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NONCOMPLIANCE OR DISCRIMINATION COMPLAINT PROCESS

E5.1. DoDEA is obligated to investigate complaints that allege a violation of Executive Order 13160, June 23, 2000, using established agency procedures (references (c) and (d)).

E5.2. Sponsor/Parent/Guardian Appeals. Enclosure 3 of this Regulation describes the Agency's informal and formal process for resolving individual complaints or appeals of decisions concerning a student's eligibility for accommodation based on the student's disability or the accommodation offered or denied.

E5.3. Non-Compliance and Discrimination Complaints. If the procedures in Enclosure 3 of this Regulation are not followed, or the complaint alleges that an element of DoDEA discriminated against a student based on the student's disability, a sponsor/parent/guardian may file a complaint, in accordance with DoDEA Memorandum 03-OCA-01 (reference (i)) with the DoDEA Chief, Compliance and Assistance (CCA).

E5.3.1. The DoDEA Office of Compliance and Assistance (OCA) will process and attempt to resolve complaints at the lowest possible level prior to commencing a formal investigation.

E5.3.2. When appropriate, the CCA will consolidate complaints alleging noncompliance or discrimination with other like or related claims or matters being processed under other authority. Generally, no complaint filed under this enclosure will be referred for formal investigation until the informal and formal appeal procedures prescribed in paragraph E3.11. have been exhausted.

E5.3.3. Complaints filed under this enclosure may not be filed anonymously.

Cancelled