

Complaint Under Part C of IDEA

Optional Form

Any individual, organization, or parent may document an allegation of a violation of Part C of the Individuals with Disabilities Education Act (IDEA) in general or concerning an individual child and request an investigation under the Written State Complaint procedures. Parents have additional options for dispute resolution including mediation and due process complaints. Anyone filing a complaint and/or requesting dispute resolution procedures may complete the following form. If you choose not to use this form, look at the form and see what information is requested to help organize your thoughts. Make sure you include any information that is not marked as optional, so the state has everything it needs for your complaint to be complete. Submit either this form or your written complaint to the address listed below. For more information, see the ***Child and Family Rights and Procedural Safeguards Booklet***.

I am requesting dispute resolution via: Written State Complaint Mediation Due Process Hearing

This complaint form is being submitted with respect to an individual child, include the child's information: Not Applicable

Child's Name: _____ Date of Birth: _____
First and Last Name (Required) *(optional)*

Address: _____
(Optional)

Service Provider: _____ Local EIP Region: _____
First and Last Name (Optional) *(optional)*

I declare that: _____ **(name of person or public agency) has violated a requirement of part C of the IDEA.**

Describe the problem. Include detailed information (such as dates, actions, inactions, events, etc.), if known. Use the back or additional pages as needed:

If you have ideas, please share what you think could help fix the problem or make things better.

Complainant: _____ Relationship to Child: _____
First and Last Name/ and/or Organization Name, if Applicable *(optional)*

Address: _____ Phone: _____

Signature: _____ Date: _____

If mailing this form, please use the following address:: MSDH–Early Intervention, Attn: Part C/Monitoring Coordinator, P.O. Box 1700, Jackson, MS 39215-1700

Complaint Under Part C of IDEA – Form 215

Instructions

PURPOSE

A signed written state complaint may be filed by any individual or organization, including a parent, as defined in 34 CFR §303.27, to document an allegation of a violation of their rights under Part C of the *Individuals with Disabilities Education Act* (IDEA) and to request dispute resolution as described in 34 CFR §§303.430-303.449. As outlined in the *Child and Family Rights and Procedural Safeguards Booklet* the Mississippi First Steps Early Intervention Program, parents have three options for resolve disputes when they believe their or their child's rights have been violated: Written State Complaint, Mediation, and Due Process Hearing. *Note: The Mississippi First Steps Early Intervention Program has not adopted Part B dispute resolution procedures and does not offer resolution meetings.*

INSTRUCTIONS

1. A signed written state complaint may be filed by any individual or organization alleging a violation of Part C under the IDEA, including parents or legal guardians of any infant or toddler enrolled in First Steps or an infant or toddlers ages birth to three years who is suspected of having a disability, developmental delay, or diagnosed condition likely to result in developmental delay not enrolled if the allegation is of a violation of Child Find requirements. This optional form may be used to file a complaint.
2. The required information contained on this form, or the completed *Complaint Under Part C of IDEA* Form should be mailed to the Part C Coordinator or Early Intervention Monitoring Coordinator:
MSDH-Early Intervention
Attn: Part C/Monitoring Coordinator
P.O. Box 1700
Jackson, MS 39215-1700
3. The alleged violation must have occurred **within one year** of the date the complaint is received by the Mississippi First Steps Early Intervention Program.
4. **Please legibly print or type the following information in the space provided:**

Dispute Resolution Method

Indicate the method requested for dispute resolution: (a) Written State Complaint, (b) Mediation, or (c) Due Process Hearing. Please review the *Child and Family Rights and Procedural Safeguards Booklet* for more information on the three options.

Complaint with Respect to an Individual Child

If the complaint alleges a general violation of Part C of IDEA rather than a violation of an individual child's or family's rights, select Not Applicable. In all other cases, provide the following information about the individual child on whose behalf this complaint is being filed:

- Child's Name:** Record the child's current first name and last name.
- Date of Birth** (*optional*): Record the month, day, and year the child was born.
- Address** (*optional*): Record the address where the child resides.
- Service Provider** (*, optional*): Record the name of the child's early intervention Service Provider/Coordinator.
- Local EIP** (*optional*): Record the Public Health Region in which the Local Early Intervention Program is located (i.e., Northern, Central, or Southern Region).

Statement Part C of IDEA was Violated

Write a statement describing the child's or family's right(s) or the Part C regulation(s) that are alleged

to have been violated. *Note: Citing the specific regulation, though preferable, is not required. A general statement alleging a violation of Part C of IDEA is sufficient.*

Complaint Description

Write a statement, as detailed as possible, describing the specific event(s), action(s), and/or inaction(s) with dates, if known, which have led to the complaint. Use the back of the form and/or additional pages as needed to describe the situation. *Note: The event(s), action(s), and/or inaction(s) which are alleged to have violated Part C of IDEA must have occurred **within one year** of the date the complaint is received by the Mississippi First Steps Early Intervention Program.*

Proposed Resolution

Write a statement describing the desired resolution to remedy the situation. *Note: The resolution offered should a state investigation, mediation session, or due process hearing support the complaint is not limited to the proposed resolution; however, the proposed resolution will be taken under consideration when determining the resolution to be offered.*

Complainant Contact Information

The complainant submitting this complaint must provide the following information:

- **Complainant:** Record the first name and last name of the individual or the organization name of the individual or organization who is submitting this complaint.
- **Relationship to Child** (*optional*): If applicable, record the relationship between the complainant and the infant or toddler on whose behalf this complaint is being filed (e.g., *parent*).
- **Address:** Record the complete mailing address for the complainant.
- **Phone:** Record the area code and telephone number for the complainant.
- **Signature:** The complainant must sign this complaint before submission.
- **Date:** Record the date the complainant signed the complaint.

OFFICE MECHANICS AND FILING

The original *Complaint Under Part C of IDEA* Form is stored in the Mississippi First Steps Early Intervention Program State Office dispute resolution files. A copy of the *Complaint Under Part C of IDEA* Form is provided to the Local Early Intervention Program and is stored in their dispute resolution files.

RETENTION PERIOD

The *Complaint Under Part C of IDEA* Form will be maintained in the Mississippi First Steps Early Intervention Program State Office dispute resolution files without time limitation. If the Mississippi First Steps Early Intervention Program receives a request to destroy the early intervention records according to 34 CFR §303.416 for an infant or toddler for whom a *Complaint Under Part C of IDEA* has been submitted, the Mississippi First Steps Early Intervention Program will permanently redact all personally identifiable information contained within the *Complaint Under Part C of IDEA* Form and associated investigation, mediation meeting, and due process hearing records not allowed to be maintained without time limitation according to 34 CFR §303.416(b).