

**Cobb County School District**  
**Complaint Procedure under the**  
**Elementary and Secondary Education Act of 1965 and Every Student Succeeds Act (ESSA)**

**A. Grounds for a Complaint** Any individual, organization or agency (“complainant”) may file a complaint with the Cobb County School District (CCSD), if that individual, organization or agency believes and alleges that CCSD is violating a Federal statute or regulation that applies to a program under the Every Student Succeeds Act (ESSA). The complaint must allege a violation that occurred not more than one (1) 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 C: Education of Migrant Children
3. Title II, Part A: Supporting Effective Instruction Grant
4. Title II, Part D: Enhancing Education Through Technology
5. Title III, Part A: Language Instruction for English Learners and Immigrant Students
6. Title IV, Part A, Subpart 2: Student Support and Academic Enrichment Grants
7. Title IV, Part B: 21<sup>st</sup> Century Community Learning Centers
8. Title IX, Part A: McKinney-Vento Education for Homeless Children and Youth

**C. Complaint Originating at the Local Level**

As part of its Assurances within the ESSA program grant applications and pursuant to Section 9306 of ESSA, an LEA accepting federal funds must have local written procedures for the receipt and resolutions of complaints alleging violations of law in the administration for 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 CCSD to no avail, the complainant must provide the Georgia Department of Education written proof of their attempt to resolve the issue with Cobb County Schools.

**D. Filing a Complaint**

A formal complaint must be made in writing and signed by the complainant. The complaint must include the following:

1. A statement that CCSD has violated a requirement of the 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 of 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, and
7. The address of the complainant.

The complaint must be addressed in writing to the following contact:

**Dr. Catherine Mallanda  
Cobb County School District  
Chief Academic Officer  
514 Glover Street  
Marietta, GA 30060**

#### **E. Investigation of Complaint**

Within ten (10) working days of receipt of the complaint, the Superintendent or his designee will issue a Letter of Acknowledgement to the complainant that contains the following information:

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

If the complaint involves a specific CCSD Area or department, the Superintendent or his designee will also send a copy of the Letter of Acknowledgement to the Area Superintendent & the Office of Accountability, along with a copy of the complaint. The Superintendent or his designee will contact the identified CCSD Area or Department to clarify the issues and review the complaint process.

The Superintendent or his designee will have sixty (60) days from the receipt of the information or completion of the investigation to review and determine whether:

1. Additional information is needed;
2. An on-site investigation must be conducted;
3. Other measures must be taken to resolve the issues raised in the complaint; or
4. A Letter of Findings can be issued.

If a Letter of Findings is issued, and indicates that a violation has been found, corrective action will be required and timelines for completion will be included. The sixty (60) day timeline outlined above may be extended, if exceptional circumstances exist. The Letter of Findings will be sent directly to the complainant.

#### **F. Right of Appeal**

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. The appeal must be accompanied by a copy of the Superintendent or designee's decision and include a complete statement of the reasons supporting the appeal.

**G. Filing an Appeal Review with the Georgia Department of Education**

Procedures for filing with the Georgia Department of Education can be found at:  
<http://www.gadoe.org/School-Improvement/Federal-Programs/Pages/default.aspx>

Submit your documentation and appeal in writing to the following address:

Georgia Department of Education  
Office of Legal Services  
205 Jesse Hill Jr. Drive SE  
2052 Twin Towers East  
Atlanta, GA 30334

Once the complaint is received by the Office of Legal Services, it will be copied and forwarded to the appropriate Federal Program Manager. An online form is also available here: <http://programcomplaint.doe.k12.ga.us/everestwebportal/webform.asp>