

Complaint Procedures for Title's I, II, III, IV and V

An organization or an individual is required to file a written, signed complaint with the Local Education Agency/Charter School (LEA) prior to submission of the complaint to the Delaware Department of Education, concerning an alleged violation by the LEA of a Federal statute or regulation that applies to the LEA's programs.

The complaint shall include a statement specifying the alleged violation by the LEA. Such statement shall include facts and documentation of the alleged violation.

The school director, superintendent or the agency head of the LEA shall investigate the complaint and issue a written report including findings of fact and a decision to the parties involved in the complaint within sixty (60) working days of the receipt of the complaint.

An appeal of the LEA decision may be made by the complainant to the Delaware Department of Education. The appeal shall be in writing and signed by the individual or by an individual representative of the organization making the appeal. The Delaware Department of Education shall resolve the appeal as indicated below:

The Delaware Department of Education shall investigate the complaint and issue a written report including findings of fact and a decision to the parties included in the complaint within sixty (60) working days of the receipt of the complaint. An extension of the time limit may be made by the Delaware Department of Education only if exceptional circumstances exist with respect to a particular complaint.

The Delaware Department of Education may conduct an independent onsite investigation of the complaint, if it is determined that an on site investigation is necessary.

The complaint shall allege a violation that occurred not more than one (1) year prior to the date that the complaint is received.