

**Effingham County Board of Education
Federal Programs and Participation of Private School Children
Complaint Procedures**

A. Grounds for a Complaint

Any individual, organization, or agency (complainant) may file a complaint with the Effingham County Board of Education (Board) if that individual, organization or agency believes and alleges that a local educational agency (LEA), the state educational agency (SEA), or an agency or consortium of agencies is violating a federal statute or regulation that applies to a program under the Title I, Part A of the ESEA and other federal programs. The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing.

B. 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 C: Education of Migrant Children
3. Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
4. Title II, Part A: Teacher and Principal Training and Recruiting Fund
5. Title II, Part D: Enhancing Education through Technology
6. Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
7. Title IV, Part B: 21st Century Community Learning Centers
8. Title VI, Part A, Subpart 1, Section 6111: State Assessment Program
9. Title VI, Part A, Subpart 1, Section 6112: Enhanced Assessment Instruments Competitive Grant Program
10. Title VI, Part B, Subpart 2: Rural and Low-Income Schools
11. Title IX, Part E, Subpart 1, Section 9503: Complaint Process for Participation of Private School Children
12. Title X, Part C: McKinney-Vento Homeless Assistance Act

C. Complaints Originating at the Local Level

1. Complaints originating at the school shall be presented to the school principal to be resolved. If the complaint is not resolved at the school level, the complaint shall be presented to the

Superintendent of the Effingham County School System who shall resolve the matter. A meeting will be arranged with the Superintendent and the concerned parties.

2. The Superintendent will work with the complainant to resolve the complaint.
3. If the issue is still unresolved, the Superintendent will set up a meeting with School Board of Education and the concerned parties.
4. If the issue is still unresolved, the Superintendent will contact the state department education's Title programs office for guidance.
5. Meeting with officials from the district may be scheduled in order to resolve the complaint.
6. If additional steps beyond the state department of education are required in the resolution of the complaint, these steps will occur in accordance with the ESEA.

D. Filing a Complaint

A complaint must be made in writing and signed by the complainant. The complaint must include the following:

1. A statement that the LEA 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.
7. If the complaint involves a homeless child, as defined in the McKinney-Vento Homeless Assistance Act, the complaint must include available contact information for the child—instead of the address of the child's residence—and the name of the school the child is attending.
8. The address of the complainant.

The complaint must be addressed to:
Dr. Randy Shearouse, Superintendent
Effingham County Board of Education
405 North Ash Street
Springfield, Georgia 31329

E. Investigation of Complaint

Within ten (10) days of receipt of the complaint, the superintendent or his/her designee will issue a letter of acknowledgement to the complainant that contains the following information:

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

If the complaint involves a school, the Board will send a copy of the Letter of Acknowledgement to the principal. The Effingham County Board of Education will contact the school to clarify the issues and review the complaint process. If the complaint cannot be resolved through this contact, the Board of Education will invite the school to submit a written response to the Board, and provide a copy of the response to the complainant. Appropriate Board 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;
4. A letter of findings can be issued.

If additional information or an investigation is necessary, the Board will have thirty (30) 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.

F. Right of Appeal

If an individual, organization, or agency is aggrieved by the final decision of the Effingham County Board of Education, that individual, organization, or agency has the right to request review of the decision by the State Department of Education. The review is at the State Department of Education discretion.

For complaints filed pursuant to Title IX, Part E, Subpart 1, Section 9503 (20 U.S.C. §7883, complaint process for participation of private school children), a complainant may appeal the Department's decision to the U.S. Secretary of Education no later than 30 days from the date on which the complainant receives the letter of findings. The appeal must be accompanied by a copy of the Department's decision and include a complete statement of the reasons supporting the appeal