

## **Filing Complaints**

### **1. What does it mean to file a complaint? (2009 Winter)**

This information is taken directly from the California Department of Education website.

#### **Complaint Resolution**

When a complaint alleges that there has been a failure to implement a federal or state special education or disability discrimination law or regulation by a public education agency (district, SELPA, county office etc.), the complaint resolution process is available to investigate the situation. The complaint process is available for any student or group of students who, because of disability, need special education and/or related aids and services. A complaint can be filed by anyone. The complaint must be in writing and should describe the problem and include all the information needed to support the allegation or complaint.

The Procedural Safeguards Referral Service (PSRS) is available to assist and to answer questions by telephone at **1-800-926-0648** from Monday through Friday, 9:00 a.m. to 4:00 p.m. When the written complaint is received by the California Department of Education, the PSRS staff delineates the violations and forwards the package to the Complaints Management and Mediation Unit for investigation. If a violation is substantiated, corrective actions are written and the district is required to satisfy the compensatory requirements. If the complainant is not satisfied with the outcome of the investigation, they may file a request for reconsideration with the State Superintendent of Public Instruction.

Under most circumstances, the complaint may be resolved at the local level. Within the 60 day timeline from initial filing to the investigation report, the first ten days may be used by the local district to resolve the issues and achieve completion to the satisfaction of the complainant. Fast Track Reports require the same components as a comprehensive compliance report, except the report can be accomplished in two pages. This requires that the Fast Track responds to limited number of allegations and the evidence must clearly reflect the compliance or noncompliance of the district that can be clearly presented in the two-page format.