

## FORMAL COMPLAINT PROCEDURES

A formal written complaint is one of the grievance procedures to consider if parents or any other persons or organizations wish to file a complaint against the state and have it investigated by the state. Formal complaints shall be filed with the Department of Health Early Intervention Section (EIS), which operates as the Lead Agency for ensuring early intervention services are implemented according to the Individuals with Disabilities Education Act (IDEA) Part C.

Upon receiving a complaint, via completing the attached form or by letter, EIS shall, within 60 calendar days after the complaint is filed:

- 1) Carry out an independent on-site investigation, if EIS determines that an investigation is necessary;
- 2) Give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complain;
- 3) Review all relevant information and make an independent determination as to whether the public agency is violating a requirement of Part C of this Act or of this Part; and
- 4) Issue a written decision to the complainant that addresses each allegation in the complaint and contains--
  - a) Findings of fact and conclusions;
  - b) The reasons for the lead agency's final decision.

Thus, EIS does not have authority to consider, as a formal complaint, differences of opinion or judgment that do not allege a violation of IDEA Part C law or regulation.

Complete and submit the attached form or letter to:

Early Intervention Section  
Attn: Sue Brown, Supervisor  
1350 South King St., Suite 200  
Honolulu, Hawaii 96814