

## **COMPLAINT PROCEDURE**

### **Complaints and Grievances Policy**

#### **Complaint Procedures Under the *No Child Left Behind Act***

##### **A. Grounds for a Complaint**

Any individual, organization or agency (“complainant”) may file a complaint with the Emanuel County Board of Education (“Department”) 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 *No Child Left Behind Act*. 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 C: Education of Migrant Children
3. Title II, Part A: Teacher and Principal Training and Recruiting Fund
4. Title II, Part D: Enhancing Education Through Technology
5. Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
6. Title IV, Part A, Subpart 1: Safe and Drug Free Schools and Communities
7. Title IV, Part B: 21st Century Community Learning Centers
8. Title VI, Part B, Subpart 2: Rural and Low-Income Schools
9. Title IX, Part E, Subpart 1, Section 9503: Complaint Process for Participation of Private School Children
10. Title X, Part C: McKinney-Vento Education for Homeless Children and Youth

##### **C. Filing a Complaint**

A complaint must be made in writing to the Emanuel County School Director of Federal Programs and signed by the complainant. The complaint must include the following:

1. A statement that the Emanuel County School System 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. Copies of all applicable documents supporting the complainant’s position; and
6. The address of the complainant.

##### **D. Investigation of Complaint**

Within ten (10) days of receipt of the complaint, the Director of Federal Programs 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 Department 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 sixty (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 Legal Services  
205 Jesse Hill Jr. Drive SE  
2052 Twin Tower East  
Atlanta, GA 30334

It is the policy of the Emanuel County Board of Education that grievances and complaints relating to school matters are to be recognized and addressed in an orderly manner. Grievances and complaints shall be addressed from parents, students, staff, private schools and other concerned organizations or individuals in the general public.

Grievances and complaints shall be handled and resolved, whenever possible, as close to their origin as possible. For the purposes of this policy, a grievance is defined as any claim by a member of the public that the action or operation of the school district or the Board of Education is in violation of the law or Board policy. Any claim that does not meet the definition of grievance will be considered a complaint and it will be handled through routine administrative procedures.

**Emanuel County School System  
Complaint Form for Federal Programs  
(Title IA, IIA, IC, III, VIB, X Part C Homeless)**

Please Print

Name of Complainant:
Mailing Address:
Phone Number (Home): Phone Number (Work): Phone Number (Cell):
Person/Department Against Which the Complaint is Being Filed:
Date of Violation:
Statement that the Emanuel County School System has violated a requirement of a Federal statute or regulation to an applicable program (include citation to the Federal statute or regulation):
The facts on which the statement is based and the specific requirement allegedly violated:
List the names and the telephone numbers of individuals who can provide additional information.

Please attach/enclose copies of all applicable documents supporting your position.

Signature of Complainant:

Date:

Please mail or deliver this form to:

Emanuel County School Director Federal Programs  
Emanuel County Board of Education  
P.O. Box 130  
Swainsboro, GA 30401

Date Received:

Date of Response to Claimant: