

Multilingual Department Complaint Policy

I. PURPOSE

The Illinois State Board of Education (ISBE) takes seriously allegations that are brought against districts that are not properly identifying students, notifying parents, and/or not providing English language services. Parents, guardians, or other interested parties acting on behalf of bilingual students may file a complaint with ISBE when they suspect that the district has come in conflict with some aspect of state law and rules (105 ILCS 5/14C1 - 13 or Title 23 of Illinois Administrative Code Section 228) or federal law (Every Student Succeeds Act [ESSA] - Public Law 114-95). Complaints may include, but are not limited to, such areas as enrollment, placement, program services, assessment, or extracurricular participation in school activities.

II. SCOPE

This policy applies to all students who have been identified as English learners in the state of Illinois. Any parent, guardian, or interested party may submit a complaint on behalf of these students. This policy is not meant to override any requirements under federal and state law and administrative rules.

III. POLICY

A. Submission

Any party that submits a complaint may do it by using the form found in the complaint portal [here](#) or by calling in to speak with a principal consultant, who will fill out the form for them. All formal complaints will be managed through the complaint portal.

B. Review

The submission will be reviewed to determine whether it is within the jurisdiction of the ISBE Multilingual Department as well as whether other departments should be involved. This is also the part of the process during which the complaint will be assigned to a pair of principal consultants. The complainant and district will be notified as needed during the evaluation.

C. Notification

1. Notification to complainant: An acknowledgement will be sent to the complainant if the submission is determined to be a formal complaint. If the complaint is unfounded, the complainant will be sent a notice of closure of the issue. (See Section F for more details pertaining to the closure process.) If the submission is found to be not within the jurisdiction of the ISBE Multilingual Department, the complainant will be notified that it has been forwarded to the appropriate department. If ISBE determines the complaint is unfounded complaint and that is necessary for the district to be informed of such, it will

contact the proper district party. Any of these notifications will be sent within five days of receipt of the initial submission in the complaint portal.

2. Notification to district: A district will be informed of a complaint and a request for evidence of compliance once the initial allegations have been reviewed by the Multilingual Department and found to warrant an investigation. If the review reveals the district is not involved with the issue, the district will then be notified that the issue has been closed by ISBE. (See Section F for more information pertaining to closure.)

D. Determination

The Multilingual Department will determine whether the evidence the district provided demonstrates compliance in light of the allegations.

1. Compliant determination: All evidence that is provided demonstrates compliance with 105 ILCS 5/14C1 - 13; Title 23 of Illinois Administrative Code Section 228; and/or ESSA - Public Law 114-95.
 - a. Communication of closure of the issue will be included in this notification. (See Section F for more information pertaining to closure.)
2. Noncompliant determination: All or some evidence demonstrates noncompliance with 105 ILCS 5/14C1 - 13; Title 23 of Illinois Administrative Code Section 228; and/or ESSA - Public Law 114-95.
 - a. ISBE asks the district for its remedy pertaining to noncompliance with 105 ILCS 5/14C1 - 13; Title 23 of Illinois Administrative Code Section 228; and/or ESSA - Public Law 114-95 within 45 days.

E. Corrective Action

1. In event of a noncompliant determination, the Multilingual Department will make a request for the district to create a Corrective Action Plan (CAP) and indicate the steps for implementation of the plan. The CAP will address the allegations.
2. The Multilingual Department will determine if the CAP will result in compliance or noncompliance.
 - a. Compliant determination: The CAP that is provided demonstrates compliance with 105 ILCS 5/14C1 - 13; Title 23 of Illinois Administrative Code Section 228; and/or ESSA - Public Law 114-95. Communication of closure of the issue will be included in this notification. (See Section F for more information pertaining to closure.)
 - b. Noncompliant determination: The CAP will not result in compliance with 105 ILCS 5/14C1 - 13; Title 23 of Illinois Administrative Code Section 228; and/or ESSA - Public Law 114-95. ISBE asks the district for its remedy to address noncompliance with 105 ILCS 5/14C1 - 13; Title 23 of Illinois Administrative Code Section 228; and/or ESSA - Public Law 114-95 within 45 days.

F. Closure

1. Closure to complainant (informal investigation)
 - a. If the complaint to ISBE is unfounded, the complainant will be sent a notice of closure of the issue. If allegations are not relevant to 105 ILCS 5/14C1 - 13; Title 23 of Illinois Administrative Code Section 228; and/or ESSA - Public Law 114-95, the complainant will receive a closure letter on why their complaint is unfounded.
2. Closure to complainant and district (informal investigation)
 - a. If the district becomes involved through informal communication (phone call, email) inquiring about an issue and ISBE determines that the allegations are unfounded, a closure letter will be sent to both parties.
3. Closure to district (formal investigation)
 - a. This occurs once ISBE sends a notification letter, a formal investigation is conducted, and allegations are founded. The district is required to provide evidence of corrective action to comply with 105 ILCS 5/14C1 - 13; Title 23 of Illinois Administrative Code Section 228; and/or ESSA - Public Law 114-95. ISBE will issue a closure letter once the corrective action is deemed satisfactory.
4. Closure to complainant (formal investigation)
 - a. This occurs once ISBE sends a notification letter, a formal investigation is conducted, allegations are founded, and a Corrective Action Plan is approved by ISBE. ISBE will issue a closure letter to the complainant of the close out of the investigation and if the allegation is founded or not.

IV. DEFINITIONS

Informal Complaint – A potential complaint that is received through other media besides the complaint portal by an agency department. It may become a formal complaint.

Formal Complaint – An allegation or concern within the scope of the Multilingual Department that has been received through the complaint portal.

Complaint Portal – The platform found at <https://www.isbe.net/Pages/ML-Complaint-Process.aspx>, where stakeholders may file a formal complaint that will be received by Multilingual staff to be examined for further investigation.

English Learner – A student who has been identified through a state-prescribed screener as being eligible for language support services to access academic content.

Multilingual Department – The ISBE department that manages, monitors, and supports English learner education. Services include federal and state funding, world languages, Visiting International Teachers, the State Seal of Biliteracy, ethnic schools, etc.

Principal Consultant – An education official in ISBE, specifically in the Multilingual Department, who manages, monitors, and supports the work in that department and will oversee the complaint process when assigned to a complaint.

Complainant – A stakeholder or interested party, which may include parents, guardians, district staff, and community members, who suspects a violation of state or federal regulations governing the education of English learners and/or the scope of work covered by the Multilingual Department.

District – A publicly funded Local Education Agency.