

## **Complaint Procedures under the ESEA No Child Left Behind Act**

### **A. Grounds for a Complaint**

Any individual, organization or agency (“complainant”) may file a complaint with the Monroe School District Board of Education if that individual, organization or agency believes and alleges that a violation of a Federal statute or regulation that applies to a program under the No Child Left Behind Act has occurred. 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 D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
3. Title II, Part A: Teacher and Principal Training and Recruiting Fund
4. Title II, Part D: Enhancing Education Through Technology
5. Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
6. Title IV, Part A, Subpart 1: Safe and Drug Free Schools and Communities
7. Title IX, Part E, Subpart 1, Section 9503: Complaint Process for Participation of Private School Children

### **C. Filing a Complaint**

A formal complaint must be filed in writing to the Monroe School District 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 complaint’s position; and
6. The address of the complaint.

### **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 Department 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 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.

#### E. 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