

New York State Education Department Revised Sample State Complaint Form

If a parent, individual or organization believes that a school district or public agency has violated a requirement of Part B of the Individuals with Disabilities Education Act (IDEA) or State law/regulation related to the education of students with disabilities, they may submit a written, signed State complaint to the New York State Education Department (NYSED). Attached is a revised New York State (NYS) Sample Complaint Form that may be used to submit a complaint. Use of this form is recommended, but not required. If using your own format to submit a State complaint, you must provide the required information, as appropriate, as indicated on the sample form. Upon receipt of a written complaint by an individual or agency, NYSED must determine if the alleged violation occurred and issue a written decision of its findings.

NYSED encourages parents and school districts to use mediation to resolve complaints regarding the education of a student with a disability.

Parent, Individual or Organization (Complainant) Submitting the State Complaint

Requests for a State complaint must be made in writing.

A State complaint must be signed by the complainant (faxed or e-mail signatures will not be accepted).

The State complaint must include:

- a statement that a school district or public agency has violated a requirement of Part B of IDEA or State law/regulation related to students with disabilities;
- the facts on which the statement is based;

State Complaint Procedures

The school district or public agency must give the procedural safeguards notice to the parent upon receipt of the first State complaint in a school year.

The parent, individual or organization filing the complaint may submit additional information, either oral or written, to the State complaint officer. The State complaint officer may request additional information from the parent, individual or organization filing the complaint. The State complaint officer may also request additional information from the school district or public agency. The State complaint officer may also request additional information from the parent, individual or organization filing the complaint. The State complaint officer may also request additional information from the school district or public agency.

Instructions: Complete, sign and make two copies of the original State complaint form.

Send the original State complaint form to NYSED, Office Special Education,

Sample New York State Complaint Form

