

Hart County Complaint Procedures under the ESEA (Federal)

A. Grounds for a Complaint

Any individual, organization or agency (“complainant”) may file a complaint with the Hart County School System Board of Education if that individual, organization or agency believes and alleges that a violation of a federal statute or regulation that applies to a program under the Title I, Part A of the Elementary and Secondary Act of 1965 (ESEA) has occurred. The complaint must allege a violation that occurred not more than one (1) 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 B, Subpart 3: Even Start Family Literacy
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: Teacher and Principal Training and Recruiting Fund
6. Title II, Part D: Enhancing Education Through Technology
7. Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
8. Title IV, Part B: 21st Century Community Learning Centers
9. Title VI, Part A, Subpart 1, Section 6111: State Assessment Program
10. Title VI, Part A, Subpart 1, Section 6112: Enhanced Assessment Instruments Competitive Grant Program
11. Title VI, Part B, Subpart 2: Rural and Low Income Schools
12. Title IX, Part E, Subpart 1, Section 9503: Complaint Process for Participation of Private School Children
13. Title X, Part C: McKinney-Vento Homeless Assistance Act

C. Filing a Complaint

A formal complaint must be filed in writing to the Hart County School Superintendent or his/her designee.

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 names and telephone numbers of individuals who can provide additional information;
5. Copies of all applicable documents supporting the complaint’s position; and
6. The address of the complaint.

D. 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 department related to the complaint received the complaint;

2. How the complainant may provide additional information;
3. A statement of the ways in which the department related to the complaint may investigate or address the complaint; and
4. Any other pertinent information.

If additional information or an investigation is necessary, the Superintendent 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. The 60-day timeline outlined above may be extended, if exceptional circumstances exist. The Letter of Findings will be sent directly to the complainant.

E. Right of Appeal

If the complaint cannot be resolved at the local level, the complainant has the right to request review of the decision by the Georgia Department of Education. The appeal must be accompanied by a copy of the Superintendent's decision and include a complete statement of the reasons supporting the appeal.

The complaint must be addressed to:
Georgia Department of Education
Office of School Improvement
Federal Programs Division
205 Jesse Hill Jr. Drive SE
2052 Twin Tower East
Atlanta, GA 30334