

Federal Programs Compliant Policy Regarding Use of Federal NCLB Funds

A parent, student, employee, or district stakeholder who has a complaint regarding the use of Federal NCLB funds and is unable to resolve the issue, may address the complaint in writing to the district's Superintendent.

Disputes addressing the enrollment, transportation (including inter-district disputes) and other barriers to the education of children and youth experiencing homelessness are also addressed under this procedure. Parents, guardians, and unaccompanied youth may initiate the dispute resolution process directly at the school they choose, as well as at the district or district's homeless liaison's office. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the school's decision including the rights of the parent, guardian, or youth to appeal the decision. Students should be provided with all services for which they are eligible while disputes are resolved.

- The Superintendent will investigate within one week, the circumstances of the complaint and render a decision, within two weeks after receipt of the complaint.
- The Superintendent will notify the complainant of the decision in writing.
- The complainant will be allowed one week to react to the decision before it becomes final.
- The complainant will either accept or disagree with the decision and will provide such acknowledgment in writing, addressed to the district Superintendent.
- If the issue is not resolved with the Superintendent, the complainant will be forwarded to the district's Board of Education for further review. The parent or guardian or unaccompanied youth shall be provided with a written explanation of the district's decision including the rights of the parent, guardian, or youth to appeal the decision.
- Unresolved complaints may be forwarded by the stakeholder to the South Dakota Department of Education for review.

Legal References: General Provisions Regulations, at 34 CFR Sections 299.10 - 299.12

Homelessness Section 723 amended by Title X Part C of the ESEA

Citation: [Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) - Section 722 (g) (l) (j) and Section 722 (g)(3) as amended by NCLB in 2001

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