



Procedures for Complaint to the Ombudsman ***Every Student Succeeds Act (ESSA)***

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.

What must be included in a complaint?

Private school officials filing a complaint with the ombudsman concerning equitable services under ESSA must do so in writing and utilize the form provided with this document that requires the following information:

- *full name, address, email address, and telephone number of individual(s) or organization(s) filing the complaint;*
- *a description of the situation or allegation including whether or not the school district engaged in consultation that was meaningful and timely, gave due consideration to the views of the private school officials, or made decisions that treated private school students equitably;*
- *the name of the school district the complaint is being filed against and the names of any other agencies or employees involved;*
- *a statement identifying which title requiring equitable services has been allegedly violated;*
- *all facts supporting the allegation; and*
- *efforts made to resolve the complaint with the school district.*

Where should a complaint be sent?

Complaints, which must be signed by the individual(s) or organization(s) filing the complaint and copied to the school district, must be sent to the department to the attention of the ombudsman via email to Calandra.hawkins@alsde.edu, or mailed to the following address:

Alabama State Department of Education Ombudsman for Equitable Services
Attn: Calandra Hawkins
P.O. Box 302101
Montgomery, AL 36130

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What happens to a complaint after it is received?

A written complaint will be promptly acknowledged and investigated. Appropriate program staff, including the ombudsman, will conduct a review of the complaint and notify the complainant of



receipt. If necessary, an on-site review may be conducted. If appropriate, additional information may be gathered and forwarded to other appropriate offices or organizations.

If additional information is needed, the complainant and the school district will be contacted. For this reason, a telephone number, address, and email address of the complainant must be included with the complaint. Failure to provide a telephone number, mailing address, and email address could result in the department not being able to adequately respond to the complaint.

Within forty-five (45) calendar days of receipt of the complaint, the ombudsman will investigate and send a written finding of fact to the complainant and the school district.

If areas of noncompliance are found, corrective action will be required and timelines for completion indicated. All parties will be informed of the areas of noncompliance and the required corrective actions.

How can a complaint decision be appealed?

- a. The complainant can appeal the decision by the ombudsman by filing an appeal with the U.S. Secretary of Education within thirty (30) calendar days after the resolution of the complaint. If the forty-five (45) day time limit for response by the ombudsman has passed without a decision, the deadline for filing an appeal is thirty (30) calendar days after the forty-five (45) day deadline.*
- b. The appeal to the U.S. Secretary of Education must be accompanied by a copy of the resolution by the ombudsman and a complete statement of the reasons for an appeal.*
- c. The U.S. Secretary of Education shall investigate and resolve the appeal no later than ninety (90) calendar days after receipt of the appeal.*



Equitable Services Complaint to the Ombudsman

Please type or print legibly.

<i>Full name of individual(s) or organization(s) filing the complaint:</i>		
<i>Complainant mailing address:</i>	<i>Complainant phone number:</i>	
<i>School district against which the complaint is being filed:</i>	<i>Complainant email address:</i>	
<i>Did the district engage in consultation that was meaningful and timely?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO		
<i>Did the district give due consideration to the views of private school officials?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO		
<i>Did the district make decisions that treated private school students equitably?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO		
<i>Which title has allegedly been violated? Please check all that apply.</i> <input type="checkbox"/> Title I-A <input type="checkbox"/> Title I-C <input type="checkbox"/> Title II-A <input type="checkbox"/> Title III-A <input type="checkbox"/> Title IV-A <input type="checkbox"/> Title IV-B		
<i>Description of the allegation. (Please include specific dates, communication with school district personnel, and related facts to each of the Titles checked above):</i>		
<i>List names and telephone numbers of individuals who can provide additional information:</i>		
<i>Have efforts been made to resolve this complaint through the school district?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO <i>If yes, what is the status?</i>		
<i>Has the complaint been filed with any other government agency?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO <i>If so, please provide the agency's name as well as the date filed:</i>		
<i>If the Alabama State Department of Education does not have jurisdiction to investigate this complaint, do you give permission to send this complaint to the federal and/or state department or agency that has jurisdiction?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO		
<i>Signature of complainant:</i>	<i>Title of complainant:</i>	<i>Date:</i>

***Return to the ombudsman and school district,
along with the attached CONSENT FORM.***



Equitable Services Complaint to the Ombudsman **Consent for Use of Personal Information**

I am aware that it is the policy of the Alabama State Department of Education, to the extent allowed by state law, to protect the identity of complainants who cooperate with the department's reviews and investigations. Because of the nature of equitable services complaints, I understand for this complaint to be investigated it shall be necessary for the department to release my name and information about me to the school district that is the subject of this complaint. I understand the information I provide, as well as any information obtained during the review of this complaint, will also be available to any person within the department with a need to know its contents, and may be used for program analysis, review evaluation, and statistical purposes.

Signature of complainant:

Title of complainant:

Date:

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