

## **Complaint Procedures Under Title I, Part A of 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 Wilkes County Board of Education if that individual, organization or agency believes and alleges that a school or school system is violating a 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 (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, 21<sup>st</sup> 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 Wilkes County School Superintendent or his/her designee.

The complaint must include the following:

1. A statement that the 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. 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:

Wilkes County School Superintendent  
Wilkes County School System  
313A North Alexander Avenue  
Washington, GA 30673

**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 School System 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 the complaint involves a school, the Superintendent or his or her designee will also send a copy of the Letter of Acknowledgement to the school principal, along with a copy of the complaint. The Superintendent will contact the principal to clarify the issues and review the complaint process. If the complaint cannot be resolved through this contact, the Superintendent will invite the principal to submit a written response to him/her, and to provide a copy of the response to the complainant.

The Superintendent 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 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. 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.

#### **E. Right of Appeal**

If an individual, organization or agency is aggrieved by the final decision of the Superintendent, that individual, organization or agency has the right to request review of the decision by GaDOE. The review is at the GaDOE's discretion.

For complaints filed pursuant to Title IX, Part E, Subpart 1, Section 9503 (20 U.S.C. §7883, complaint process for participation of private school children), a complainant may appeal the Superintendent's decision to the GaDOE no later than 30 days from the date on which the complainant receives the Letter of Findings. 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

## Wilkes County Schools

### Complaint Form for Federal Programs under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA)

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 Wilkes 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.

Please attach/enclose copies of all applicable documents supporting your position.	
Signature of Complainant:	Date:
Mail or deliver this form to:  Dr. Rosemary W. Caddell, Superintendent Wilkes County Schools 313A North Alexander Avenue Washington, GA 30673	
Date Received:	
Date of Response to Claimant:	