



Atmosphere
academy

Complaint Policy

Introduction

Atmosphere Academy's complaint policy is in accordance to New York State Education Law § 2855(4), which is part of the New York Charter Schools Act of 1998 (as amended, the "Act"). The Act provides a parent, as well as any other individual or entity (such as a contractor, employee or school district), who believes that a charter school has violated a term of its charter or any applicable law, an opportunity to make a formal complaint to the charter school education corporation's board of trustees to seek relief.

Atmosphere Academy's Complaint Policy establishes the steps an individual, e.g., a parent or staff member, must take before bringing a formal complaint to the SUNY Charter Schools Institute.

1. Typically, complaints must first be brought to the attention of school staff who must have adequate time to try to resolve the complaint.
2. If the complainant is not satisfied by the resolution of the school staff, he or she may bring the complaint to the board. The Board Chair will appoint an ad hoc Grievance Committee to hear the complaint, which will make a recommendation to the board. The Grievance Committee will be composed of at least three board members. The complaint must be submitted in writing, and the Grievance Committee has one month to review the complaint and interview the complainant and other individual as necessary, at which time it may either submit a recommendation to the board or call for more information, which starts the one month cycle again. Once a recommendation is received by the board, it must be heard at the next scheduled board meeting and the board may vote to accept or modify the recommendation or send it back to the Grievance Committee for further review.
3. Upon resolution of a complaint (generally within 45 days), Atmosphere Academy will provide to the complainant:
 - a. its written determination, rationale, and any remedial action thereto;
 - b. a written notice to the complainant that he or she may appeal the determination of Atmosphere Academy to the SUNY Charter Schools Institute; and,
 - c. a copy of the SUNY Charter Schools Institute's grievance policy:
 - i. <http://www.newyorkcharters.org/contact/>
4. If the complainant is dissatisfied with the findings of the Grievance Committee and the board, he or she can appeal to the SUNY Charter Schools Institute via email (charters@suny.org) or phone (518-445-4250) or mail (41 State Street, Suite 700 Albany, NY 12207). Complete the form via the link below and email or mail it to SUNY Charter Schools Institute:
 - a. <http://www.newyorkcharters.org/wp-content/uploads/Grievance-Form.pdf>
5. If the Institute as the authorizer of the school does not satisfactorily resolve a formal complaint, you can appeal the Institute's written determination to the New York State Board of Regents through the New York State Education Department ((518) 474-3852). Please or by submit written appeals by mail to:

- a. NYSED Charter Schools Office ,Room #5N EB, Mezzanine, 89 Washington Avenue, Albany, NY 12234

No person, who is the subject of a complaint or allegation, shall not be involved in the investigation or decision making process related to that complaint. Alternate decision-makers shall be identified.

Formal Complaints vs. Informal Complaints

Formal Complaints

A formal complaint involves an alleged violation of the law generally, the Act or of the education corporation's charter including its provisional charter or certificate of incorporation.

Informal Complaints

Many types of complaints do not involve violations of law or the charter; rather, they are informal complaints. Informal complaints will be handled by school staff, not by Atmosphere Academy's board of trustees. Unlike the formal complaint process, a multi-tiered review process is acceptable for informal complaints. For example, an informal complaint may be handled in the first instance by a teacher, then a director, and then the principal. The following instances are examples of informal complaints:

- "Michael pulls my daughter's hair. Can't she move seats?"
- "I want my son in a different class."
- "I think my child deserves an 'A' in that course, not a 'B.'"

Responses to informal complaints will include the issuing of a written decision if it reaches a director or the principal. Informal complaints do not have to use a multi-tiered process. In all cases, informal complaints and resolutions will be documented for possible future reference.

Please note that SUNY Charters School Institute does not handle appeals of informal complaints.

The Appeal Process

The Institute's role in the formal complaint process is a limited one, and it is generally restricted to appeals after the education corporation's board of trustees (or designee) has handled the complaint. Again, the Institute does not handle appeals of informal complaints. This fact is clearly communicated to all complainants via this policy.

Pursuant to the Act, if a complainant who properly appealed an education corporation's formal complaint decision to the Institute is unhappy with the Institute's final decision on the matter, the complainant may appeal to the New York State Education Department (which handles complaints for the New York State Board of Regents ("Board of Regents")). Contact information for the Board of Regents is available at: <http://www.newyorkcharters.org/contact/>. Both the Institute and the Board of Regents can issue school remedial orders to remedy complaints.

In some instances the Institute, as the education corporation's authorizer with general oversight authority, may get involved in the process before a formal appeal or formal complaint has been filed. Specifically, the Institute may make an initial inquiry and conduct an investigation on its own initiative when it receives allegations of:

- child abuse;
- health or safety violations;
- criminal activity;
- special education violations;
- compulsory education violations (including lack of alternative instruction); and,
- suspension or expulsion without due process