

Consultation Requirements

Under the Elementary and Secondary Education Act (ESEA), reauthorized as the Every Student Succeeds Act (ESSA), a local education agency (LEA) must provide services to eligible non-public school students, families, and teachers that are equitable to those provided in eligible public schools. LEAs and non-public school officials are required to complete and submit the results of consultation to the Equitable Services Ombudsman prior to the LEAs application for ESEA funds. Non-public school officials have recourse through the complaint process if they do not believe that the LEA has engaged in meaningful consultation or if they believe the LEA is not providing equitable services as agreed to in the consultation form. The Ombudsman for Equitable Services serves as the primary point of contact for responding to and resolving any complaints regarding equitable services.

If a non-public school official believes that timely and meaningful consultation has not occurred, they should first discuss concerns with the LEA point of contact responsible for coordinating the consultation and provision of services between the two entities. If, after discussing the concerns with the LEA, the non-public school official still believes the issue is unresolved, the official may reach out to the Ombudsman for Equitable Services and an informal mediation may occur upon request. In the event the problem is not resolved, non-public school officials have the right to file a formal written complaint with the Ombudsman for Equitable Services.

Complaint Requirements

Non-public school officials who wish to file a written complaint must include the following:

1. Complainant contact information, including: the name, address, phone number, and email address of the complainant and the associated non-public school;
2. The specific requirements not met as required by the ESSA;
3. A statement that the LEA or other agency has failed to meet requirements for equitable participation;
4. A description of the facts on which the complaint is based, including the dates and events related to the complaint;
5. A description of documents that support the described facts, if applicable;
6. A description of the complainant's efforts to resolve the complaint in other ways, if applicable;
7. The complainant's expected resolution of the complaint; and,
8. The signature of the complainant.

Complainants should use the form on the following page to ensure that all required elements are included in the complaint.

Complaint Submission

Complaint Process

Complainants should ensure that the complaint and all supporting documentation are complete before submitting a complaint.

Upon receipt of a complete complaint, SSD will, within ten (5) days of receipt of the complaint, issue a Letter of Acknowledgement to the complainant that contains the following information:

1. The date the Charleroi Area School District received the complaint
2. How the complainant may provide additional information
3. A statement of the ways in which the Charleroi Area School District may investigate or address the complaint
4. Inform complainant the Superintendent of Schools received a copy of the complaint
5. Any other pertinent information.

Timeline:

The LEA (Charleroi Area School District) has 30 days from receipt of a formal complaint form to resolve the issue. If a local resolution cannot be reached, the timeframe that a State Educational Agency (PDE) has for responding to a complaint from parents, teachers, or other individuals concerning violations of Elementary and Secondary Education Act of 1965 (ESEA) section 8501 regarding the participation by private school children and teachers is 45 days. In addition, the U.S. Department of Education Secretary must investigate and resolve an appeal of the PDE resolution of a complaint within 90 days.

Charleroi Area School District
Attn: Mark Killinger, Federal Program Coordinator (Title I, II, IV)
75 Fecsen Drive
Charleroi, PA. 15022

markkillinger@charleroisd.org

If you have further questions, please contact the PDE State Ombudsman:

- Melanie Salonick msalonick@pa.gov

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