

FEDERAL PROGRAMS COMPLAINT POLICY

A. Grounds for a Complaint

Any individual, organization, or agency (“complainant”) may file a complaint with the West Central School District if that individual, organization, or agency believes and alleges that West Central School District is violating a Federal statute or regulation that applies to a program under the No Child Left Behind Act or other federally funded programs. The complaint must allege a violation that occurred not more than one (1) year prior to the date the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing. You may use File: KLDF-E as a form for filing this complaint

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 I, Part F: Comprehensive School Reform
6. Title II, Part A: Teacher and Principal Training and Recruiting Fund
7. Title II, Part D: Enhancing Education Through Technology
8. Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
9. Title IV, Part A, Subpart 1: Safe and Drug Free Schools and Communities
10. Title IV, Part A, Subpart 2: Community Service Grants
11. Title IV, Part B: 21st Century Community Learning Centers
12. Title V, Part A: Innovative Programs

13. Title VI, Part A, Subpart 1, Section 6111: State Assessment Program
14. Title VI, Part A, Subpart 1, Section 6112: Enhanced Assessment Instruments Competitive Grant Program
15. Title VI, Part B, Subpart 2: Rural and Low-Income Schools
16. Title IX, Part E, Subpart 1, Section 9503: Complaint Process for Participation of Private School Children

C. Complaints Originating at the Local Level

As part of its Assurances within NCLB program grant applications and pursuant to Section 9306 of the No Child Left Behind Act, the West Central School District has accepted federal funds must have local written procedures for the receipt and resolution of complaints alleging violations of law in the administration of covered programs. Therefore a complaint should not be initially filed with the South Dakota Department of Education until every effort has been made to resolve the matter through local written complaint procedures. If the complainant has tried to file a complaint with West Central School District to no avail, the complainant must provide the South Dakota Department of Education written proof of their attempt to resolve the issue with the West Central School District.

D. Filing a Complaint

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

1. A statement that West Central School District 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; and

7. The address of the complainant.

The complaint must be addressed to:

Superintendent's Office
West Central School District
PO Box 730 Hartford, SD 57033-0730

Once the complaint is received by West Central School District it will be copied and forwarded to the appropriate Federal Program Director/Coordinator.

E. Investigation of Complaint

Within ten (10) days of receipt of the complaint, West Central School District will issue a Letter of Acknowledgement to the complainant that contains the following information:

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

If additional information or an investigation is necessary, West Central School District 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 occur.

The Letter of Findings will be sent directly to the complainant, as well as any other party involved.

F. Right of Appeal

If an individual, organization, or agency is aggrieved by the final decision of West Central School District, that individual, organization, or agency has the right to request review of the decision by the U.S. Department of Education.

Kansas City Office
U.S. Department of Education
Office for Civil Rights
8930 Ward Parkway, Suite 2037
Kansas City, MO 64114-3302
Phone: 816-268-0550
Fax: 816-823-1404; TDD: 877-521-2172
E-mail: OCR.KansasCity@ed.gov

For complaints filed pursuant to Section 9503 (20 U.S.C. 7883, complaint process for participation of private school children), a complainant may appeal to the U.S. Department of Education no later than thirty (30) days from the date on which the complainant receives the Letter of Findings. The appeal must be accompanied by a copy of the West Central School District's decision and include a complete statement of the reasons supporting the appeal.

Adopted: 5-9-11

West Central School District 49-7