

# Resolution of Formal Complaints

## County-Level Complaint Form

The West Virginia Board of Education (WVBE) has established a clear and fair process for addressing and resolving formal complaints submitted by members of the public who seek a remedy for a failure to provide elements of a high-quality education that resources permit or for violations of any other state law. WVBE Policy 7211 permits members of the public to file formal complaints alleging a school or county is in violation of providing West Virginia Code, WVBE policy, the West Virginia Code of State Rules, or the West Virginia Constitution.

The WVBE encourages and supports parents, members of the public, and school staff in their efforts to reach a mutually satisfactory resolution by seeking solutions to problems at the school level. Within five (5) business days of receiving a principal's written decision, a complainant not satisfied with the principal's resolution may submit a County-Level Formal Complaint to the county superintendent. All county-level complaints will be reviewed by the county superintendent. WVBE policies may be reviewed at <http://wvde.state.wv.us/policies/>. The West Virginia Code may be reviewed at <http://www.legis.state.wv.us/WVCODE/Code.cfm>.

*The formal complaint procedure allows members of the public to seek a remedy for violations of state law by state, county, or school officials. The formal complaint procedure is not the appropriate process to express disagreement with authorized decisions made by state, county, or school officials, if those decisions fall within the authority of the state, county, or school officials and do not constitute a violation of any state law. This process is not to be used for any situation in which the state, county, or school has no authority to act. Refer to WVBE Policy 7211 for more detailed information regarding complaint limitations.*

Use this form to provide detailed information about the complaint you are filing. When complete, you and any additional complainants must sign and date the form and file it with the county superintendent. Please note that signature pages from the school-level complaint cannot be reused, and any complainants who wish to join the county-level complaint must sign this county-level complaint form. The county superintendent will then schedule an informal conference or formal hearing within ten (10) business days to discuss the complaint and try to find an appropriate resolution.

Complainant Information		
Last Name:	First Name:	Middle Initial:
Address:	City/State:	Zip Code:
Primary Phone Number:	Alternate Phone Number:	Best Hours to Call:
Email Address:	Best Method of Reaching You (select one): <input type="checkbox"/> Phone (at the times above) <input type="checkbox"/> Email	
Please use the "Additional Complaint(s) Information" sheet to list the names and contact information for all other complainants joining you in this complaint. <b>You will be the primary contact</b> for the county superintendent as the county works with you to resolve this complaint. Please remember to share all information about conference dates and times with your fellow complainants.		
Background Information About Your Complaint		
Please provide a <b>brief</b> description of the issues in your school-level complaint (that is, the major reason you filed the complaint). New issues cannot be addressed in this county-level complaint if they were not raised in your school-level complaint. Attach a copy of your School-Level Complaint Form, any evidence you included, and the principal's written decision.		

**State Laws or WVBE Policies, Rules, or Regulations of Concern to the School-Level Complaint:**

*Please list, by code number or title or by policy name or number, the specific law(s) or regulation(s) you believe have been violated.*

**Requested Meeting: Informal Conference or Formal Hearing**

At this level, you have the option to request an informal conference with the county superintendent or designee. An informal conference is a casual discussion that may be held in person, over the phone, or via video conference with the county superintendent, the complainant, and any other individuals invited by one of the parties.

A formal hearing is appropriate if facts are in dispute and will include testimony from you, other witnesses, and staff members presented under oath. Formal hearings will be recorded, and a transcript of the proceedings will be produced; informal conferences will not be recorded.

Please indicate which type of meeting you are requesting by selecting **one** below.

- ☐ **Informal Conference:** I request an informal conference with the county superintendent or designee to discuss the claim and appeal.
- ☐ **Formal Hearing:** I request a formal hearing with the county superintendent or designee to review this issue formally and under oath.

**Reason for Appeal**

Please describe the reason(s) you are appealing the principal's written decision. As appropriate, include a description of the reason(s) why you believe the written decision is not sufficient to address the issue(s) presented in your complaint.

**Resolution of the Complaint**

How do you believe this complaint could be adequately addressed, resolved, or corrected?

**Confidentiality Terms**

The WVBE and the West Virginia Department of Education (WVDE) are public agencies responsible for complying with the West Virginia Freedom of Information Act and other laws granting public access to nonexempt records. The WVBE and the WVDE cannot assure confidentiality of any information submitted by the complainant.

**Your Signature**

By signing this form, I certify that the information is true and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Notices**

You must file this form with your county superintendent within **5 days** of receiving the principal's written decision. Your informal conference or formal hearing should be conducted within 10 days of the superintendent's receipt of your form. The county superintendent or designee will render a written decision within 10 days following an informal conference or 20 days following a formal hearing.

Please keep a copy of this form, complete with signature(s), and any supporting documents for your records.

*The WVBE and the West Virginia Department of Education do not discriminate on the basis of sex, race, color, religion, disability, age and national origin in employment and in administration of any of their education programs and activities.*

Additional Complainant(s) Information		
Last Name:	First Name:	Middle Initial:
Address:	City/State:	Zip Code:
Phone Number:	Email Address:	
_____ Signature		_____ Date
Last Name:	First Name:	Middle Initial:
Address:	City/State:	Zip Code:
Phone Number:	Email Address:	
_____ Signature		_____ Date
Last Name:	First Name:	Middle Initial:
Address:	City/State:	Zip Code:
Phone Number:	Email Address:	
_____ Signature		_____ Date
Last Name:	First Name:	Middle Initial:
Address:	City/State:	Zip Code:
Phone Number:	Email Address:	
_____ Signature		_____ Date

*Please attach additional sheets as necessary. Any additional complainant(s) joining a formal complaint must provide, at a minimum, his/her name, address, and signature to accompany the initial filing. Signatures represent support for this county-level complaint and certification that the information provided on this form is true and accurate to the best of signatory's knowledge and belief.*