

Alabama State Department of Education

Special Education Services WRITTEN STATE COMPLAINT

(Sample Form)



Your signed written state complaint must allege a violation that occurred not more than **one (1) year** prior to the date that the complaint is received.

1. The use of this form is optional.
2. The party filing the written state complaint must forward a copy of the complaint to the superintendent of the school district/public agency serving the child at the same time the party files the complaint with the Alabama State Department of Education.
3. The school district/public agency must provide a copy of the Special Education Rights if this is the first written state complaint filed by the parent in a school year.
4. All information requested that is identified with a "*" is required information for a State Complaint to be considered complete. A complaint that is received without the required content may be dismissed or returned, which could delay resolution of the issues.

Date: _____

Dear State Director of Special Education:

I am writing to file a written state complaint for special education against:

(Name of the School District/Public Agency)

My Contact Information:

Name*
Relationship to the Child (e.g., Parent, Grandparent, Aunt, Uncle, Friend, Other (please specify))
Street Address*
City, State, & Zip Code*
Phone Number*
Email Address

***If the complaint concerns a specific child, this information must also be included:**

Name of the Child
Name of the School the Child is Attending
Address of the Child
City, State, & Zip Code
In the case of a homeless child or youth (within the meaning of the <i>McKinney-Vento Homeless Assistance Act</i> (42 USC 11434a(2)), available contact information for the child instead of the address, and the name of the school the child is attending.

I believe the school district/public agency is in violation of certain requirements in the *Individuals with Disabilities Education Act* (IDEA,) specifically:

Attach additional pages if necessary. *There is space for three issues; however, parties are not limited to three issues.*

The school district/public agency has not followed the IDEA in the following areas:

***IDEA Complaint Issue 1 (Required)**

***Facts and Details for Complaint Issue 1 (Required)**

Facts related to the school district/public agency's failure to follow the IDEA: (Description of the nature of the problem, including facts relating to the problem)

Attach additional pages if necessary.

The school district/public agency has not followed the IDEA in the following areas:

IDEA Complaint Issue 2 (Optional)

Facts and Details for Complaint Issue 2 (Optional)

Facts related to the school district/public agency's failure to follow the IDEA: (Description of the nature of the problem, including facts relating to the problem)

Attach additional pages if necessary.

The school district/public agency has not followed the IDEA in the following areas:

IDEA Complaint Issue 3 (Optional)

Facts and Details for Complaint Issue 3 (Optional)

Facts related to the school district/public agency's failure to follow the IDEA: (Description of the nature of the problem, including facts relating to the problem)

Attach additional pages if necessary.

***If alleging violations with respect to a specific child-proposed solution to the problem:** (To the extent known and available at the time the complaint is filed, how do you think the problem(s) can be resolved?)

***Signature**

Date

(Provide a copy of the complaint to the superintendent of the school district/public agency serving the child at the same time you file the complaint with the Alabama State Department of Education.)

Mediation

Mediation is an option available to resolve the problems identified in a dispute and may be a quicker and more direct way of resolving issues relating to a specific student.

The parent(s) and school district/public agency must voluntarily agree to participate in mediation.

I am interested in mediation as an alternative dispute resolution method for resolving this written state complaint. I understand the timeline for the written state complaint will be paused until the parties reach an agreement, reach impasse, or one or both parties decide to withdraw from mediation. I can change my mind about mediation at any time.

The IDEA does not require mediation and mediation cannot be used to deny or delay a parent's right to a written state complaint investigation or other procedural safeguards.

Send to:

brush-harrison@alsde.edu

or

SES WRITTEN COMPLAINT
Special Education Services
Alabama State Department
of Education
P.O. Box 30201
Montgomery, AL 36130

334-694-4782