

**Georgia Department of Education,
Georgia Special Needs Scholarship Program
Complaint Process**

Introduction

Any individual, organization or agency (complainant) may file a complaint with the Georgia Special Needs Scholarship (GSNS) program if that individual, organization or agency alleges that a school on the GSNS approved private school list is violating a statute or regulation that applies to the Georgia Special Needs Scholarship Act. Complaints cannot be taken over the phone. The complaint must be submitted on the form provided by GaDOE on its website. The complainant 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 systematic or ongoing. The complaint must be signed by an individual and notarized. Complaints that do not meet these requirements will not be processed.

Processing of a complaint

Within ten (10) business days of receipt of the complaint, the GSNS office will send a Letter of Acknowledgement to notify a complainant that their complaint has been received.

The GSNS office will provide a copy of the complaint to the private school and invite the private school to submit a written response within 30 days.

If a private school responds, the GSNS office will provide a copy of the response to the complainant. Since participation in the complaint process is voluntary, GSNS cannot require a private school to respond. Hopefully, the processing of the complaint will allow the parties to resolve their dispute.

Complaints and complaint responses will be maintained by GaDOE and made available to the public upon request. GSNS reserves the right to redact any confidential or otherwise non responsive material from a complaint form or a response.

Consequences

Under Georgia law, the GaDOE does not have ability to sanction private schools or authority to intervene in disputes between parents and private schools, even if a complaint has been filed. The GaDOE does have the authority to remove or bar a private school from its approved list. However, the removal of a private school from GaDOE's approved list is limited to the reasons provided by law. The GaDOE may bar a school from participation in the GSNS program for the following reasons:

- GaDOE has determined that a school intentionally and substantially misrepresented information.
- Loss of accreditation by a school's accrediting agency.
- A school knowingly provided inaccurate information on the application.
- A school violated or did not meet any criteria on the Assurances page of the application.
- Failure of a school to refund to the state any scholarship overpayments in a timely manner.
- Failure of a school to comply with 42 U.S.C. Section 2000d.
- Failure of a school to comply with provision of 20-2-690.
- Failure of a school to comply with health and safety laws applying to private schools.
- Failure to provide requested information such as student enrollment information.
- Failure to report to GaDOE and/or parents information on student academic progress.
- Failure to employ teachers with required qualifications under GSNS legislation.
- Failure to report to parents the relevant credentials of teachers.