

# **Forsyth County Schools**

## **Complaint Procedures for Federal Programs**

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### **Complaint Procedures under the Every Student Succeeds Act (ESSA)**

General Applicability of State Educational Agency Assurances

Complaint Process for Participation of Private School Children

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

Any individual, organization or agency (complainant) may file a complaint with Forsyth County Schools (FCS) if that individual, organization, or agency believes and alleges that Forsyth County Schools is violating a federal statute or regulation that applies to a program under Title I, Part A of the Every Student Succeeds (ESSA). 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.

#### **B. Federal Programs for Which Complaints Can Be Filed**

1. Title I, Part A: Improving the Academic Achievement of the Disadvantaged
2. Title I, Part A: Foster Care Program
3. Title I, Part A: Family Engagement Program
4. Title I, Part C: Education of Migratory Children
5. Title I, Part D: Programs for Neglected and Delinquent Children
6. Title II, Part A: Preparing, Training, and Recruiting High-Quality Teachers, Principals, and Other School Leaders
7. Title III, Part A: Language Instruction for English Learners and Immigrant Students
8. Title IV Part A: Student Support and Academic Enrichment
9. Title IV, Part B: 21<sup>st</sup> Century Community Learning Centers
10. Title VI, Part B: Rural Education Initiative
11. Title IX, Part E: Complaint Process for Participation of Private School Children
12. Title IX, Part A: McKinney-Vento Education for Homeless Children and Youth Program

#### **C. Complaints Originating at the Local Level**

As part of its assurances within ESSA program grant applications and pursuant to Title I, Part A of the Every Student Succeeds Act, Forsyth county Schools, in accepting federal funds also agrees to adopt local written procedures for the receipt and resolution of complaints alleging violations of law in the administration of covered programs. Therefore, for complaints originating at the local level, a complaint should not be filed with the Georgia Department of Education (GaDOE) until every effort has been made to resolve the issue through local written complaint procedures. If the complainant has tried to file a complaint at the local level to no avail, the complainant must provide the GaDOE with written proof of their attempt to resolve the issue at the local level.

#### **D. Filing a Complaint**

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

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1. A statement that Forsyth County Schools 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.
7. The address of the complainant.

The complaint must be addressed to:

Federal Program Director (for program the complaint is filed against)  
Forsyth County Schools  
1120 Dahlonega Hwy.  
Cumming, GA 30040

### E. Investigation of Complaint and Response

A written response will be provided within ten business days of receipt of the complaint. This response will include the decision, a rationale/evidence/statute supporting the decision, along with a notice of the right to appeal to the Superintendent.

If the complainant does not agree with the decision, a written appeal may be filed with the Superintendent. The Superintendent will provide a written response to the appeal within 10 business days, along with a notice of the right to appeal to the Forsyth County School Board of Education and the processes to follow.

### F. State Level Appeal

A complaint to the Georgia Dept. of Education (GADOE) must be made in writing or submitted via online web complaint form ([http://www.gadoe.org/tss\\_title.aspx](http://www.gadoe.org/tss_title.aspx)) and signed by the complainant. The complaint must include the following:

1. A statement that the Forsyth County Schools 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.

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7. The address of the complainant.

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

Once the complaint is received by the Federal Programs Division, it will be copied and forwarded to the appropriate Federal Program Manager.

### **G. Appeal to the U.S. Secretary of Education**

If the complainant is aggrieved by the final decision of the GaDOE, a right to request a review of the decision by the U.S. Secretary of Education is available. The review is at the Secretary's discretion.