



**BRILLA**  
Public Charter Schools

## How To File a Formal Complaint

### The Nature of a Formal Complaint

In the event that an individual feels Brilla has committed a violation of the school's charter or of the law, he or she may choose to file a formal complaint against the school. Examples of such violations include:

- An IDEA violation involving the discipline of a special education student
- A state law violation such as inflicting corporal punishment on a student
- A Charter Schools Act violation including failure to follow the stated admission policy

### Filing a Formal Complaint

Please note that formal complaints must be presented in writing. You may use the Formal Complaint Form attached here if you wish. Or you may directly email the board of directors at [board@brillaschools.org](mailto:board@brillaschools.org). The complaint must include:

1. The nature of the violation
2. The facts on which the complaint is based
3. The signature and contact information of the person filing the complaint
4. If alleging a complaint about a specific child
  - a. The name and address of the child on which the complaint is based
  - b. Statement about the nature of the child's problem
5. A proposed resolution to the problem

Complaint forms should be sent to:

Chair of the Board  
Brilla Charter Schools  
413 E. 144<sup>th</sup> Street  
Bronx, NY 10454  
[board@brillaschools.org](mailto:board@brillaschools.org)

**The board will handle the formal complaint in accordance with the attached Formal Complaint Policy, approved in September 2016.**

### Informal Complaints

In the case of an informal complaint, families are encouraged to take their grievances to the staff person who is directly involved in the incident or situation. If the conflict is not successfully resolved, families should bring the complaint to that person's supervisor. If still not adequately resolved, families may take their grievances to the Superintendent for resolution with the involved parties. Examples of informal complaints include: homework is too difficult, another student is copying my student's work, I want to change my child's class.

**FORMAL COMPLAINT FORM**

**Describe the nature of the violation:**

**State the facts on which the complaint is based:**

**If alleging a complaint about a specific child, please state:**

The name and address of the child on which the complaint is based:

The nature of the child's problem:

A potential resolution of the problem:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Complaint Policy - *Approved 9/13/2016*

When misunderstandings or disputes arise in the school community, it is important that they be resolved before serious problems develop. Faculty, staff, and other members of the school community should always try to resolve their difficulties among themselves first. Informal consultation with the Superintendent or other school leaders is encouraged if efforts among parties involved are not fruitful. When this is not sufficient to resolve an issue, Brilla has adopted the following policy for informal and formal complaints. Nothing in this policy shall be interpreted to interfere with a person's right to file a formal complaint under NY Education Law § 2855(4) alleging a violation of law or charter.

### **Informal Complaints**

Complaints that do not involve violations of law or the charter are defined as informal complaints. Brilla has a multi-step process for resolving informal complaints. If a member of the Brilla community believes that an issue has not been resolved through discussion with involved parties and/or school leaders, the following additional procedures are available.

1. Complainant submits an informal complaint in writing to the Superintendent. Complaint forms are available at the main office and included in staff and family handbooks. The complaint should state the date of the complaint, a detailed statement of the circumstances, and the requested remedy. A complainant shall not be limited as to the amount of text he/she feels is necessary to explain the complaint. The complainant shall be provided a copy of their complaint form and this complaint policy and procedure if complainant has not already received one.
2. The Superintendent or a delegate from the Leadership Team will make all reasonable efforts to investigate the complaint. The investigation shall include, but not be limited to: interviews with the complainant and/or complaint's representative and any other person(s) believed to have relevant knowledge concerning the complaint.
3. The Superintendent and/or appropriate Leadership Team member(s) shall respond to and, if necessary, remedy a valid complaint within ten (10) working days from the date the complaint was received. The Superintendent 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 (if a response is requested by the complainant) as well as place a copy in the appropriate teacher/student file, if applicable. The reported decision shall be written in English and in the language of the complainant whenever feasible or required by law. The response will inform the complainant of the right to appeal to Brilla's Network Executive Director.
4. If the complainant is not satisfied with the response and remedy provided by school leadership, the complainant may appeal to Brilla's Network Executive Director within fifteen (15) days of receiving a written response/report from school leadership. The Superintendent shall provide a copy of the disposition to the Executive Director if and when a complaint resolution/decision has not satisfied the complainant and an appeals

process has been initiated. All complaints must be submitted to the Executive Director in writing, who will acknowledge receipt of said complaint within five business days.

5. The Executive Director or a delegate from the Charter Management Organization (CMO) will make all reasonable efforts to investigate the complaint. The 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.
6. The Executive Director and/or appropriate CMO member(s) shall respond to and, if necessary, remedy a valid complaint within ten (10) working days from the date the complaint was received. The Executive Director or appropriate CMO member shall complete a written response/report within fifteen (15) working days of the initial filing and provide a copy to the complainant (if a response is requested by the complainant) as well as place a copy in the appropriate teacher/student file, if applicable. The reported decision shall be written in English and in the language of the complainant whenever feasible or required by law. The response will inform the complainant of the right to appeal to Brilla's Board of Directors.
7. If the complainant is not satisfied with the response and remedy provided by the Executive Director and/or CMO member(s), the complainant may appeal to the school's Board of Directors within fifteen (15) days of receiving a written response/report from school leadership. The Superintendent and Executive Director shall provide a copy of the disposition to the Board of Directors if and when a complaint resolution/decision has not satisfied the complainant and an appeals process has been initiated. All complaints must be submitted to the Board in writing, which will acknowledge receipt of said complaint within five business days.
8. The Chair of the Board will appoint a Grievance Committee composed solely of board members to investigate the complaint. The Grievance Committee will complete its work within 30 business days of the Board receiving the complaint and present its findings and recommendations to the Board at the next regularly scheduled Board meeting. The Board will affirm or amend the Grievance Committee recommendation and shall, as necessary, direct the Superintendent and/or other responsible party to act upon the complaint and report to the Board. The Board shall render a determination in writing, as necessary. The decision of the Board regarding informal complaints is final and cannot be appealed to the SUNY Board of Directors.

### **Formal Complaints**

In accordance with requirements of § 2855(4) of the Education Law, any individual or group may bring a complaint directly to the Brilla Board of Directors alleging a violation of the provisions of the New York Charter Schools Act of 1998 (as amended), the charter, or any other provision of law relating to the management or operation of the school. This is defined as a formal complaint.

Brilla prefers that complainants voluntarily first use the informal complaint process described above to attempt to try to resolve their concerns with school management before bringing it to

the attention of the Brilla Board of Directors. However, nothing in this policy should be interpreted as preventing the submission of a formal complaint directly to the Brilla Board of Directors. The formal complaint process should follow these steps:

1. Complainant submits a formal complaint to the Chair of the Brilla Board of Directors. Complaints should be addressed to:

Brilla Board Chair  
Brilla College Prep  
413 East 144<sup>th</sup> St  
Bronx, NY 10454.

Complaint forms are available at the main office and included in staff and family handbooks. The complaint should state the date of the complaint, a detailed statement of the circumstances, and the requested remedy. A complainant shall not be limited as to the amount of text he/she feels is necessary to explain the complaint. The complainant shall be provided a copy of a complaint form and this complaint policy and procedure if complainant has not already received one. All complaints must be submitted to the Board in writing, which will acknowledge receipt of said complaint within five (5) business days.

2. The Chair of the Board will appoint a Grievance Committee comprised solely of board members to investigate the complaint. The Grievance Committee will complete its work within 30 business days of the Board receiving the complaint and present its findings and recommendations to the Board at the next regularly scheduled Board meeting.
3. The Board will affirm or amend the Grievance Committee recommendation and shall, as necessary, direct the Superintendent and/or other responsible party to act upon the complaint and report to the Board. The Board shall render a determination in writing and clearly set forth the reasoning of the Board's decision and any remedial actions to be taken. Complainant will also be informed of the right to appeal the Brilla Board's decision to the Board of Directors of SUNY if the complaint involves a violation of law or charter. Complainant will also be provided a copy of the complaint information on the SUNY Charter Schools Institute's website at: <http://www.newyorkcharters.org/contact/>.
4. Any individual dissatisfied with the response of the Brilla Board of Directors may bring a further complaint which alleges a violation of the charter, charter law or any other provision of law relating to the management or operation of Brilla to the SUNY Charter Schools Institute at:

41 State Street, Suite 700  
Albany, NY 12207  
[charters@suny.edu](mailto:charters@suny.edu).

5. Any individual dissatisfied with the response of the SUNY Charter Schools Institute may bring a further complaint which alleges a violation of the charter, charter law or any other provision of law relating to the management or operation of Brilla to the Board of Regents via the New York State Education Department at:

Charter Schools Office  
Room #5N EB  
Mezzanine

Brilla College Preparatory Charter Schools – Complaint Policy

89 Washington Avenue  
Albany, NY 12234.

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