

KANSAS STATE DEPARTMENT OF EDUCATION
Special Education Services

Formal Complaint Request Form

COVID-19 Continuation of Operations: At this time, due to COVID-19, the Kansas State Department of Education (KSDE) staff are required to work from home and cannot receive mail at the KSDE office building. **Any complaints mailed to the KSDE office building will be filed and processed when KSDE staff are allowed to return to the office building.** In order to continue processing formal complaints during this time of COVID-19 restrictions, KSDE is temporarily allowing complainants to send complaints via email to formalcomplaints@ksde.org. Emailed complaints are filed when KSDE staff open the email. Once operations resume as normal and KSDE staff are allowed to return to the office building, the normal complaint filing procedure will resume.

Any parent of a child with an exceptionality, another individual, or agency or organization that believes a school district is not following state or federal laws or regulations related to the Individuals with Disabilities Education Act may file a formal complaint with the state department of education.

- A copy of the complaint must also be sent to the school district.
- The complaint must allege a violation of special education laws and regulations that occurred not more than one year before the date the complaint is filed.
- The complaint must be in writing, signed, and sent to Special Education & Title Services. The complaint must be mailed or personally delivered to the address at the bottom of this form. During KSDE COVID-19 restrictions, complaints may instead be emailed to formalcomplaints@ksde.org.
- Any document submitted by either the school district or parents will be available to the other party, upon request.

Your request for a formal complaint investigation must include the following information:

1. The name, address, phone number and email of the person filing the formal complaint.

Name _____

Address _____

City/State/Zip _____

Telephone _____ Email: _____

2. The name of the school the child is attending. Additional information regarding the USD number, address, and telephone number of the school where the child is attending is optional, but would be helpful in identifying responsible parties.

Name of School _____ USD No. _____

School Address _____
(not required)

City/State/Zip _____
(not required)

Telephone _____
(not required)

3. If the alleged violations concern a specific child, the name and home address of the involved child

Name of Child _____ Disability _____
(not required)

Address _____
contact information if the child is homeless

City/State/Zip _____

4. State each of your concerns. You must include the facts that provide the basis of each concern. Such facts must include when and where the concern arose and who, or what circumstances, caused the concern. Also state, to the extent known, what you believe the school district should do to resolve each of your concerns. (Attach additional pages if needed.)

What is Concern #1?

What are the facts?

What do you believe should be done to resolve this concern?

If you have additional concerns, please state: (a) each concern; (b) the facts that support each concern and (c) what you believe should be done to resolve the concern.

Signature

Date

NOTE: Federal regulations provide that the school district has the discretion of offering a proposal to resolve the concerns presented in a complaint or offering to participate in voluntary mediation with the complainant. If the parties agree to (a) mediate any of the concerns presented and (b) to extend the 60 day time line for completion of a complaint investigation, a mediator will be provided by the Kansas State Department of Education, at no expense to the parties.

Upon receipt of a written, signed complaint, the Formal Complaint Investigator will conduct an investigation and provide a written report of findings to the person or agency making the complaint and to the school district. If a violation is confirmed, the report will contain corrective actions and timelines to be followed by the school. The formal complaint report is final, unless one of the parties appeals the report. Either party may appeal the report by filing a written notice of appeal with the Kansas Commissioner of Education ATTN: Special Education & Title Services Team (SETS) (Commissioner's designee) within 10 days of the date of the report. The notice of appeal is filed on the day it is received in the SETS office. Appeals may be emailed to formalcomplaints@ksde.org during the COVID-19 restrictions.

The formal complaint must be signed and mailed or personally delivered to:

Formal Complaint Investigator
KS State Dept. of Education
Special Education & Title Services
900 SW Jackson St. Suite 602
Topeka, KS 66612

If the formal complaint is mailed or personally delivered to the address above, the complaint will be filed and processed when KSDE staff are allowed to return to the office building. **During COVID-19 restrictions while KSDE staff are required to work from home, complainants are permitted to email formal complaints instead of mail or personal delivery. Formal complaints may be emailed to formalcomplaints@ksde.org until KSDE COVID-19 restrictions are lifted. Emailed complaints are filed when KSDE staff open the email.** Once operations resume as normal and KSDE staff are allowed to work at the office building, the normal complaint filing procedure will resume.