

## Request for Special Education Complaint Investigation Form

If you believe that special education requirements have not been followed by a public agency, you may file a special education complaint with the Texas Education Agency (TEA). "Public agency" includes the State Education Agency, a local education agency (LEA), an educational service agency (ESA), a nonprofit public charter school that is not otherwise included as an LEA or ESA and is not a school of an LEA or an ESA, and any other political subdivision of the state that is responsible for providing education to students with disabilities.

This sample form has been designed for you to request a complaint investigation. If you need assistance completing this form or would like to discuss your dispute resolution options, you may contact TEA staff responsible for each option found on the last page of this form. Additional information about dispute resolution can be found on TEA's web site at <http://www.tea.state.tx.us/index2.aspx?id=2147497560>.

You may choose not to use this form to request a complaint investigation. However, requests for complaint investigations must be signed, and a copy must be provided to the public agency serving the student at the same time you file the complaint with TEA. A checklist for you to use prior to mailing/faxing the completed form can be found on the last page of this form.

*Note: A complaint investigation and mediation can be requested at the same time. If you request a complaint investigation and a due process hearing on the same issues, the complaint will remain on hold until the due process hearing has ended.*

If you are requesting a complaint investigation for one student, you are required to complete section **1. Student's Information**. If you are requesting a complaint investigation for more than one student, skip section **1. Student's Information** and complete the rest of the form.

### 1. Student's Information

In the space below, provide the student's complete name and address. Also, provide the name of the school where the student attends.

In the case of a homeless child or youth (within the meaning of section 752 (2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C 11434a(2)), provide available contact information for the child and the name of the school the child is attending.

Name \_\_\_\_\_ Date of birth (MM/DD/YY)\* \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Name of the School District the Student Attends\* \_\_\_\_\_

Name of the School the Student Attends \_\_\_\_\_

The \* indicates optional information. This information is useful for identifying the student.

**2. Complainant's Information**

*The complainant is the individual or organization filing the complaint. The complainant may file as a third party on behalf of other students. The complete name and contact information of the complainant must be provided.*

Name

Relationship to Student\*

Address

City

State

Zip Code

Phone number

Alternate phone number

Fax number

Email Address

The \* indicates optional information. This information is useful for determining whether the student's educational information can be disclosed to the complainant under the Family Educational Rights and Privacy Act (FERPA).

**3. Complaint Information**

*Your complaint must allege a violation of the Individuals with Disabilities Education Act (IDEA), its implementing regulations, Texas Education Code (TEC) and/or Texas Administrative Code (TAC). The violation that is alleged must have occurred not more than one year prior to the date the complaint is received at the Texas Education Agency.*

*Below, please describe, in detail, each act that you allege violates IDEA, TEC, and/or TAC, including when the act occurred and other events that are relevant to the allegation. Finally, you must provide a proposal for resolution of the allegation or to the problem.*

*If you have more than one alleged violation use the "additional allegations" form available at <http://www.tea.state.tx.us/index2.aspx?id=2147497563>.*

a. What is the alleged violation? (Describe the nature of the problem.)

b. What are the facts on which the allegation is based?

c. What are significant dates and events that may be relevant to this allegation?

d. What documents supporting the facts should be reviewed by TEA regarding this allegation?

e. Please describe your proposal for resolution of the allegation or to the problem.

**4. Signature(s)**

*By federal regulation, you must sign the request for complaint investigation.*

Signature of person(s) filing the complaint \_\_\_\_\_

Date \_\_\_\_\_

**5. Notification for Complaint Investigation**

*By federal regulation, you must send a copy of the complaint to the public agency. Indicate below when, how, and to whom you provided the copy of the complaint.*

Date \_\_\_\_\_

Hand delivered and received by \_\_\_\_\_  
signature of recipient

Faxed to \_\_\_\_\_ at \_\_\_\_\_  
name of recipient Fax Number

Mailed to \_\_\_\_\_ at \_\_\_\_\_  
name of recipient Mailing Address

Certified Mail Return Receipt Requested # (if applicable) \_\_\_\_\_

## Checklist

Before mailing/faxing your request for a complaint investigation, make sure the items below have been completed.

- You have provided the student's name, contact information, and name of the school the student attends (section 1, when requesting a complaint investigation on behalf of one student).
- You have provided your name, address, and contact information where you can be reached (section 2).
- You have provided detailed information as to when, where, and how the alleged violation(s) took place (section 3).
- You have provided a proposed solution to the problem (section 3.e.).
- You have signed your complaint (section 4).
- You have provided a copy of your complaint to the public agency (section 5).
- You have mailed/faxed your complaint in time for it to be received by TEA no later than ONE YEAR after the alleged violation(s) occurred (section 3.c.).

### Mail or fax your complaint to:

Texas Education Agency  
Division of Federal and State Education Policy  
1701 North Congress Avenue  
Austin, Texas 78701  
FAX: (512) 463-9560

### Technical Assistance for the Dispute Resolution Processes:

Questions regarding this form or the complaint investigation process may be addressed by contacting:

Texas Education Agency  
Division of Federal and State Education Policy  
1701 North Congress Avenue  
Austin, Texas 78701

Telephone: (512) 463-9414 or  
Fax: (512) 463-9560

Questions regarding requesting mediation services or due process hearings may be addressed by contacting:

Texas Education Agency  
Division of Legal Services  
1701 North Congress Avenue  
Austin, Texas 78701

Telephone: (512) 463-9720 or  
Fax: 512-463-6027

### Toll Free Parent Information Line: 1-800-252-9668

*This toll free message line is reserved for parents and other family members who have questions about student rights and regulatory requirements as they relate to special education complaint investigations, mediations, and due process hearings. Calls are returned by trained professionals during normal business hours.*

### For Individuals who are Deaf or Hard of Hearing:

TTY Number: (512) 475-3540 | Relay Texas 7-1-1

<http://www.tea.state.tx.us/index2.aspx?id=2147497560>