

Resolution of Formal Complaints

State-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 or county level. Within fifteen (15) business days of receiving a county superintendent's written decision, a complainant not satisfied with the superintendent's written decision may submit a State-Level Formal Complaint to the State Superintendent. All State-Level Formal Complaints will be reviewed by the State Superintendent or designee. 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 submit all school-level and county-level formal complaints, written decisions, and related documentation with the State-Level Formal Complaint form. You must include copies of the principal's written decision, the county superintendent's written decision, and any supporting documents (such as your School-Level Complaint Form and County-Level Complaint Form, along with any records or evidence you provided at those levels). If you requested a hearing for your county-level complaint, you must provide the complete record of the proceedings, including the audio recording and any exhibits introduced into evidence. When you have completed the form and compiled the documentation, you (and any additional complainants) must sign and date the form and file it with the State Superintendent or designee. Please note that signature pages from the school-level or county-level complaints cannot be reused, and any complainants who wish to join the state-level complaint must sign this state-level complaint form.

When the State Superintendent or designee has received all the relevant documents, a review of your complaint will be conducted, as well as any additional investigation that may be required to provide a written decision. The written decision by the State Superintendent shall be provided within 30 days of receipt of a complete State-Level Formal Complaint and shall be final.

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 Complainant(s) Information" sheet to list the names and contact information for all other complainants joining you in this request. You will be the primary contact for the State Superintendent or designee throughout the review of this complaint. Please remember to share all pertinent information with your fellow complainants.		

Background Information About Your School-Level and County-Level Complaints

Please provide a **brief** description of the issues in your initial complaint and your subsequent appeal (that is, the major reason(s) you filed the school-level and county-level complaints). New issues cannot be addressed in this state-level complaint if they were not raised in both your school-level and county-level complaints. Attach a copy of your School-Level and County-Level Complaint Forms, any evidence you included, and the principal's and county superintendent's written decisions. If a county-level formal hearing was held, you must provide the complete record of the proceedings, including the audio recording and any exhibits introduced into evidence.

State Laws or WVBE Policies, Rules, or Regulations of Concern to the School-Level or County-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.

Reason for Requesting Review

Please describe the reason(s) you are requesting a review by the State Superintendent. As appropriate, include a description of the reason(s) why you believe the written decisions at the school and county level are not sufficient to address the issue(s) presented in your complaint.

Resolution of the Issue

How do you believe the issue(s) 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 the 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. I further certify that I understand that the decision rendered by the State Superintendent (or designee) is final.

Signature

Date

Notices

You must file this request with the State Superintendent of Schools within **15 days** of receiving the county superintendent's written decision. The State Superintendent will render a written decision within 30 days of the receipt of a complete State-Level Formal Complaint.

Decisions rendered at the state level are final. There are no further steps in the WVBE Resolution of Formal Complaints Process.

You may choose to 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 Citizen(s) Joining the Complaint		
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 citizen joining a complaint must provide, at a minimum, his/her name, address, and signature to accompany the initial filing. Signatures represent support for this state-level complaint and certification that information provided on this form is true and accurate to the best of signatory's information, knowledge, and belief. **Signatories further understand that state-level resolutions are final.***