

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, at any time during the complaint process.

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

