



P: 302.856.3636  
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21150 Airport Road  
Georgetown, DE 19947  
www.sussexacademy.org

**2020-21**

## **Grounds for a Complaint**

Any individual, organization, or agency may file a complaint with Sussex Academy if that individual, organization or agency believes and alleges that Sussex Academy is violating a Federal Statute or regulation that applies to a program under the Elementary and Secondary Education Act of 1965 (ESEA) as Amended Through P.L. 115–224, Enacted July 31, 2018. The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received.

## **Federal Programs for Which Complaints Can Be Filed**

- Title I, Part A: Improving Basic Programs Operated by Local Education Agencies
- Title I, Part B-1: Reading First
- Title I, Part B-2: Early Reading First
- Title I, Part B-3: William F. Goodling Even Start Family Literacy Program
- Title I, Part C: Education of Migratory Children
- Title I, Part D: Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or at Risk
- Title I, Part F: Comprehensive School Reform
- Title I, Part G: Advanced Placement
- Title II, Part A: Teacher and Principal Training and Recruiting Fund, Grants to States
- Title II, Part A-5-2151(B): School Leadership
- Title II, Part D 1 and 2: Enhancing Education Through Technology
- Title III: Language Instruction for Limited English Proficient and Immigrant Students
- Title IV, Part A: The Student Support and Academic Enrichment (SSAE)
- Title IV, Part B: 21st Century Community Learning Centers
- Title V, Part A: Innovative Programs
- Title V, Part B-1: Public Charter Schools

## **Complaints Originating at the Local Level**

As part of its assurances within Delaware Administrative Code Title IV, Section 258, an Local Educational Agency (LEA) accepting federal funds also agrees to adopt local written procedures for the receipt and resolution of complaints alleging violations of law in the administration of covered programs. Therefore, for complaints originating at the local level, a complaint should not be filed with the Delaware Department of Education (DDOE) until every effort has been made to resolve the issue through local written complaint



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procedures. If the complainant has tried to file a complaint at the local level to no avail, the complainant must provide the DDOE with written proof of their attempt to resolve the issue at the local level.

### **Filing a Complaint**

Complaints and grievances shall be handled and resolved as close to their origin as possible and through the proper channels using the following procedures:

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

- A statement that Sussex Academy has violated a requirement of a Federal statute or regulation that applies to an applicable program;
- The date on which the violation occurred;
- The facts on which the statement is based and the specific requirement allegedly violated; (include citation to the federal statute or regulation).
- A list of the names and telephone numbers of individuals who can provide additional information;
- Whether a complaint has been filed with any other government agency, and if so, which agency;
- Copies of all applicable documents supporting the complainant's position; and address of complaint.

The complaint must be addressed to:

Duncan Smith  
C/O Sussex Academy  
21150 Airport Rd  
Georgetown, DE 19947

Once the complaint is received, it will be copied and forwarded to the Head of School or his or her designee such as the School Federal Program Manager.

### **Investigation of the Complaint:**

Within ten days of receipt of the complaint, the Head of School or his or her designee such as the District Federal Program Manager, will issue a Letter of Acknowledgement to the complainant that contains the following information:

- The date the Sussex Academy complaint was received;
- How the complainant may provide additional information;
- A statement of the ways in which the Head of School or his or her designee may investigate or address the complaint; and
- Any other pertinent information



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Appropriate Sussex Academy staff will review the information 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.
4. A Letter of Findings can be issued.

If additional information or an investigation is necessary, the Sussex Academy will have 60 days from receipt of the information or completion of the investigation to issue a Letter of Findings.

If the Letter of Findings indicates that a violation has been found, corrective action will be required and timelines for completion will be included.

The 60-day timelines outlined above may be extended, if exceptional circumstances exist.

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

### **Right of Appeal to the Delaware Department of Education**

An appeal of the LEA's 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 in the following manner:

- 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 onsite investigation is necessary.

Complaints and appeals to the Delaware Department of Education shall be mailed to the following address:

Secretary of Education  
Delaware Department of Education  
401 Federal Street, Suite 2  
Dover, Delaware 19901-3639



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|   |                      |
|---|----------------------|
| Name (Complainant):   |                      |
| Mailing Address:  |                      |
| Phone Number (home):  | Phone Number (work): |
| Program complaint is being filed against:   |                      |
| Date on which violation occurred:   |                      |
| Statement that Sussex Academy has violated a requirement of a Federal statute or regulation that applies to an applicable program (include citation to the Federal statute or regulation as applicable) |                      |
| The facts on which the statement is based and the specific requirement allegedly violated:<br>(Attach additional sheets if necessary)   |                      |
| List the names and telephone numbers of individuals who can provide additional information:   |                      |
| Has a complaint been filed with any other government agency? If so, provide the name of the agency.   |                      |
| Please attach/enclose copies of all applicable documents supporting your position.  |                      |
| Signature of Complainant:   | Date:                |
| Mail this form to:<br><br>Duncan Smith<br>C/O Sussex Academy<br>21150 Airport Road<br>Georgetown, DE 19947  |                      |