



Equitable Services
Dispute Resolution Procedure

ESDRP Form 2
Complaint for Enforcement

Complaint for Enforcement

Date received by MDE: mm/dd/yyyy

Case Number: __ - (20xx-xx)

In the matter of **[name of private school] vs. [name of LEA public school district]**

[Instruction: Above, enter name of private school and LEA. Date received and Case Number will be added by Ombudsman.]

As authorized by sections 1117(b)(6) and/or 8501(c)(6) of the *Elementary and Secondary Education Act of 1965 (ESEA)* as amended by the *Every Student Succeeds Act of 2015*, the Mississippi Administrative Code 7-3:80.4, and the Mississippi Department of Education's *Every Student Succeeds Act: Equitable Services Dispute Resolution Procedure*, the above-named private school hereby files its **Complaint for Enforcement** against the above-named LEA public school district, demanding resolution of one or more disputes between the parties regarding the equitable services requirements of *ESEA*.

[Instruction: Private school to complete the following information. A valid contact number and email address are required.]

| | |
|---|--|
| Name of private school: | |
| Street address: | |
| Name and title of private school's representative official: | |
| Representative's contact number: | |
| Representative's email address: | |

| | |
|--|--|
| Name the LEA (school district) involved in the dispute(s): | |
|--|--|

[Instruction: Private school to select one or more boxes indicating the general nature of the complaint.]

| | |
|---|---|
| Per <i>ESEA</i> § 1117(b)(6)(A) and/or 8501(c)(6)(A), the private school alleges and complains generally that the public school district: | |
| <input type="checkbox"/> | did not engage in consultation that was meaningful and timely, |
| <input type="checkbox"/> | did not give due consideration to the views or requests of the private school, and/or |
| <input type="checkbox"/> | did not make a decision that treats the private school or its students equitably. |

[Instruction: Per *ESEA* § 1117(b)(6)(B) and/or 8501(c)(6)(B), the private school "shall provide the basis for the noncompliance." On the pages that follow (use one page for each distinct dispute if more than one): describe the dispute, identify (to the extent possible) the requirement(s) of *ESEA* applicable to this dispute, and provide a narrative demonstrating (per *ESEA* § 1117(b)(6)(C)(ii) and/or 8501(c)(6)(C)(ii)), with all possible specificity, how the school district has failed to comply with the equitable services requirement(s) of *ESEA*. Any new, relevant documentation referenced in the narrative must be attached to this Complaint (the school district's Final Equitable Services Plan for the private school, if any, need not be attached).]

| | |
|------------------------------------|----------------------|
| The number of additional pages is: | <input type="text"/> |
|------------------------------------|----------------------|

The public school district may file a **Response**, which the Ombudsman shall forward to the private school representative.

An in-person Enforcement Hearing presided over by the Ombudsman and including public school district representative(s):

| | | | |
|--------------------------|---------------|--------------------------|--------------------------|
| <input type="checkbox"/> | is requested. | <input type="checkbox"/> | is not requested. |
|--------------------------|---------------|--------------------------|--------------------------|

If either party requests an in-person hearing, the hearing shall be scheduled at an LEA or other facility within the next 15 business days. If neither party requests an in-person hearing, the Ombudsman will issue a written decision based solely on the **Complaint for Enforcement**, the school district's **Response** (if any) and all documentation associated with the case.

If the school district's alleged noncompliance with the equitable services provisions of *ESEA* is ultimately adjudged to be sufficiently demonstrated by the private school in one or more of the identified disputes, and, following a consequential Order to Remediate, the noncompliance remains uncorrected by the school district (as revealed by subsequent MDE monitoring), then by filing this Complaint for Enforcement the private school hereby requests that under such circumstances MDE directly provide the subject equitable services per *ESEA* § 1117(b)(6)(C)(i) and/or 8501(c)(6)(C)(i).



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MISSISSIPPI
DEPARTMENT OF
EDUCATION

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DISPUTE DETAILS

[Instruction: Enter the information requested below. Documentary and other (video, audio, etc.) evidence may be referenced in your narrative section, and attached. The narrative section may continue onto successive pages if necessary. If there are two or more distinct disputes, use a separate **DISPUTE DETAILS** page for each dispute.]

| | |
|------------------------|--------------------------------|
| Name of private school | Name of public school district |
| | |

1.) In the space below, identify the dispute (brief description):

2.) In the space below, identify (to the extent possible) the requirement(s) of ESEA applicable to this dispute:

3.) In the space below, provide a narrative, demonstrating with all possible specificity, how the LEA has failed to comply with the requirement(s) of ESEA in the disputed matter: