



Federal Programs

**DEKALB COUNTY SCHOOL DISTRICT  
OFFICE OF FEDERAL PROGRAMS**

## **TITLE I WRITTEN COMPLAINT AND APPEAL PROCEDURES**

The DeKalb County School District has adopted the following procedures for receiving and resolving complaints and for reviewing appeals at the district level. Complaints concerning violations of ESSA Title I, Parts A, C, and D, or of the General Education Provisions Act; are covered by these procedures.

The DeKalb County District disseminates, free of charge, adequate information about the district's Complaint and Appeal Procedures to parents of students, and appropriate private school officials or representatives.

### **PROCEDURES FOR FILING COMPLAINTS/APPEALS WITH A LOCAL SCHOOL DISTRICT:**

#### **WHO MAY SUBMIT A COMPLAINT?**

Any public or nonpublic school parent or teacher, other interested person, or agency may file a complaint. **WHAT MUST A COMPLAINT CONTAIN?** All complaints must: be written; be signed by the person or agency representative filing the complaint; specify the requirement of law or regulation being violated and the related issue, problem, and/or the concern; contain information/evidence supporting the complaint; and state the nature of the corrective action desired

#### **WHAT MUST AN APPEAL FROM A DISTRICT/LEA'S RESPONSE CONTAIN?**

An appeal must contain: a copy of the original signed complaint a copy of the local school district's response to the original complaint or a statement that the school district failed to respond in 30 business days. In DeKalb County, a copy of the local school district and the Department of Education's response to the original complaint or a statement that the Department of Education failed to respond within 30 business days; and a statement identifying those parts of the local school district's response which the party wishes to appeal.

#### **WHERE A COMPLAINT/APPEAL TO THE LEA SHOULD BE SENT?**

Complaints/appeals regarding the district's administration and implementation of its ESSA Title I Grant should be sent first to the Director of the Office of Federal Programs of the district against whom the complaint is made. The LEA has a 30 business day period in which to resolve a complaint.

In DeKalb County, Title I complaints should be sent first to the District's Executive Director of the Office of Federal Programs. If the local community school district fails to resolve the complaint within 30 business days, or fails to resolve the issue to the satisfaction of the complainant, the complaint should be sent to the Chief Academic Officer. If the issue is not resolved to the satisfaction of the complainant, the complaint should be sent to the Superintendent of the school district.

## **II. PROCEDURES FOR FILING COMPLAINTS/APPEALS WITH THE GEORGIA DEPARTMENT OF EDUCATION (GaDOE)**

### **What is Included in a Formal Complaint?**

The complaint must include:

- The complainant's contact information (name, address, phone number, and email address);
- The date(s) on which the alleged violation(s) occurred and the date(s) on which any school district, 21<sup>st</sup> Century Community Learning Centers (21st CCLC) program, or GaDOE action or decision regarding the alleged violation was issued, if applicable;
- The facts and documentation on which the complaint is based;
- The specific federal requirement allegedly violated (include citation to the federal statute or regulation, if known);
- Documentation or an explanation of efforts to resolve the complaint;
- Contact information for other individuals who can provide additional information, if applicable (name, telephone number, address, and email address);
- Whether a complaint has been filed with any other agency and, if so, which agency; and
- A proposed resolution to the complaint.

### **When May a Formal Complaint be Filed?**

A formal complaint may be filed when an organization or individual believes that a recipient of funding has violated a requirement of a federal statute or regulation related to the administration of a program. 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. The federal ESSA programs for which formal complaints may be filed and investigated are:

*Title I, Part A – Improving Basic Programs Operated by Local Educational Agencies*

*Title I, Part A – School Improvement Grants, referred to as 1003(a) and 1003(g)*

*Title I, Part C – Education of Migratory Children*

*Title I, Part D – Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk*

*Title II, Part A – Supporting Effective Instruction*

*Title III, Part A – Language Instruction for English Learners and Immigrant Students*

*Title IV, Part A – Student Support and Academic Enrichment*

*Title IV, Part B – 21st Century Community Learning Centers*

**McKinney-Vento Homeless Assistance Act.** A parent, guardian, or unaccompanied youth may also file a complaint under Title IX, Part A – the McKinney-Vento Homeless Assistance Act, and the process for filing a complaint is the same as it is for the ESSA federal programs. Unique to the McKinney-Vento Homeless Assistance Act, however, is the GaDOE's role in also resolving disputes regarding a final decision over eligibility, school selection or enrollment in a school made at the school district level. Each school district must have a McKinney-Vento dispute resolution process to address issues regarding eligibility, school selection or enrollment in a school. If the parent, guardian, or unaccompanied youth disagrees with the school district's decision and the school district's appeal process has been exhausted, a request may be filed within 10 business days for the GaDOE to review the final decision of the school district.

**Equitable services.** Formal complaint procedures regarding a school district's or a 21st CCLC program's equitable services for children attending private school are found on the State Ombudsman webpage.

### **How is a Formal Complaint Filed?**

Complaints are best filed electronically through GaDOE's secure online complaint link. The link below may be used to submit the online complaint. Supporting documentation should be provided, if applicable and available.

GaDOE Online Complaint Link: [Complaint/Comment](#)

A formal complaint may also be mailed to the following address:

Georgia Department of Education  
Federal Programs Director  
205 Jesse Hill Jr. Drive SE  
1854 Twin Tower East  
Atlanta, Georgia 30334

### **General Complaint Investigation Overview**

Once GaDOE receives the complaint, the federal programs director will review the matter to determine if it is properly before GaDOE. If so, the Federal Programs director or his or her designee will conduct an investigation and examine all pertinent information. The investigation may include confirmation of details; clarification of the issues; interviews with the person filing the complaint, the school district or 21st CCLC program, GaDOE program staff, or other individuals; observations; on-site visits; and other activities as determined by the nature of the allegation. The general complaint investigation time frame is 30 days. The following are some general actions that take place during a complaint investigation: The assigned GaDOE staff member notifies and works with the school district, 21st CCLC program, or GaDOE program to understand and resolve the complaint.

If appropriate, opportunities to submit additional information are given to the complainant once GaDOE staff has received the response from the school district or 21st CCLC program. Within 30 days of the receipt of the complaint, the GaDOE will issue a written decision to the complainant and the school district or 21st CCLC that addresses each allegation in the complaint and contains, if appropriate, findings of fact and determinations of compliance or noncompliance. Please note that the timeline may be extended to accommodate for mediation or other extenuating circumstances with respect to a complaint. If there is a violation of the law or regulations, a resolution will be required. The resolution may include technical assistance activities, corrective actions, or both to achieve compliance.

If the complainant and the school district or 21st CCLC program resolve the complaint before the GaDOE investigation is complete, the complaint will be closed without making a determination regarding compliance.