



## Maryland State Department of Education Equitable Services Complaint Procedures

*The Every Student Succeeds Act (ESSA) which is a reauthorization of the Elementary and Secondary Education Act of 1965 requires State educational agencies (SEA) to develop and implement written procedures for receiving, investigating, and resolving complaints from parents, teachers, or other individuals and organizations concerning violations of the participation by private school children and teachers by an SEA, local educational agency (LEA), educational service agency, consortium of those agencies, or entity. (ESSA Section 8501 and 8503)*

The Equitable Services Complaint Process covers the following programs.

- Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies
- Title I, Part C: Education of Migratory Children
- Title II, Part A: Preparing, Training, and Recruiting High Quality Teachers, Principals, or Other School Leaders
- Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement Act
- Title IV, Part A: Student Support and Academic Enrichment Grants
- Title IV, Part B: 21<sup>st</sup> Century Community Learning Centers

### **Submitting a Complaint:**

Prior to a complaint being submitted, every attempt should be made to resolve a disagreement before contacting the Maryland State Department of Education (MSDE) Equitable Service Ombudsman (ESO). In the event a disagreement cannot be resolved, the complainant may contact the MSDE ESO for dispute resolution prior to an official complaint being filed.

An official complaint may be filed with the MSDE ESO if a dispute cannot be resolved at the local level with the SEA, LEA, educational service agency, consortium of those agencies, or entity. The complainant should specify if the following were violated:

- Consultation in a timely and meaningful manner
- The views of the private school officials
- Equitable services to teachers and/or students
- Other

When contacting the MSDE ESO, the private school official should provide the following:

- The name of the private school/entity submitting the complaint.
- Clearly describe how the SEA, LEA, educational service agency, consortium of those agencies, or entity receiving equitable services has violated a requirement of a federal statute or regulation that applies to a program requiring equitable participation.
- If appropriate, cite details and proper reference(s) of statutory or regulatory requirement(s).

The MSDE ESO will confirm receipt of the complaint within five business days. An investigation of the complaint and resolution will be provided by the MSDE ESO within 45 days. (*ESEA section 8503 (a)*)

**Complaint Procedures and Timeline:**

<b>Equitable Services Complaint Resolution Process</b>	<b>TIMELINE</b>
1. An official complaint may be filed with the MSDE ESO by parents, teachers, or other individuals and organizations regarding the participation by private school children and teachers.	Official complaint submitted to MSDE ESO
2. The MSDE ESO will send a written confirmation that it has received a complaint within five business days. This notification may also include a request for additional information to investigate the complaint.	Five (5) business days from receipt of written complaint.
3. The MSDE ESO, in coordination with appropriate MSDE leadership staff, as necessary, will make a final decision regarding the complaint within 45 days of the date it was received, except under extenuating circumstances that warrant an extension. In such case, the private school official will be notified that an extension of time is necessary with explanation. The final decision will include a summary of findings and the nature of corrective action, if any, to be taken including applicable timelines.	Within 45 days from receipt of written complaint.
4. If the complainant is not satisfied with the final decision provided by MSDE, a complaint may be submitted to the Secretary of the United States Department of Education and resolution will be provided within 90 days of written complaint.	After MSDE renders final resolution of complaint.

Complaints should be submitted to:  
 Barbara Scherr  
 Equitable Services Ombudsman  
[Barbara.scherr@maryland.gov](mailto:Barbara.scherr@maryland.gov)  
 (410) -767-0291