

CALIFORNIA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION DIVISION
REQUEST FOR COMPLAINT INVESTIGATION – Page 1 of 6

A parent of a child with a disability or any other individual who believes a school district or local education agency (LEA) is not following state or federal laws or regulations **related to the Individuals with Disabilities Education Act (IDEA)**, may file a formal complaint with the California Department of Education (CDE).

- The complaint must be in writing, signed, and sent to the CDE, Special Education Division (SED), Complaint Resolution Unit (CRU).
- A copy of the complaint must also be sent to the school district (public agency) or LEA (34 CFR Section 300.153(d)).
- The complaint must allege a violation of special education laws and regulations that occurred not more than one year before the date the complaint is received by the CALIFORNIA DEPARTMENT OF EDUCATION– Special Education Division, Complaint Resolution Unit.

Mail completed form to: California Department of Education, Special Education Division Complaint Resolution Unit, 1430 N Street, Suite 2401, Sacramento, CA 95814-5901 or FAX completed form to: 916-327-3704 (Attention: Complaint Resolution Unit) or E-mail signed PDF or scanned request to: speceducation@cde.ca.gov

This information is helpful in ensuring the student and responsible parties are correctly identified.

SCHOOL NAME WHERE ALLEGED VIOLATION OCCURRED:

SCHOOL DISTRICT/LOCAL EDUCATION AGENCY (That allegedly violated special education laws):

HAS THE STUDENT BEEN REFERRED FOR SPECIAL EDUCATION?

Yes No

DOES THIS STUDENT HAVE AN IEP? If yes, please provide a copy.

Yes No

IS THIS STUDENT CURRENTLY RECEIVING SPECIAL EDUCATION?

Yes No

GRADE

AGE

BIRTHDATE

PERSON FILING THE COMPLAINT

COMPLAINANT NAME:

EMAIL:

STREET:

CITY:

STATE:

ZIP CODE:

BEST CONTACT PHONE:

SECOND CONTACT PHONE:

RELATIONSHIP TO STUDENT:

STUDENT INFORMATION

STUDENT NAME:

Address Where Student Resides (if different from Parent/Guardian Information):

IS STUDENT HOMELESS: Yes No

STREET:

CITY:

STATE:

ZIP CODE:

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PARENT/GUARDIAN CONTACT INFORMATION (If different from complainant information above)

PARENT/GUARDIAN NAME:

SIGNATURE:

EMAIL:

STREET:

CITY:

STATE:

ZIP CODE:

BEST CONTACT PHONE:

SECOND CONTACT PHONE:

RELATIONSHIP TO STUDENT:

Pursuant to Code of Federal Regulations (34 CFR) Section 300.153(b)(1), I believe that the school district or LEA, listed on page one, has violated state and/or federal special education laws within the last year. (Include a specific statement of each alleged violation and the dates when the violation occurred (34 CFR Section 300.153(b)(2)).

1. DATE OF VIOLATION:

DESCRIPTION OF ALLEGED VIOLATION(S) i.e. separately for each allegation, state the requirement or obligation you believe your school district or LEA failed to follow as it pertains to special education.

2. FACTS RELATING TO ALLEGATION e.g. dates, times of incidents, names of persons involved. Separately for each allegation identified above, please provide facts that help explain or clarify how, or in what way your school district failed to meet its obligation and requirements relative to special education.

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WHO HAVE YOU CONTACTED REGARDING THE ABOVE ISSUE(S)?

WHAT WAS THE OUTCOME?

PROPOSED RESOLUTION (34 CFR Section 300.153(b)(4)(v)), Describe what you propose would solve of the problem: **Note:** The final resolution of the complaint will be determined by the California Department of Education, Special Education Division.

IS THERE A DUE PROCESS MEDIATION OR HEARING SCHEDULED RELATED TO THIS COMPLAINT REQUEST?

Yes No

IF YES, PLEASE PROVIDE THE OAH NUMBER:

REQUIRED

SIGNATURE OF PERSON FILING COMPLAINT

TITLE

DATE

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DISCLOSURES AND OTHER INFORMATION

All required information must be completed in order to process the complaint. If any required information is missing, processing the complaint may be delayed. Once opened, an investigation will be completed within 60 days, unless the parties have agreed to extend the timeline or exceptional circumstances exist.

QUESTIONS: Contact the Complaint Support Unit, within the Complaint Resolution Unit at 800-926-0648 or speceducation@cde.ca.gov BUSINESS HOURS: Monday – Friday 8:00 a.m. – 5:00 p.m.

Various complaint – If this is a various complaint, involving specific multiple students, please provide names and addresses as an attachment. (34 CFR Section 300.153(b)(4)(i))

Complaints submitted by someone other than parent/guardian or for a student over 18 years or older. Complaint requests submitted by an individual other than the parent/guardian or student who is 18 years or older must be accompanied by a letter of permission from the parent/guardian or student 18 years or older, in order for the CDE to share information with the complainant regarding the results of the investigation.

Documents – If able, please provide copies of any other documents specific to allegations in this request for complaint investigation that may be helpful, such as copies of Individualized Education Programs (IEP), assessment plans, correspondence, or mediation and settlement agreements.

Neither you nor the LEA will be provided documents or feedback during the investigation, if your complaint is opened. You will, however, be contacted by an investigator who will give you the opportunity to submit additional information about the allegation(s) in the complaint, if needed. Please do not send such items as the student's entire file or other correspondence between you and your district that is not necessary for the investigation.

Confidentiality – Under the California Public Records Act (CPRA), a copy of your complaint with personally identifiable information about the student redacted may be provided to anyone requesting a copy once the complaint investigation is completed.

Do you have a concern that should be addressed locally? The CDE does not investigate local personnel matters nor cases under general education, federal or state criminal law, penal law, business/corporate law, contracts law, or welfare and institutions codes, or any law, code or statute other than that related to the special education.

Information as to CDE complaint offices outside of special education, including those which consider appeals to locally filed uniform complaints, is posted on our website, at: <https://www.cde.ca.gov/sp/se>.