



MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
OFFICE OF SPECIAL EDUCATION – COMPLIANCE

CHILD COMPLAINT (Age 3-21) – MODEL FORM

Directions

Federal Regulation 300.153 indicates all information below must be completed in order to process the child complaint. If any information is missing, the processing of the complaint will be delayed.

The party filing the complaint must forward a copy of the complaint to the agency/district the complaint is against at the same time the party files the complaint with the Department.

Date copy of complaint sent to Agency/District: _____

The violation must have occurred not more than one year prior to the date the complaint is received by the Department.

MAIL completed form to: Missouri Department of Elementary and Secondary Education
Office of Special Education Compliance
C/O Child Complaint Coordinator
Post Office Box 480
Jefferson City, MO 65102-0480
Or FAX to: (FAX) 573-526-4404

The Office of Special Education
business hours are Monday-Friday –
8:00 AM – 4:30 PM

Contact Information

Agency/District Complaint filed against	County (optional)	Current School of Attendance	
Child's Name	Disability (if known)	Age	Grade
Address of Child	Is Child Homeless? Y N If yes, other contact information:		
City, State, & Zip			

Parent/Guardian Name	Person filing the complaint (if different than Parent/Guardian)
Address:	Address:
City, State, & Zip	City, State, & Zip
Phone: Home	Phone: Home
Work	Work
Email address	Relationship to Child (optional):

The agency/district indicated above has violated state and federal regulations implementing the IDEA in the following area(s):

Placement Evaluation Related Services IEP Due Process
 FERPA Discipline Other (Explain)

Description of the nature of the violation/problem, including facts relating to the violation/problem: (Additional pages may be attached)

Proposed resolution of the problem to the extent known and available: (Additional pages may be attached)

Signature of person filing Complaint	Date
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The Department of Elementary and Secondary Education does not discriminate on the basis of race, color, religion, gender, national origin, age, or disability in its programs and activities. Inquiries related to Department programs and to the location of services, activities, and facilities that are accessible by persons with disabilities may be directed to the Jefferson State Office Building, Office of the General Counsel, Coordinator – Civil Rights Compliance (Title VI/Title IX/504/ADA/Age Act), 6th Floor, 205 Jefferson Street, P.O. Box 480, Jefferson City, MO 65102-0480; telephone number 573-526-4757 or TTY 800-735-2966; fax number 573-522-4883; email civilrights@dese.mo.gov.

CHILD COMPLAINT: A Checklist of What to Expect

Complainant (Parent, Advocate, or other interested party)	School District or State Education Agency
<input type="checkbox"/> Consider mediation prior to the filing of a child complaint. The Department provides mediation, at no cost, to allow parents and school districts the opportunity to resolve disagreements involving any matter under Part B of the Individuals with Disabilities Education Act (IDEA). The mediation process is voluntary. If both parties agree to mediation they will need to mutually agree upon a mediator from a list of qualified mediators provided by the Department. To request mediation, send a written request (or use the model form on the Department website) to the Department.	<input type="checkbox"/> Consider mediation prior to the filing of a child complaint. The Department provides mediation, at no cost, to allow parents and school districts the opportunity to resolve disagreements involving any matter under Part B of the Individuals with Disabilities Education Act (IDEA). The mediation process is voluntary. If both parties agree to mediation they will need to mutually agree upon a mediator from a list of qualified mediators provided by the Department. To request mediation, send a written request (or use the model form on the Department website) to the Department.
<input type="checkbox"/> A written complaint is sent to the Department (model form on the Department website can be used for guidance). If a due process complaint is filed on the same issue (s) as the child complaint, the child complaint will not be investigated until the conclusion of the due process. <input type="checkbox"/> A copy of the written complaint is sent to the school district.	<input type="checkbox"/> District receives copy of the written complaint from the complainant. <input type="checkbox"/> Within five days of receipt of the letter, the school district must provide a copy of the Procedural Safeguards and the Parent Bill of Rights to the complainant.
<input type="checkbox"/> Receive a letter from the Department indicating receipt of complaint, listing the allegations that will be investigated, asking for documentation or information to support the allegations and notifying the participants of the opportunity for mediation. A copy of the Procedural Safeguards is enclosed with the letter to the complainant for the first complaint issued for the school year.	<input type="checkbox"/> Receive a letter from the Department indicating receipt of complaint, listing the allegations that will be investigated, asking for documentation or information to support the allegations and notifying the participants of the opportunity for mediation.
<input type="checkbox"/> Send supporting documentation related to allegations to Department staff assigned to investigate the child complaint <input type="checkbox"/> Provide information related to allegations through interviews with Department staff assigned to investigate the child complaint	<input type="checkbox"/> Send supporting documentation related to allegations to Department staff assigned to investigate the child complaint <input type="checkbox"/> Provide information related to allegations through interviews with Department staff assigned to investigate the child complaint
<input type="checkbox"/> Consider mediation again. If both parties agree to mediation, then the timeline is extended for 30 days from the date the Department notifies the agreed upon mediator of the assignment. If mediation is successful, the complainant must withdraw the child complaint, otherwise the Department will proceed with the investigation of the child complaint.	<input type="checkbox"/> Consider mediation again. If both parties agree to mediation, then the timeline is extended for 30 days from the date Department notifies the agreed upon mediator of the assignment. If mediation is successful, the complainant must withdraw the child complaint, otherwise Department will proceed with the investigation of the child complaint.
<input type="checkbox"/> Receive a letter from the Commissioner of Education within 60 days of the Department's receipt of the original written complaint letter detailing the finding of facts, a determination as to whether a violation of IDEA has occurred, and a finding of whether the school district is found "not	<input type="checkbox"/> Receive a letter from the Commissioner of Education within 60 days of the Department's receipt of the original written complaint letter detailing the finding of facts, a determination as to whether a violation of IDEA has occurred, and a finding of whether the school district is found "not

<p>out of compliance” or “out of compliance” for each allegation. The Commissioner of Education may extend the 60 day timeline due to extenuating circumstances.</p>	<p>out of compliance” or “out of compliance” for each allegation. The Commissioner of Education may extend the 60 day timeline due to extenuating circumstances.</p>
<p><input type="checkbox"/> If the district is found “out of compliance”, review the corrective action plan to determine if complainant participation is required</p> <p><input type="checkbox"/> If the district is found “not out of compliance”, this ends the child complaint process. There are no appeals to the child complaint findings. However, if a parent believes that their child has been denied FAPE, or that there is an unresolved issue concerning identification, evaluation, or educational placement of the child, the parents can file a due process complaint and proceed to an evidentiary hearing. At the hearing, the parent has the burden to prove the allegations.</p>	<p><input type="checkbox"/> If found “out of compliance” – the district must complete the corrective action plan required by the Department and submit documentation to Department staff within 45 days of the decision.</p> <p><input type="checkbox"/> If found “not out of compliance” – no response is required</p>