

PELHAM CITY SCHOOLS COMPLAINT PROCEDURES

Section 9304 – General Applicability of State Educational Agency Assurances
Section 9503 – Complaint Process for Participation of Private School Children

A. Grounds for a Complaint

Any individual, organization or agency (complainant) may file a complaint with Pelham City Schools (PCS) if that individual, organization or agency believes and alleges that Pelham City Schools 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 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 B, Subpart 3: Even Start Family Literacy.
3. Title I, Part C: Education of Migrant Children.
4. Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk.
5. Title II, Part A: Teacher and Principal Training and Recruiting Fund.
6. Title II, Part D: Enhancing Education Through Technology.
7. Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement.
8. Title IV, Part B: 21st Century Community Learning Centers.
9. Title VI, Part A, Subpart 1, Section 6111: State Assessment Program.
10. Title VI, Part A, Subpart 1, Section 6112: Enhanced Assessment Instruments Competitive Grant Program.
11. Title VI, Part B, Subpart 2: Rural and Low-Income Schools.
12. Title IX, Part E, Subpart 1, Section 9503: Complaint Process for Participation of Private School Children.
13. Title X, Part C – McKinney-Vento Homeless Assistance Act

C. Complaints Originating at the Local Level

As part of its Assurances within 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 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 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 or submitted via Pelham City Schools' online web complaint form (<http://www.pelham-city.k12.ga.us>) to the Pelham City School superintendent's designee, and must be signed by the complainant. The complaint must include the following:

1. A statement that the LEA (Pelham City 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:

Kimberly Nesmith
Director of Teaching & Learning
Pelham City Schools
203 Mathewson Avenue
Pelham, GA 31779

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

E. Investigation of Complaint

Within ten days of receipt of the complaint, the Superintendent or his or her designee will issue a Letter of Acknowledgement to the complainant that contains the following information:

1. The date Pelham City Schools received the complaint.
2. How the complainant may provide additional information.
3. A statement of the ways in which Pelham City Schools may investigate or address the complaint.
4. Any other pertinent information.

If additional information or an investigation is necessary, Pelham City Schools 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 exist.

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 Pelham City Schools, 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 Title IX, Part E, Subpart 1, Section 9503 (20 U.S.C. §7883, complaint process for participation of private school children), a complainant may appeal the Pelham City School System's decision to the Georgia Department of Education no later than 30 days from the date on which the complainant receives the Letter of Findings. The appeal must be accompanied by a copy of the Pelham City Schools' decision and include a complete statement of the reasons supporting the appeal.

**Pelham City School System
Complaint Form for Federal Programs under the Elementary and
Secondary Education Act of 1965 (ESEA)**

Please Print

Name of (Complainant):	
Mailing Address:	
Phone Number (home):	Phone Number (work):
Person/department complaint is being filed against:	
Date on which violation occurred:	
Statement that the Pelham City School System 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.****	
Signature of Complainant:	Date:
Mail or deliver this form to: Kimberly Nesmith, Director of Teaching & Learning Pelham City Schools 203 Mathewson Avenue Pelham, GA 31779	
Date Received:	
Date of Response to Claimant:	