

Equitable Services Complaint Form

This form should be used when a private non-profit (PNP) school and a public Local Education Agency (LEA) fail to reach agreement on a specific issue dealing with the provision of equitable services for eligible private school students, their teachers, and/or parents, under the following federal Elementary Secondary Education Act (ESEA) programs (ESEA Sec. 1117; 8501):

Title I, Part A: Improving Basic Programs of Local Educational Agencies

Title I, Part C: Education of Migratory Children

Title II, Part A: Supporting Effective Instruction State Grants

Title III, Part A: English Language Acquisition

Title IV, Part A: Student Support and Academic Enrichment Grants

Title IV, Part B: 21st Century Community Learning Center Grants

Before any party files a complaint, all parties must have made reasonable efforts to resolve the dispute themselves. In addition, an opportunity to resolve the dispute between the parties must be provided to the designated Utah State Board of Education (USBE) Ombudsman. Only after these steps are completed should any of the parties seek redress through the filing of this complaint form. Below are the specific steps of the complaint procedure:

- 1) All programmatic or fiscal questions dealing with how a specific federal program operates or how a federal program's allocation is calculated must be addressed by the identified USBE Specialist program specialist and Ombudsman.
- 2) Should a dispute arise between the LEA and private school in the provision of equitable services, the LEA and private school representatives should attempt to resolve the issue themselves.
- 3) Should resolution of the issue between the LEA and private school representatives be unobtainable through negotiations, the private school representative should contact the identified USBE Ombudsman to assist in resolving the issue.
- 4) The identified USBE specialist will discuss the issue with both the private school and LEA representatives and let each party know how the issue should be resolved based upon interpretation of the law.
- 5) Should the LEA or private school representative believe the issue was not appropriately resolved by the identified USBE program specialist, the LEA or private school representative can file a complaint with the State Ombudsman for up to 45-calendar days from the date indicated on the consultation agreement. All complaints filed beyond the 45-calendar day time limit shall not be considered for review.

- 6) The State Ombudsman shall issue a written response to the complaint, resolving the dispute, no later than 30 days after the date of submission of the complaint.
- 7) After reviewing the complaint, the State Ombudsman shall contact the private school representative, LEA representative, and the identified USBE program specialist to get a complete understanding of the issue.
- 8) The State Ombudsman shall issue a written response to the complaint, resolving the dispute, no later than 30 days from the date of the submission of the complaint.
- 9) The State Ombudsman shall make available a summary of all complaint resolutions to assist the field in resolving future disputes.

Required Information*

1. Date of Complaint*

Please select the date for filing of this complaint.

2. Name of Private School*

Please list the complete name of the private school.

3. Name of Private School Authorized Representative*

The private school authorized representative should possess the legal authority to act on behalf of the specific private school and bind the private school to the actions agreed on during the equitable services discussions with the LEA. In addition, the authorized representative should possess an in-depth understanding of the specific needs of the students attending the private school and what equitable services are required to address those needs.

4. Title of Private School Authorized Representative*

Please list the title of the authorized representative of the private school.

5. Email of Private School Authorized Representative*

Please list the email address of the authorized representative.

6. Name of District or LEA*

Please list the complete name of the LEA.

7. Name of District Authorized Representative*

The authorized representative of the LEA should possess the legal authority to act on behalf of the organization and bind the organization to the actions agreed on during the equitable services discussions with the private school. In addition, the authorized representative should possess an in-depth understanding of what equitable services could be provided to address the specific needs of the students attending the private school.

8. Title of District Authorized Representative*

Please list the title of the authorized representative of the LEA.

9. Email of District or LEA Authorized Representative*

Please list the title of the authorized representative of the LEA.

10. Program to which the Dispute Applies*

Please check the box of the program the dispute involves.

Check all that apply:

- Title I, Part A – Improving Basic Programs of Local Educational Agencies
- Title I, Part C – Education of Migratory Children
- Title II, Part A – Supporting Effective Instruction State Grants
- Title III, Part A – English Language Acquisition, Language Enhancement, and Academic Achievement
- Title IV, Part A – Student Support and Academic Enrichment Grants
- Title IV, Part B – 21st Century Community Learning Centers

11. Date the Private School and Public LEA Attempted to Resolve the Dispute*

Please list the date the private school and the LEA met to discuss resolution of the dispute.

12. Description of the Dispute*

Please describe the dispute in enough detail to allow a party, who was not involved in the original discussion an in-depth understanding of what the concerns are and why the parties do not agree on the provision of equitable services. If the dispute arises from the failure of the public lea to provide the required equitable services

under the ESEA programs, please indicate in your description how the public LEA has substantially failed or is unwilling to provide the required equitable services.

13. Legal Citation Applying to Dispute*

Please provide the legal citation for the section of the ESEA statute that is at the center of the dispute.

14. Description of Decision Made during Negotiation of Dispute*

Please provide a description of what decision was made during the negotiations between the private school and the LEA.

15. Date the Utah State Board of Education Ombudsman Received Notice of the Dispute*

Please list the date the private school and the LEA contacted the USBE Ombudsman.

16. Name of USBE Consulting Program Specialist*

Please select the USBE Program Specialist

- Dr. Rebecca Donaldson, Title IA Coordinator, State Ombudsman
- Val Murdock, Title IA Monitoring Specialist, Assistant Ombudsman
- Jeff Ojeda, Title IC Migrant Education Specialist
- Jeannie Rowland, Title II Coordinator
- Dr. Christelle Estrada, Title III EL, Immigrant, Refugee Specialist
- Joleigh Honey, Title IVA Student Support and Academic Enrichment Specialist
- Kim Augustin, Title IVB 21st Century Community Learning Center Grant Specialist
- Kamille Sheikh, Title IVB 21st Century Community Learning Center Grant Specialist

17. Description of Decision Made by USBE Ombudsman in Consultation with the Program Specialist and the Date of Decision*

Please provide a description of the decision made by USBE Ombudsman and the date of the decision.
