

## Equitable Services Formal Complaint to the Ombudsman

### Statutory Requirement

A private school official has the right to file a formal complaint with a State Education Agency (SEA) when the official deems that a Local Education Agency (LEA) has not engaged in consultation that was meaningful and timely, has not given due consideration to the views of the private school official, or has not made a decision that treats the private school students equitably. (See Elementary and Second Education Act [ESEA] Section 8501(c)(6)(A).)

Private school and nonpublic schools will be used interchangeably in this document, for the sakes of this document, both refer to the same type of entity.

**Note:** The complaint process outlined in this document pertains to Title I and Title VIII *equitable services* only. Please review the [ISBE Effective Dispute Resolution webpage](#) to find more information regarding the IDEA dispute resolution process [administrative complaints, mediation requests, and/or due process hearing requests]. Contact the Special Education Department at [ISBESpecED@isbe.net](mailto:ISBESpecED@isbe.net) if you have questions about assistance with administrative complaints.

### What must be included in a formal complaint?

Private school officials filing a complaint with the ombudsman concerning equitable services must do so in writing; utilize the form provided with this document. It requires the following information:

- Full name, address, email address, and telephone number of individual(s) or organization(s) filing the complaint.
- A statement that an LEA has violated a statutory or regulatory requirement applicable to the provision of equitable services under a covered ESEA program.
  - The facts on which the statement is based, and the specific statutory or regulatory requirement(s) allegedly violated; and
  - The signature of the complainant (34 C.F.R. § 299.13).
- The name of the LEA the complaint is being filed against and the names of any other agencies or employees involved.
- All facts supporting the allegation.
- A description of efforts made to resolve the complaint with the LEA.
- Any mediation communication and/or documentation with the ombudsman and reason for dissatisfaction with resolution.

**Where should a completed formal complaint be sent?**

1. A complaint must be signed by the individual(s) or organization(s) filing the complaint.
2. The nonpublic/private school official must submit the complaint, as well as additional documentation, via email to Ombudsman Jennifer Lee at [jlee@isbe.net](mailto:jlee@isbe.net), with the LEA representative copied to the email. Complaints may also be mailed to:

Illinois State Board of Education  
Attention: Ombudsman Jennifer Lee  
555 West Monroe ST, Suite 900  
Chicago, Illinois 60661

**Please review the complaint process and policy document prior to completing this form.**



EQUITABLE SERVICES FORMAL COMPLAINT TO THE OMBUDSMAN FORM

555 W. Monroe Street, Suite 900 Chicago, Illinois 60661

MULTILINGUAL / LANGUAGE DEVELOPMENT DEPARTMENT

Form with fields: FULL NAME AND POSITION OF INDIVIDUALS FILING THE COMPLAINT, FULL NAME OF PRIVATE SCHOOL, COMPLAINANT PHONE NUMBER, LEA AGAINST WHICH THE COMPLAINANT IS BEING FILED, COMPLAINANT EMAIL ADDRESS

Did the LEA engage in consultation that was meaningful and timely? [ ] YES [ ] NO

Did the LEA give due consideration to the vies of nonpublic school officials? [ ] YES [ ] NO

Provide a description of the alleged violation of the equitable services requirement by the LEA. (Please include specific dates, communication with school LEA personnel, statute or regulation violated with respect to equitable participation, and related facts to each of the title programs checked above.)

Large empty text box for description of alleged violation.

Form with field: LIST NAMES AND TELEPHONE NUMBERS OF INDIVIDUALS WHO CAN PROVIDE ADDITIONAL INFORMATION

Have efforts been made to resolve this complaint through the LEA (required)? [ ] YES [ ] NO

If yes, please describe the steps taken, including dates and types of communication attempts:

Empty text box for describing steps taken to resolve complaint.

If the ISBE ombudsman does not have jurisdiction to investigate this complaint, do you give permission to send this complaint to the federal and/or other ISBE department or state agency that has jurisdiction? [ ] YES [ ] NO

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Digital or Original Signature of Complainant Title of Complainant Date