

A. Grounds for a Complaint

Any individual, organization, or agency (“complainant”) may file a complaint with the Elbert County School System (ECSS) if that individual, organization, or agency believes and alleges that ECSS 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 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

- Title I, Part A: Disadvantaged Children, Academic Achievement Awards, Schoolwide Programs
- Title I, Part C: Migrant Education Program
- Title II, Part A: Teacher and Leader Effectiveness
- Title III, Part A: English Learners
- Title X, Part C: The McKinney-Vento Homeless Act
- Elementary and Secondary Schools Emergency Relief Act, including American Rescue Plan Act funds.

C. Complaints Originating at the Local Level

As part of its Assurances within the ESEA program grant applications and pursuant to Section 9306 within the Title I, Part A of the Elementary and Secondary Education Act of 1965 (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 the Elbert County School System to no avail, the complainant must provide the Georgia Department of Education written proof of their attempt to migrant the issue with the Elbert County School System.

D. Filing a Complaint A complaint must be made in writing and signed by the complainant. The complaint must include the following:

- A statement that the Elbert County School System has violated a requirement of a federal statute or regulation that applies to an applicable program.
- The date on which the violation occurred.
- The facts on which the statement is based, and the specific requirement allegedly violated (include citation to the Federal statute or regulation).
- A list of the names and telephone numbers of individuals who can provide additional information.
- Whether a complaint has been filed with any other government agency, and if so, which agency.
- Copies of all applicable documents supporting the complainant’s position.
- The address of the complainant.

The complaint must be addressed to: Dr. Fran Floyd, Federal Programs Director, Elbert County School District 50 Laurel Drive, Elberton, GA 30635.

E. Investigation of Complaint

Within ten (10) days of receipt of the complaint, the Elbert County School System will issue a Letter of Acknowledgement to the complainant that contains the following information:

- The date the Elbert County School System received the complaint.
- How the complainant may provide additional information.
- A statement of the ways in which the Elbert County School System may investigate or address the complaint.
- Any other pertinent information.

If additional information or an investigation is necessary, ECSS will have sixty (60) days from receipt of the information to complete the investigation and issue a Letter of Findings. If the Letter of Findings indicates that a violation has been found, a timeline for corrective action will be included. The sixty (60) day timeline may be extended if exceptional circumstances occur. 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 Elbert County School System, 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 to the Georgia Department 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 Elbert County School System's decision and include a complete statement of the reasons supporting the appeal.