



## 2018-2019 Complaint Procedures

Any individual, organization, or agency (“complainant”) may file a complaint with the State Schools if that individual, organization, or agency believes and alleges that State Schools is violating a Federal statute or regulation under the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the Every Student Succeeds Act (ESSA) of 2015, that applies to any of the programs listed below:

- Title I, Part A, Improving the Academic Achievement of the Disadvantaged
- Title I, Part C, Education of Migratory Children
- Title I, Part D, Programs for Neglected or Delinquent Children
- Title II, Part A, Supporting Effective Instruction
- Title III, Part A, Language Instruction for English Learners and Immigrant Students
- Title IV, Part A, Student Support and Academic Enrichment
- Title IV, Part B, 21st Century Community Learning Centers
- Title IX, Part A, Subtitle 7b, The McKinney–Vento Homeless Assistance Act

**Filing a Complaint.** A complaint must be made in writing and signed by the complainant. The complaint must allege a violation that occurred not more than one (1) year prior to the date the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing. The complaint must include the following:

1. A statement that State Schools has violated a requirement of a Federal statute or regulation that applies to an applicable program;
2. The date on which the violation occurred;
3. The facts on which the statement is based and the specific requirement allegedly violated (include citation to the Federal statute or regulation);
4. A list of the names and telephone numbers of individuals who can provide additional information;
5. Whether a complaint has been filed with any other government agency, and if so, which agency;
6. Copies of all applicable documents supporting the complainant’s position; and
7. The address of the complainant.

There are three options for submission:

- 1) Via mail:

Georgia Department of Education

Dr. Kenney Moore, Director, Division of State Schools

Suite 1758 Twin Towers East

205 Jesse Hill Jr. Drive

Atlanta, Georgia 30334

2) Via email:

[kemoore@doe.k12.ga.us](mailto:kemoore@doe.k12.ga.us)

3) Via fax: 770-302-9915

**Investigation of Complaint.** Within ten (10) days of receipt of the complaint, the Division Director or his or her designee will issue a Letter of Acknowledgement to the complainant that contains the following information:

1. The date the Department received the complaint;
2. How the complainant may provide additional information;
3. A statement of the ways in which the School may investigate or address the complaint; and any other pertinent information.

Appropriate staff will review the information and determine whether:

1. Additional information is needed;
2. An on-site investigation must be conducted;
3. Other measures must be taken to resolve the issues raised in the complaint; or
4. A Letter of Findings can be issued.

If additional information or an investigation is necessary, the district will have sixty (60) days from receipt of the information or completion of the investigation to issue a Letter of Findings. If the Letter of Findings indicates that a violation has been found, corrective action will be required and timelines for completion will be included. Either the 30-day or the 60-day timelines outlined above may be extended, if exceptional circumstances exist. The Letter of Findings will be sent directly to the complainant, as well as the other parties involved.

**Right of Appeal.** If an individual, organization or agency is aggrieved by the final decision of the Division of State Schools District, that individual, organization or agency has the right to request review of the decision by the United States Secretary of Education. The review is at the Secretary's discretion.

**STATE SCHOOL DISTRICT**

## Complaint Form for Federal Programs

**Please Print**

Name of (Complainant):	
Mailing Address:	
Phone Number (home):	Phone Number (work):
Person/department complaint is being filed against:	
Date on which violation occurred:	
Statement that the State School District has violated a requirement of a Federal statute or regulation that applies to an applicable program (include citation to the Federal statute or regulation) (attach additional sheets if necessary):	
The facts on which the statement is based, and the specific requirement allegedly violated (attach additional sheets if necessary):	
List the names and telephone numbers of individuals who can provide additional information	
Please attach/enclose copies of all applicable documents supporting your position.	
Signature of Complainant:	Date:
Mail or deliver this form to: Georgia Department of Education Dr. Kenney Moore, Director, Division of State Schools Suite 1758 Twin Towers East 205 Jesse Hill Jr. Drive Atlanta, Georgia 30334	
Date Received:	
Date of Response to Claimant:	