

# Federal Programs Complaint Manual and Internal Processes



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## Complaints Originating at the Local Level

As part of its Assurances within ESEA program grant applications and pursuant to Section 9306 of 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 Atlanta Public Schools to no avail, the complainant must provide the Georgia Department of Education written proof of their attempt to resolve the issue with Atlanta Public Schools.

## Federal Programs for which complaints can be filed

- Title I, Part A: Academic Achievement
- Title I, Part C: Education of Migrant Children
- Title I, Part D: Prevention or Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
- Title II, Part A: Teacher and Principal Training and Recruiting Fund
- Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
- Title IV, Part A
- Title IV, Part B: 21st Century Community Learning Centers
- Title I and VIII Equitable Services

## What is a complaint?

A complaint is a written allegation that a school, school district, other agency authorized by a school district, or the Georgia Department of Education has violated the law in the administration of education programs required by ESSA.

## What must be included in a complaint?

Individuals or organizations filing a complaint concerning federal programs under ESSA, must do so in writing and must utilize the form provided with this document. A formal complaint must be filed in writing and signed by the complainant (form included with this document). The complaint must include the following:

- A statement that Atlanta Public Schools or an individual school 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; and
- The address of the complainant.

### **The complaint must be addressed to:**

Executive Director of Title I  
Atlanta Public Schools  
Federal Programs Department  
130 Trinity Avenue, SW

## Investigation of Complaint

1. Within ten (10) days of receipt of the complaint, the Executive Director of Federal Programs will issue a letter of acknowledgement to the complainant that contains the following information:
  - The date APS received the complaint;
  - How the complainant may provide additional information;
  - A statement of the ways in which APS may investigate or address the complaint; and
  - Any other pertinent information.
2. If additional information or an investigation is necessary, the school system 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.
3. The 60-day timeline may be extended, if exceptional circumstances exist.
4. The letter of findings will be sent directly to the complainant.

## Right of Appeal

1. 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. 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 school system's decision and include a complete statement of the reasons supporting the appeal.
2. The appeal 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

## Dissemination of Complaint Procedures

Complaint procedures are disseminated to stakeholders in the following ways:

- Complaint procedures are listed on the Federal Programs website.
- Complaint procedures are listed in the principal newsletter one time per semester.
- Complaint procedures are distributed to private schools during the fall consultation.

## Private Schools --Equitable Services (Title I and VIII) Complaint, Resolution and Appeal Process

### Statutory Requirement

Pursuant to §§ 1117 and 8501 of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), a private school official has the right to file a written complaint with the state education department ombudsman asserting that a school district did not engage in consultation that was meaningful and timely, did not give due consideration to the views of the private school, or did not make a decision that treats private school students equitably. If the private school official wishes to file a complaint related to equitable services for Title I and/or Title VIII, the official shall provide the basis of the noncompliance by completing and submitting the Complaint Form found on GaDOE's State Ombudsman's website. The private school official must provide the basis of Atlanta Public School's noncompliance. Also, the APS must forward the appropriate documentation to the Ombudsman in response to the complaint.

Please click on GaDOE [Equitable Services \(Title I and VIII\) Complaint, Resolution, and Appeal Process](#).

APS requests that complaints be brought to our attention first so that a resolution can be implemented at the district level.

Complaints from a private school shall be signed and addressed in writing to:

Executive Director of Federal Programs  
Atlanta Public Schools  
130 Trinity Avenue, S.W.  
Atlanta, GA 30303

1. The complaint shall include a statement that APS has violated a requirement of the Title I and or VIII program and the facts on which the statement is based.
2. The Federal Programs Department shall address the issue with the appropriate personnel in writing and request a response within 10 business days.
3. A copy of the letter shall be sent to the private school that filed the complaint.
4. The appropriate personnel involved shall respond directly in writing and shall describe any explanation and/or actions relevant to the allegations.
5. The Federal Programs Department shall review the response and a decision may then be made that no further action is required.

## Atlanta Public Schools Complaint Form

**Please print**

Name (Complainant):	
Mailing Address:	
Phone Number (home): Phone Number (work):	
Person/department complaint is being filed against:	
The date on which the violation occurred:	
Statement that Atlanta Public Schools 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.	
Has a complaint been filed with any other government agency? If so, provide the name of the agency.	
Signature of Complainant:	Date:
Mail or deliver this form to: Executive Director of Federal Programs Atlanta Public Schools 130 Trinity Avenue, SW Atlanta, GA 30303	
Date Received:	

## Complaint Procedures Homeless Education and McKinney-Vento

The following is a complaint resolution process recommended by Atlanta Public Schools when a dispute arises regarding the education of a homeless child or youth and also to be used as guidance in operating McKinney-Vento Grant.

It is the responsibility of the school district to inform the complainant of the district's Complaint Resolution Procedure when a question concerning the education of a homeless child or youth arises. Atlanta Public School has identified a Homeless Specialist who also serves as the contact for the McKinney-Vento Grant. The Homeless Specialist serves as a liaison between the homeless child and the school the child attends.

If a concern arises and an individual would like to file a complaint, the following procedures should be followed:

1. Notify the district's Homeless Specialist.
  - A. Request a copy of or access to the district board of education policies addressing the education of homeless children and youths and review them. Make an appointment with the homeless specialist to discuss the complaint.
  - B. If the dispute is not resolved after the initial discussion with the district's Homeless Specialist the complainant may file a complaint in writing to the district's Homeless Specialist for further review.
  - C. The complaint should include a request that a written proposed resolution of the dispute or a plan of action be provided within (5) days of the date the complainant was received by the district's Homeless Specialist.
  - D. The proposal or plan of action must be reviewed by the Homeless Specialist and the district's legal designee, if applicable. If the response exceeds 5 days, the parties involved may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.
2. If the dispute is not resolved at the district Homeless Specialist level, the complaint may be forwarded to the Assistant Superintendent of Student Services and the Executive Director of Title I to review the dispute and action plan. A written resolution should be provided within (5) days of the date of the discussion. The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.
3. If the dispute is not resolved the Deputy Superintendent will review the dispute and the action plan. A written resolution should be provided within (5) days of the date of the discussion. The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.
4. If the dispute is not resolved the complaint may be brought to the attention of Georgia Department of Education/Federal Program Division.

In compliance with the McKinney-Vento Homeless Education assistance Act of 2001, the Title I department will support students, parents, and schools in the following the Atlanta Public Schools Administrative Regulation Policy JBC(1)-R(1) Section F in reference to Dispute resolution. The link below grants public access to the Atlanta Public Schools Homeless Student Board Regulation approved on May 6, 2011 and is listed below:

[https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=JBC\(1\)R\(1\)&Sch=4004&S=4004&RevNo=1.01&C=J&Z=R](https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=JBC(1)R(1)&Sch=4004&S=4004&RevNo=1.01&C=J&Z=R) Also, are attached are the dispute resolution forms that are governed by the aforementioned regulation.

## Atlanta Public Schools Program for the Education of Homeless Children and Youth

### Dispute Resolution Form

*This form should be completed by parent, caretaker or unaccompanied youth when a dispute arises regarding school selection or enrollment. The school should immediately fax the Dispute Resolution Form to the Homeless Liaison at (404) 802-2245. The parent, caretaker or unaccompanied youth may also verbally report this information to the Homeless Liaison at (404) 802-2245.*

*A copy of a completed Dispute Resolution Form should be provided to the parent, caretaker or unaccompanied youth by the school.*

Date: \_\_\_\_\_ School: \_\_\_\_\_

Parent or Guardian: \_\_\_\_\_

Student(s): \_\_\_\_\_

I may be contacted at: ( ) \_\_\_\_\_ - \_\_\_\_\_

I wish to appeal the enrollment decision made by: \_\_\_\_\_

I have been provided with:

- A written explanation of the school's decision
- Contact information for the local homeless education liaison
- A copy of the District's Dispute Resolution Process for students experiencing homelessness

Optional: You may include a written explanation to support your appeal in the space below:

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Signature \_\_\_\_\_ Date \_\_\_\_\_

The Atlanta Public School System does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, veteran status, marital status, or sexual orientation in any of its employment practices, educational programs, services or activities. For additional information about nondiscrimination provisions, please contact the Office of Internal Resolution/Employee Relations (OIR), 130 Trinity Avenue, Atlanta, Georgia 30303, Phone number: (404) 802-2362 Fax number: (404) 802-1305. Office