

Request for Special Education Formal Complaint Investigation

If you believe that special education requirements have not been followed by a public school, you have the following formal dispute resolution options available to you: Mediation, Complaint Investigation, and/or Due Process Hearings as well as informal dispute options: Early Resolution Process, and IEP facilitation. Additional information about the formal complaint investigation procedures as well as other dispute resolution procedures can be found on the Louisiana Department of Education web site at <http://www.doe.state.la.us>

This sample form has been designed for you to request a formal complaint investigation.

You may choose not to use this form to request a complaint investigation; however, all the information on this form must be included in your written request to LDE. Requests must be signed. A checklist for you to use prior to mailing/faxing the completed form can be found on the last page of this form.

Whether you use this form or write your own letter, you are required by law to send a copy of your request to the school district.

*Note: A complaint investigation **or** request for due process hearing **and** mediation can be requested at the same time. If you request a complaint investigation and a due process hearing, your complaint investigation request will remain on hold until the due process hearing has ended.*

If you are requesting a formal complaint investigation for one student, you are required to complete section **1. Student Information**. If you are requesting a complaint investigation for more than one student, skip section **1. Student Information** and complete the rest of the form.

1. Student Information

In the space below, provide the student's complete name, mailing address, and phone numbers. Also provide the name of the District and campus where the student attends or attended school. The student's date of birth is required for identification purposes.

In the case of a homeless child or youth (within the meaning of section 752 (2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), provide available contact information for the child and the name of the school the child is attending.

Name _____ Date of birth _____ / _____ / _____

Address _____

City _____ State _____ Zip _____

Phone number _____ Alternate phone number _____

Name of school district _____

Name of campus student attends/attended _____

2. Requestor Information

The requestor is the individual or organization filing the complaint. The requestor of a complaint may file on behalf of other students as a third party. The requestor must provide complete name and contact information.

Name _____
Relationship to student _____
Address _____
City _____ State _____ Zip _____
Phone number _____ Alternate phone number _____
Fax number _____ Email Address _____

3. Complaint Information

Your complaint must allege a violation of the Individuals with Disabilities Education Act (IDEA), its implementing regulations, and/or Bulletin 1706. The violation that is alleged must have occurred not more than one year prior to the date the complaint is received by The School district.

Below, please describe in detail each act that you allege violates Federal and/or state law or regulations, including when the act occurred and other events that are relevant to the allegation. You may describe what documents would be helpful for the Agency to review. Finally, you must provide a proposal for resolution of the allegation or to the problem.

Pages for additional allegations are attached if needed.

- a. What is the alleged violation? (Describe the nature of the problem.)
- b. What are the facts on which the allegation is based?
- c. What are significant dates and events that may be relevant to this allegation?
- d. If you have a proposal for how the issue stated in (a) could be resolved, please describe your proposal.
- e. What documents supporting the facts should be reviewed by the Agency regarding this allegation?
(Optional)

4. Signatures

By federal regulation, you must sign the request for complaint investigation/Request for Due process Hearing.

Signature of person(s) filing the complaint _____
Date _____

5. Notification for Complaint Investigation

By federal regulation, you must send a copy of the request for complaint investigation to the school district. Indicate below when and to whom you sent the copy of the complaint letter.

Date _____

Special Education Director or Superintendent

Address

Certified Mail Return Receipt Requested # (if applicable) _____

Checklist

Before mailing/faxing your request for a complaint investigation, make sure the items below have been completed.

- You have provided the student's name, contact information, and name of the school district the student attends (section 1, when requesting a due process hearing or a complaint investigation on behalf of one student).
- You have provided your name, address, and contact information where you can be reached (section 2).
- You have provided detailed information as to when, where, and how the alleged violation took place (section 3).
- You have provided a proposed solution to the problem (optional) (section 3.e.).
- You have signed your complaint (section 4).
- You have provided a copy of your complaint to the school district (section 5).
- You have mailed your complaint in time for it to be received by the Division of IDEA Coordination no later than ONE YEAR after the last act or event of which you are complaining (section 3.c.).

Mail or fax your complaint to:

Louisiana Department of Education
Attn: Legal Division
1201 North 3rd Street
Baton Rouge, LA 70802
Phone: (225) 342-3572
Fax: (225) 342-1197

As well as the special education director or Superintendent of the school district about which you are complaining