



State of Arizona
Department of Education

March 14, 2013

NAME
ADDRESS
Phoenix, Arizona 85007

Dear Mr. and Mrs. XXX:

On March 13, 2013, this office received a state administrative complaint describing your concerns with the ABC Unified School District (District). I have reviewed your complaint and have determined that, because it does not meet our criteria, it cannot be processed as a state administrative complaint with Dispute Resolution. As outlined in our complaint procedures, which can be found at our website at www.azed.gov/special-education/dispute/, a complaint letter must meet the following criteria:

- Must be in writing and signed (anonymous complaints will not be processed).
- Must include a statement that the public education agency (PEA) has violated a requirement of Part B of the Individuals with Disabilities Education Act (IDEA), its implementing regulations, Arizona Revised Statutes, and/or the Arizona Administrative Code, but need not identify the specific law or regulation involved. The Arizona Department of Education does not have authority to investigate allegations that do not pertain to federal or state special education requirements.
- Must clearly identify the concern or the alleged violation as well as the facts upon which the allegation is based. (If needed, ADE/ESS will assist the complainant in clearly identifying the allegations.)
- Must include the name of the child or children associated with the specific complaint allegations.
- In the case of a homeless child or youth [within the meaning of section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a(2))], must include available contact information for the child and the name of the school the child is attending.
- Must allege a violation that occurred not more than one (1) year from the date that the complaint is received.
- Must contain a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.
- Should include contact information, including a daytime telephone number where the complainant can be reached, along with a mailing address.

Your complaint does not appear to allege a violation of Part B of the IDEA. That is, your allegation regarding the **SUMMARIZE ALLEGATION** does not amount to a violation of a *special education* law. Because your complaint is primarily about your concerns with school personnel, it should be addressed through the District's administrative channels or through its governing board.

Or if the concern is something OCR should look at, I would refer them to OCR, or whatever agency would be appropriate.

Because your complaint does not allege a violation of Part B of IDEA, I am unable to process it as a state administrative complaint at this time. If you have questions about the content of this letter, please feel free to contact me.

Sincerely,

**Kacey Gregson
Director of Dispute Resolution
Phone: (602) 542-3084
FAX: (602) 364-0641**

**cc: XXX, Special Education Director, ABC Unified School District
ADE File**