may file a complaint.

What must a complaint contain?

All complaints must:

- be written;
- be signed by the person or agency representative filing the complaint;
- specify the requirement of law or regulation being violated and the related issue, problem, and/or the concern;
- contain information/evidence supporting the complaint; and
- state the nature of the corrective action desired.

Title I complaints should be first sent to the Superintendent of the LEA. If the local LEA fails to resolve the complaint within 30 business days, or fails to resolve the issue to the satisfaction of the complainant, the complaint should be sent to the Title I School and Community Services Office, Room 320 EB, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.

The State Education Department will review complaints when the complaint pertains to:

- the State's administration of the ESEA Title I Basic Grant, Migrant Education, or Neglected or Delinquent Program;
- an appeal from the decision of an LEA regarding an action by the LEA.

Complaints that do not meet any of the above criteria, including complaints concerning the LEA's administration of its Title I Program, will be referred for possible resolution to the LEA against whom the complaint is made.

Within 60 business days of the receipt of the complaint/appeal, Department staff will complete an on-site review (if necessary) and/or records examination and will notify all parties of its findings. An extension of the 60-day complaint resolution period is permitted under CFR Part 299.11 (b), for exceptional circumstances

The Department's response shall contain:

- the names of persons interviewed;
- the records or other evidence examined;
- relevant dates/times/locations/events;
- summary of findings; and
- The Department's response shall contain:
 - the names of persons interviewed;
 - the records or other evidence examined;
 - relevant dates/times/locations/events;
 - summary of findings; and
 - nature of corrective action to be taken including applicable timelines.

Finally, parties dissatisfied with the State Education Department's complaint resolution may file an appeal directly with the United States Department of Education at:

United States Department of Education
Compensatory Education Programs
400 Maryland Avenue, S.W.
Room 3W230, FOB #6
Washington, D.C. 20202-6132