Forsyth R-III School District

Policy KLA: CONCERNS AND COMPLAINTS REGARDING FEDERAL PROGRAMS

Status: ADOPTED

Original Adopted Date: 12/18/2017

The Forsyth R-III School District receives funds under the federal Elementary and Secondary Education Act (ESEA) and is required to follow federal statutes and regulations regarding the programs governed by the ESEA. If any individual or organization (person) has a complaint or is concerned that the district may be violating these laws, the Board wants the superintendent or designee to immediately investigate and address the issue. For that reason, the Board has adopted this policy to address specific allegations of violations of federal statutes and regulations governing Title I, Parts A, B, C, D; Title II; Title III; Title IV, Part A; or Title V of the ESEA.

Process

The district will use the following process to address specific allegations that the district has violated a federal statute or regulation regarding a program under the ESEA:

1. The person with the complaint ("complainant") must present a written complaint to the superintendent or designee that specifies the federal law or regulation alleged to have been violated and the facts supporting the allegation. Alternatively, the Department of Elementary and Secondary Education (DESE) will forward a complaint from a complainant to the district for resolution.

   The superintendent or designee will investigate and provide a written response to the complainant within five business days of receiving the complaint unless additional time is necessary to investigate or extenuating circumstances exist. The superintendent or designee is authorized to contact the district's private attorney for assistance in determining whether a violation has occurred.

2. If the complainant is not satisfied, he or she may request that the issue be placed on the Board agenda at the next Board meeting, using the process outlined in Board policy.

   The superintendent or designee will notify the complainant of the Board's decision and will provide the complainant a copy of DESE's Every Student Succeeds Act of 2015 (ESSA) Complaint Procedures.

3. If the Board does not hear the issue or if the complainant is not satisfied with the Board's response, the complainant may appeal the issue to DESE in accordance with DESE's complaint procedures.

Documentation and Release of Information

The district will maintain a copy of the complaint, a written record of the investigation and documentation of any written resolution, when applicable, in accordance with law. The superintendent or designee will complete a written summary of the investigation and, if a violation has occurred, a description of how the matter was resolved. If the complaint was first filed with DESE, the written summary must be completed within 35 calendar days of the complaint being filed with DESE and must be submitted to DESE.

The summary will be released upon request when required by law. The superintendent or designee will have the district's attorney review the documents before they are released to DESE, the complainant or any other person to protect the confidentiality of legal advice.

Prohibition against Retaliation

The Board strictly prohibits discrimination or retaliation against any person for bringing a concern to the attention of the district or participating in the complaint process. This prohibition extends to relatives and others associated with the person who brought the concern or complaint. The Board directs all district employees to cooperate in investigations of complaints.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal	Description
20 U.S.C. §§ 6301-7941	Elementary and Secondary Education Act

Cross References	Description
AC	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT, AND RETALIATION
BCC-1	APPOINTED BOARD OFFICIALS
GBCBB	PROTECTED STAFF COMMUNICATIONS
IGBC	PARENT AND FAMILY INVOLVEMENT AND ENGAGEMENT
IGBCA	PROGRAMS FOR HOMELESS STUDENTS