



STATE DEPARTMENT OF EDUCATION

P.O. BOX 83720
BOISE, IDAHO 83720-0027

TOM LUNA
STATE SUPERINTENDENT
PUBLIC INSTRUCTION

<<DATE>>

<<FIRST, LAST NAME>>, Superintendent
<<SD>> School District #<<SD NUMBER>>
<<ADDRESS>>
<<CITY, STATE, ZIP>>

<<COMPLAINANT'S FIRST, LAST NAME>>
<<ADDRESS>>
<<CITY, STATE, ZIP>>

RE: <<SCHOOL>> School District #<<NUMBER>>; Case # <<C-XX-XX-XX>>

Dear <<Titles of both Superintendent and Parent>>:

Please be advised that <<Complainant's First/Last Name>> (hereinafter identified as the "the Complainant") has filed a state administrative complaint with the State Department of Education (SDE) on behalf of <<STUDENT'S NAME (unless it's a systemic complaint)>> (hereinafter referred to as "the Student"), a student with a disability, against the <<Name and # of School District>> (hereinafter identified as the "District"). The Complainant alleges that the District has violated the Individuals with Disabilities Education Act (IDEA).

The SDE has assigned case number <<C-XX-XX-XX>> to this complaint. The IDEA requires the SDE to investigate and resolve complaints within 60 days of receipt by our office, barring exceptional circumstances. The 60-day timeline for this complaint began on <<DATE COMPLAINT REC'D>>, and will expire on <<DATE OF COMPLAINT + 60 DAYS>>. <<CONTRACTOR'S NAME>>, an SDE contracted Complaint Investigator, has been assigned to this case, and can be reached at (208) xxx-xxxx. The Complaint Investigator is responsible for managing the timelines of the complaint.

This office has authority to investigate only complaints regarding Part B of the IDEA. The following issues found in the complaint will be investigated to determine if the District is in compliance with IDEA:

1. <<ALLEGATION>> [34 CFR §3XX.XX]
2. <<ALLEGATION>>

The Complainant should contact the Dispute Resolution Office by <<DATE OF THIS LETTER + 5-7 DAYS>> if these allegations do not accurately reflect the concerns submitted. At the discretion of the Complaint Investigator, any additional allegations provided by the Complainant will either be added as an amendment to the complaint or considered a separate complaint. Be aware that the SDE may identify and address additional allegations through the course of the investigation, if warranted.

Several options may be used by the SDE to resolve this complaint, which include the following:

1. the Complaint Investigator conducting an investigation of the complaint;
2. the Complaint Investigator initiating a meeting with the parties to attempt to reach an Early Complaint Resolution (ECR);
3. reviewing and formally accepting a Corrective Action Plan (CAP), pre-investigation, submitted by the District addressing the allegations; and
4. accepting documentation from the District verifying that the allegations have been resolved.

Should the District wish to pursue a CAP, or provide documentation that any of the allegations have been resolved, the District must immediately communicate with the Complaint Investigator regarding the District's intention to offer a CAP or documentation of having addressed the allegations by <<DATE OF THIS LETTER + 10-14 DAYS>>. The investigation of the complaint will proceed as determined by the Complaint Investigator in order to ensure timelines are met, and the Complaint Investigator will manage deadlines related to completion of an ECR, CAP, or other documentation within the 60 day timeline. Once the Complaint Investigator has submitted the Final Report to the SDE the investigation will be closed and any opportunity for an ECR or CAP will not be available.

<<REMOVE IF SYSTEMIC COMPLAINT>> Any party in this complaint may request mediation in an attempt to resolve the issues identified in this complaint. Mediation is a voluntary process where a third party assigned by the SDE would help parties negotiate a resolution and create a mediated agreement. Be advised that the timeline for the complaint investigation would still progress, unless both parties agreed to an extension in writing.

Be advised that all information related to this complaint is subject to FERPA protections. Please contact me at (208) 332-6914 or (800) 432-4601 if you have any questions.

Sincerely,

Melanie J. Reese, Ph. D.
Dispute Resolution Coordinator
Division of Federal Programs

