

Turner County Board of Education

Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) – Complaint Procedure

Any individual, organization, or agency (complainant) may file a complaint with the Turner County Board of Education if that individual, organization or agency believes and alleges that a local educational agency (LEA) is violating a federal statute or regulation that applies to a program under the Title I, Part A of the 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.

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 Migratory Children
3. Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
4. Title II, Part A: Teacher and Principal Training and Recruiting Fund
5. Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
6. Title IV, Part B: 21st Century Community Learning Centers
7. Title VI, Part A, Subpart 1, Section 6111: State Assessment Program
8. Title VI, Part A, Subpart 1, Section 6112: Enhanced Assessment Instruments Competitive Grant Program
9. Title VI, Part B, Subpart 2: Rural and Low-Income Schools
10. Title IX, Part E, Subpart 1, Section 9503: Complaint Process for Participation of Private School Children
11. Title X, Part C: McKinney-Vento Homeless Assistance Act

Filing a Complaint

A formal complaint must be filed in writing to the Turner County School System Superintendent or his/her designee. 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 to the Federal statute or regulation);
4. A list of 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.

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 Department 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.

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. The Superintendent's response will include a notice of the right to appeal his/her decision to the Local Board of Education.

Right of Appeal

If the parent, guardian, or unaccompanied youth do not agree with the decision of the Superintendent, an appeal may be filed with the Local Board of Education. Within thirty working days of receipt of the appeal of the Superintendent's decision, the Superintendent will present the matter to the Board of Education at its regular meeting or at a special meeting called for that purpose. The Board will review the original complaint, the response of the Superintendent, and the response of the complainant. In addition, the Board may, but is not required to, hear directly from any individuals with knowledge of any relevant facts relating to the complaint. The Board of Education will either uphold the recommendation of the Superintendent or require the District to take some other action in response to the complaint. A copy of the action of the Board will be furnished to the complainant, either as a part of the minutes of the Board of Education or as a separate written statement that will include the right to appeal to the Georgia Department of Education. The Board will be the final reviewing authority within the system. 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 School Improvement, Federal Programs Division, 1858 Twin Towers East, 205 Jesse Hill Jr. Drive, S.E., 2052 Twin Tower East, Atlanta, GA 30334.