

Clinch County School District:

Complaints Procedure

Complaint Procedures Under the Elementary and Secondary Education Act of 1965 (ESEA)

A. Grounds for a Complaint

Any individual, organization, or agency (complainant) may file a complaint with the Local Educational Agency (LEA) if that individual, organization, or agency believes and alleges that the LEA is violating federal statute or regulation that applies to a program under the Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA). 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 B: Subpart 3: Even Start Family Literacy
3. Title I, Part C: Education of Migrant Children
4. Title I, Part C: 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 A, Subpart 1: Safe and Drug-Free Schools and Communities
9. Title IV, Part A, Subpart 2: Community service Grants
10. Title IV, Part B: 21st Century Community Learning Centers
11. Title VI, Part A, Subpart 1, Section 6111: State Assessment Program
12. Title VI, Part A, Subpart 1, Section 6112: Enhanced Assessment Instruments Competitive Grant Program
13. Title VI, Part B, Subpart 2: Rural and Low-Income Schools
14. Title IX, Part E, Subpart 1, Section 9503: Complaint Process for Participation of Private School Children

C. Complaints at the Local Level

By accepting federal funds, the LEA agrees to accept and resolve complaints alleging violations of the law in the administration of covered programs. A

complaint should not be filed with the GaDOE until every effort has been made to resolve the issue locally. If complainant has tried to file a complaint with the LEA to no avail, the complainant must provide the GaDOE with written proof of their attempt to resolve the issue at the local level.

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 of 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 a school, and if so, which school.
6. Copies of all applicable documents supporting the complainant's position.
7. The address of the complainant.

The complaint must be addressed to:
Clinch County Schools
Attention: Superintendent
46 South College Street
Homerville, GA 31634

Once the complaint is received by the Office of the Superintendent, it will be copied and forwarded to the appropriate Federal Program Director.

E. Investigation of Complaint

Within ten (10) days of receipt of the complaint, the Federal Program Director will issue a Letter of Acknowledgement to the complainant that contains the following information:

1. The date of the LEA received the complaint.
2. How the complainant may provide additional information.

3. A statement of the ways in which the LEA may investigate or address the complaint.
4. Any other pertinent information.
5. If the complaint involves a school, the Federal Program Director will also send a copy of the Letter of Acknowledgement to the Principal, along with a copy of the complaint. The Federal Program Director will contact the Principal to clarify the issues and review the complaint process. If the complaint cannot be resolved through this contact, the Federal Program Director will invite the Principal to submit a written response to the complainant. The Federal Program director 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 Federal Program Director will have 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. 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 other parties involved.

F. 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

Complaint Form for Federal Programs under the No Child Left Behind Act of 2001

Please Print

Name of (Complainant):
Mailing Address:
Phone Number (home): Phone Number (work):
Person/department complaint is being filed against:
Date on which violation occurred:
Statement that the Clinch County School System has violated a requirement of a Federal statute or regulation that applies to an applicable program (include citation to the Federal statute or regulation) (attach additional sheets if necessary):
The facts on which the statement is based and the specific requirement allegedly violated (attach additional sheets if necessary):
List the names and telephone numbers of individuals who can provide additional information.