

Georgia Cyber Academy Governing Board
COMPLAINTS: ELEMENTARY AND SECONDARY EDUCATION ACT
(ESEA) Policy

Adopted On: 3/17/21 Last Reviewed On: 03/17/2021 Last Updated On: 03/17/2021

Georgia Cyber Academy, Inc. (“GCA”)

COMPLAINTS: ELEMENTARY AND SECONDARY
EDUCATION ACT (ESEA)

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A. Overview and Dissemination

- 1. Overview: This policy applies specifically to complaints alleging a violation of federal law, in compliance with ESEA, and includes specific procedures for carrying out this policy.
- 2. Dissemination: Information regarding complaint procedures is distributed annually to school administrators to share with their staff. Copies are kept on file in the school’s front office and on the school website.

B. Grounds for a Complaint

- 1. Any individual, organization or agency (complainant) may file a complaint with the Georgia Cyber Academy Board if the complainant believes and alleges that, within the past year or on an ongoing basis, the School has operated a program in a manner that violates a federal statute or regulation specified in Section C below.

C. Federal Programs for Which Complaints Can Be Filed

- 1. Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies

2. Title I, Part A, Section 1003(g): School Improvement Grant – referred to as 1003(a) and 1003(g)
3. Title I, Part C: Education of Migrant Children
4. Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
5. Title II, Part A: Supporting Effective Instruction
6. Title III, Part A: Language Instruction for English Learners and Immigrant Students
7. Title IV, Part A: Student Support and Academic Achievement
8. Title IV, Part B: 21st Century Community Learning Centers
9. Title IX, Part A: McKinney-Vento Homeless Assistance Act

D. Complaints Filed with the Georgia Cyber Academy Board in the First Instance

1. As ESEA requires, Georgia Cyber Academy has its own procedures for the receipt and resolution of complaints alleging violations of law in the administration of covered programs. A complainant must address its complaint to the Board in the first instance.
2. The complaint should be filed with the Georgia Cyber Academy Board.
3. If the complainant has filed a complaint with Georgia Cyber Academy Board and is dissatisfied with the result, the complainant must provide the Georgia Department of Education written proof of the attempt to resolve the issue with Georgia Cyber Academy Board.

E. Filing a Complaint with the Georgia Cyber Academy Board

1. A complaint must be in writing, state the complainant's name and address, and signed by the complainant.
2. The complaint must include the following:
 - a. A statement that Georgia Cyber Academy has violated a requirement of a federal statute or regulation that applies to an applicable program
 - b. The date(s) on which the violation(s) occurred
 - c. The factual basis for the complaint
 - d. The federal statute or regulation violated
 - e. The names and telephone numbers of individuals who can provide additional or confirming information

- f. Whether a complaint has been filed with any government agency, and if so, the name of the agency and a copy of all related documents
 - g. Copies of all other documents supporting the complainant's position
3. The complaint must be delivered to both of the following individuals by the means specified for each:
- a. Send by email and send hard copy by delivery method requiring signature to the following:

Chris Adams, Esq.
Krevolin Horst
One Atlantic Center
1201 West Peachtree Street, NW
Suite 3250 | Atlanta, GA 30309
adams@khlawfirm.com

- b. Send by email to the following:

Kenneth Tennyson Asher
Georgia Cyber Academy Board Chair
ktennysonasher@georgiacyber.org

Michael D. Kooi, Esq.
Georgia Cyber Academy Executive Director and School Counsel
mkooi@georgiacyber.org

F. Investigation of Complaint

1. Within ten (10) business days of receipt of the complaint, GCA will issue a Letter of Acknowledgement to the complainant that contains the following information:
 - a. Date the complaint was received
 - b. How the complainant may provide additional information
 - c. The ways in which complaint may be investigated or addressed
 - d. Any other information pertinent at the initial phase of investigation
2. GCA will, within sixty (60) calendar days from receipt of the complaint, issue a Letter of Findings. The 60-day timeline may be extended, if exceptional circumstances exist, in which event GCA will inform the complainant in writing of the additional time required. The Letter of Findings will be sent by GCA directly to the complainant. If the Letter of Findings indicates that a violation has been found, corrective action will be required, and the details of the corrective action and timeline for its completion will be included.

G. Right of Appeal

The complainant has the right to request review of the GCA Board's determination by the Georgia Department of Education. The appeal must be accompanied by a copy of the GCA Board's determination/Letter of Findings and include a complete statement of the reasons supporting the appeal.

COMPLAINT: ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)

Name (Complainant):
Mailing Address:
Phone Number (home): Phone Number (cell): Phone Number (work):
Person/department in violation of federal law:

Date of violation:								
Requirement of federal statute or regulation that GCA has violated include citation to the Federal statute or regulation:								
The facts on which the allegation of violation is based:								
Individuals who can provide additional/confirming information: <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left; width: 25%;">Name</th> <th style="text-align: left; width: 25%;">Telephone</th> <th style="text-align: left; width: 40%;">Address</th> <th style="text-align: left; width: 10%;">Email</th> </tr> </thead> <tbody> <tr> <td style="height: 60px;"> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Name	Telephone	Address	Email				
Name	Telephone	Address	Email					
Other agency with which complaint has been filed:								
Signature of Complainant: _____ Date: _____								

NOTE: USE ADDITIONAL PAGES IF NECESSARY.

INCLUDE ALL DOCUMENTATION REQUESTED.

SEND TO THE FOLLOWING:

Chris Adams, Esq.
 Krevolin Horst
 One Atlantic Center
 1201 West Peachtree Street, NW
 Suite 3250 | Atlanta, GA 30309

adams@khlawfirm.com

Michael D. Kooi, Esq.
Georgia Cyber Academy
1745 Phoenix Blvd.
Suite 100
Atlanta, GA 30349

Kenneth Tennyson Asher
Georgia Cyber Academy Board Chair
ktennysonasher@georgiacyber.org