

PEACH COUNTY FEDERAL PROGRAMS COMPLAINT PROCEDURES

Complaint Procedures under the Elementary and Secondary Act of 1965
Section 9304 – General Applicability of State Educational Agency Assurances
Section 9503 – Complaint Process for Participation of Private School Children

A. Grounds for a Complaint

Any individual, organization or agency (“complainant”) may file a complaint with the Peach County Board of Education (“Department”) if that individual, organization or agency believes and alleges that a local educational agency (“LEA”), the state educational agency (“SEA”), or an agency or consortium of agencies is violating a Federal statute or regulation that applies to a program under the Elementary and Secondary Act of 1965. 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 A: School Improvement Grant 1003(a)
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: Supporting Effective Instruction
6. Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
7. Title IV, Part A: Student Support and Academic Enrichment
8. Title IV, Part B: 21st Century Community Learning Centers
9. Title IX, Part A: McKinney-Vento Education for Homeless Children and Youth

C. Complaints Originating at the Local Level

As part of its Assurances within ESEA program grant applications and pursuant to Section 9306 of the ESEA, an LEA accepting federal funds must have local written procedures for the receipt and resolution of complaints alleging violations of law in the administration of covered programs. Therefore, a complaint should not be filed with the Georgia Department of Education until every effort has been made to resolve through local written complaint procedures. If the complainant has tried to file a complaint with Peach County School District to no avail, the complainant must provide the Georgia Department of Education written proof of their attempt to resolve the issue with Peach County School District.

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, SEA, agency or consortium of agencies 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. Whether a complaint has been filed with any other government agency, and if so, which agency;
6. Copies of all applicable documents supporting the complainant's position; and;
7. The address of the complainant.

The complaint must be addressed to:

Peach County Schools
Mallerina Marshall
Director of Title I Programs
Coordinator of 6-8 Curriculum & Instruction
1088 Tulip Drive
Fort Valley, Georgia 31030

Once the complaint is received by Mrs. Marshall, it will be copied and forwarded to the district Superintendent's office as documentation of complaint being received and investigated.

E. Investigation of Complaint

Within ten (10) days of receipt of the complaint, Mrs. Marshall or her designee will issue a Letter of Acknowledgement to the complainant that contains the following information:

1. The date the district received the complaint;
2. How the complainant may provide additional information;
3. A statement of the ways in which the district may investigate or address the complaint; and
4. Any other pertinent information.

The Department will have thirty (30) days from receipt of the information or completion of the investigation to issue a Letter of Findings.

Appropriate Department staff 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; or
4. A Letter of Findings can be issued.

If additional information or an investigation is necessary, the Department 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. 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 the other parties involved.



F. Right of Appeal

If an individual, organization or agency is aggrieved by the final decision of the district, that individual, organization or agency has the right to request review of the decision by the Georgia Department of Education.

For complaints filed pursuant to Section 9503 (20 U.S.C. §7883, complaint process for participation of private school children), a complainant may appeal the Department's decision to the United

States Secretary of Education no later than thirty (30) days from the date on which the complainant receives the Letter of Findings. The appeal must be accompanied by a copy of the Department's decision and include a complete statement of the reasons supporting the appeal.

