

# Madison City School Federal Programs Section Complaint Procedures

## Addressing Complaint Procedures

### Overview

This document sets forth the process for resolving complaints presented by individuals or organizations to the Madison City Schools. Such complaints may include information on the violation of a federal law, rule, or regulation applicable to any “covered federal programs.”

**Note:** Before submitting a complaint about a school or the school district, the Alabama State Department of Education (SDE) requires that all complainants first complete the grievance procedures established by the Madison City Schools. This involves contacting the school district, expressing concerns to the appropriate board employee, and receiving information on how to proceed.

**Exception:** As stated in NCLB Section 1120(b)(5) related to Private Schools and timely, meaningful consultations with LEAs [Madison City Schools], non-public school officials may apply for complaint relief directly to the SDE. This citation continues with the procedure, "Upon receipt of the formal written complaint, the SDE will notify the LEA of the complaint and request appropriate documentation."

### Authorization

The procedures for resolving written complaints satisfy 20 USC 7844(3)(C) and 20 USC 7883 (Section 9503)(a-b), and offer parents and other stakeholders concerned with the appropriate delivery of services to children a simple, straightforward method for considering their claims of inappropriate action.

## I. Resolution Protocol

Madison City Schools investigates all allegations of noncompliance with federal laws, rules, or regulations.

### Step One: Procedure for Filing Written Complaints

The term “complaint” means an allegation, by an individual or group, that Madison City Schools, in some way, violated a federal statute or regulation or a related state regulation that applies to a covered federal program. Complainants may include public agencies, parents, and other individuals or organizations. Madison City Schools regrets that it cannot accept or investigate allegations of violations from anonymous sources. At any time during the year, Madison City Schools follows a set procedure for accepting written complaints describing a violation of a Federal statute or regulation that applies to “covered programs” with these stipulations:

- The complaint is **written and signed by a person** or parties making the complaint.

- The complaint **identifies the alleged infringement** of a “covered program” that the Madison City Schools has violated and gives details or facts upon which the complaint is based.
- The complaint includes details on how the complainant would **have the Madison City Schools resolve the complaint.**

### **Step Two:** Transmitting the Complaint to the Madison City Schools

Complaints may be mailed or hand delivered to the following address:

Madison City Schools  
Natalia Dooley, Federal Programs Coordinator  
211 Celtic Drive  
Madison, AL 35758

## **II. Procedures for Handling a Complaint**

The Federal Coordinator will coordinate and maintain records relating to the programs it administers for all complaints received. In order to address concerns in a timely manner, Madison City Schools will:

- Strive to **resolve the complaint within 60 calendar days** of receiving the written complaint. However, if an investigation extension by Madison City Schools is necessary, it will be granted only if exceptional circumstances exist with respect to a particular complaint.
- **Share a copy** of the complaint with the other party.

### **A. Initial Contact and Intake Protocol:**

Madison City Schools will contact both parties via telephone call or written communication (in absence of a telephone number) to clarify the issues, review the complaint process with both parties and attempt to resolve the complaint. Both parties will be given opportunities to discuss the complaint.

### **B. Secondary Step:**

If the complaint **cannot be resolved** during this initial contact, Madison City Schools will invite the other party to submit a written response, with a copy being sent to the complainant.

### **C. Follow-up:**

After initial contact is made with both parties, a formal *Letter of Allegations* will be developed. The purpose of this communication is to:

- Identify the complainant and the complainant’s alleged issues i.e., areas in which the other party has allegedly failed to comply with the federal rules/regulations related to the provision of services.
- Identify the date that Madison City Schools received the complaint.
- Give a statement of the ways in which the Madison City Schools may investigate the complaint.
- Verify the identity of an assigned Madison City Schools staff member.

- Request additional information of the complainant, if necessary.
- Summarize the Madison City Schools commitment to a resolution in the form of a “Letter of Findings.”
- Identify documentation the party will need to provide in order to assist Madison City Schools in making a determination of compliance or noncompliance.

#### **D. Formal Communication:**

Madison City Schools will analyze data and documentation to determine whether or not the complaint alleging noncompliance has merit in order to then issue a *Letter of Findings*. Should the Madison City Schools contact find an additional violation, not cited in the original Letter of Allegations, the contact is obligated to add this violation to the Letter of Findings. The Letter of Findings will then be sent to the other party with a copy to the original complainant. The letter will either contain a statement that delineates the need for **corrective action**, or will state that the Madison City Schools did not find any addressable grievances.

#### **E. On-Site Investigations:**

At this point, the Madison City Schools may do either or both of the following:

- Request documentation from concerned parties to strengthen any refutation of the findings.
- Conduct an on-site investigation specifically to investigate the complaint, but not be limited to such. Madison City Schools retains authority for determining how the allegations may be additionally investigated.

### **III. Procedures for an Appeal**

If such complaint is not resolved to the satisfaction of the parties involved, the complainant may appeal Madison City Schools’ findings. Such appeal must be in writing and postmarked or delivered to the SDE within 30 calendar days from the date of the Letter of Findings. An informal hearing may be afforded to the complainant with the SDE’s Administrative and Federal Programs staff within 15 business days after the receipt of the written request. Oral and written testimony will be taken.

#### **A. Complaint Closure:**

The SDE will issue a “Letter of Closure” which will include a summary of the corrective actions that must be taken to resolve the complaint and the SDE’s reasons for believing that the corrective actions warrant closure of the complaint.

#### **B. Formal Hearing:**

If such complaint is still not resolved to the complainant’s satisfaction, an Ad Hoc Dispute Resolution Panel appointed by the SDE will conduct a formal hearing. A secretary will be designated to take minutes, and an electronic recording will be made. The SDE panel will provide opportunity for both parties involved to submit evidence, both oral and written, including the opportunity to question the involved parties and/or witnesses. The decision of this panel shall be considered final, although the complainant has the right to appeal the decision of the Ad Hoc Dispute Resolution Panel to the U. S. Secretary of Education.

## **IV. Procedures for Filing a Grievance against the SDE**

**A.** In the event a complaint is filed against the SDE, an Ad Hoc Dispute Resolution Panel consisting of four members, two of which will be appointed by the SDE and two of which will be recommended by the complainant, will be convened at a mutually convenient date and time. The Panel will review allegations to determine if the allegations have merit for a hearing.

**B.** If a hearing is merited, the Panel will request both parties to submit evidence. After a review of the documentation, the Panel may request a hearing with the SDE and the complainant. After the hearing, the Panel will issue a "Letter of Findings." The Ad Hoc Dispute Resolution Panel determination will be considered final and written information will be afforded to all parties as documentation.

## **V. Covered Federal Programs**

Title I, Part A: Improving Basic Programs Operated by Local Education Agencies.

Title I, Part B, Subpart 3: Even Start Family Literacy.

Title I, Part C: Education of Migrant Children.

Title I, Part D: Prevention and 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 II, Part D: Enhancing Education Through Technology.

Title III, Part A: English Language Acquisition and Language Enhancement.

Title IV, Part A, Subpart 1: Safe and Drug-Free Schools and Communities.

Title IV, Part A, Subpart 2: Community Service Grants.

Title IV, Part B, 21st Century Community Learning Centers.

Title VI, Part B, Subpart 2: Rural and Low-Income Schools.

Title X, Part C: McKinney-Vento Homeless Education