

The SELPA is a regional grouping of districts or a single district or county office that ensures special education services are provided to students.

The CDE, SED is responsible for monitoring all special education programs in the state and for investigating complaints at the state level.

For further information, please contact one of the following offices in your area:

1. School District Director of Special Education
2. County Office of Education
3. SELPA

You may also call the CDE, SED, Procedural Safeguards Referral Service, at (800) 926-0648, or visit the CDE's Web site at

<http://www.cde.ca.gov/sp/se/ga/>

Special Education Complaint Process



CALIFORNIA
DEPARTMENT OF
EDUCATION

1430 N STREET
SACRAMENTO, CA
95814-5901

What is a complaint?

A complaint alleges that there has been a failure to implement a federal or state special education law or regulation by a public education agency.

Public education agency means a district, special education local plan area (SELPA), county office, or any public agency providing special education or related services to students (Education Code Section 56500).

Who is the complaint process for?

The complaint process is available for any student who has been referred, assessed, or identified for special education services.

Who may file a complaint?

Anyone who believes that there has been a violation of special education law or regulations may file a complaint. This includes parents, school staff, organizations, and other interested parties. Site administrators and special education staff can assist in filing the complaint.

What information must be in the complaint?

The complaint should describe the problem and include all the information needed to support the allegation or complaint.

Is there a process for resolving complaints locally?

Yes, under most circumstances the complaint may be resolved at the local level by contacting your child's teacher, principal, or special education administrator.

Where do I send complaints?

You may send your complaint in writing to:

California Department of Education (CDE)
Special Education Division (SED)
Procedural Safeguards Referral Service
1430 N Street, Suite 2401
Sacramento, CA 95814-5901

When filing a complaint, you must forward a copy of the complaint to the public education agency at the same time you file a compliance complaint with the CDE.

How long does it take to resolve the complaint?

The state-level investigation and final report must be completed within 60 days of CDE receiving the complaint unless an extension is granted due to exceptional circumstances. The final report may contain a timeline for resolving the problem.

Understanding other special education terms

The individualized education program (IEP) is a written statement for a child with a disability that describes the child's unique needs and specifies his or her instructional program, including special education and related services.

Due process for students in special education is a procedure to use when there is a disagreement between the parents and the education agency regarding assessment, identification, or placement of a student. All requests for a due process hearing must be in writing to:

Office of Administrative Hearings (OAH)
Special Education Unit
2349 Gateway Oaks, Suite 200
Sacramento, CA 95833-4231
Phone: (916) 263-0880
Fax: (916) 263-0890

REQUEST FOR COMPLAINT INVESTIGATION

PLEASE NOTE: A complaint may be filed through the use of this form or by a written letter sent by fax or postal mail. E-mails cannot be accepted as formal complaints because they do not meet signature requirements under 34 C.F.R. 300.153(b)(3). If upon analysis of a request, a complaint is opened, a complaint investigation will be completed within 60 days of receipt in the California Department of Education (CDE) Special Education Division Procedural Safeguards Referral Service (PSRS) of all required information.

The written complaint must specify at least one alleged violation of state and/or federal special education laws that occurred not more than one year prior to the date the complaint is received by the CDE. The party filing a complaint must forward a copy of the complaint to the LEA or public agency serving the child at the same time the party files a compliance complaint with the CDE. (34 C.F.R. 300.153(d))

Please return the completed form to: California Department of Education; Special Education Division; Procedural Safeguards Referral Service; 1430 N Street; Suite 2401; Sacramento, CA 95814; Phone: (800) 926-0648; FAX: (916) 327-3704

Name of School District or other Public Educational Agency that allegedly violated state and/or federal special education laws:

Complainant Contact Information:

Name _____

Address _____

City _____, CA Zip Code _____

Phone Numbers (Please note the best time to call):

(day) _____ (evening) _____

(work) _____ ext. _____ (fax) _____

Parent/Guardian Information (if different from above):

Name(s) _____

Address _____

City _____, CA Zip Code _____

Parent/Guardian Phone Numbers (if phone contact is permitted, please indicate the best time to call):

(day) _____ (evening) _____

(work) _____ ext. _____ (fax) _____

Student Information (If alleging violations with respect to a specific child):

Name _____

Date of Birth _____ Current Grade Level _____

Address Where Student Resides (If different from Parent/Guardian information):

Address _____

City _____, CA Zip Code _____

School of Attendance (required) _____

