COMPLAINT PROCEEDURES UNDER PART B OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT

To comply with the requirements of state and federal law, the technology center has established the following procedures for filing and resolving formal written complaints regarding alleged violations of the requirements under Part B of the Individuals with Disabilities Education Act (IDEA), as amended.

Formal written complaints filed with the technology center should be addressed to the superintendent or a technology center administrator. The complaint must include a statement that the technology center has violated a requirement under Part B of the IDEA, the facts on which the statement is based, the signature and contact information for the complainant; and, if alleging violations with respect to a specific child, the name and address of the residence (or contact information) of the child; the name of the school the child is attending; a description of the nature of the problem of the child, including facts relating to the problem; and a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed. The complaint must allege that a violation occurred not more than one (1) year prior to the date the technology center received the complaint.

Upon receipt of a formal written complaint alleging violation of Part B of the IDEA, the special education director of the sending district will acknowledge receipt of the complaint in writing and provide the complainant with a copy of Parents Rights in Special Education. Alternately, the director will ensure that the sending school district has provided this publication. The technology center’s representative will provide the complainant an opportunity to voluntarily engage in mediation with the technology center in an effort to resolve the formal written complaint.

The technology center will promptly investigate formal written complaints. As part of the investigation, technology center personnel will give the complainant an opportunity to submit additional information, either orally or in writing, about the allegations in the complaint. Technology center personnel will review all relevant information and make an independent determination whether it is violating a requirement of Part B of the IDEA.

Within 60 calendar days from receipt of the formal written complaint, the technology center will issue a written report to the complainant. The decision will address each allegation in the complaint and contain findings of fact and conclusions and the reasons for the final decision. The decision will include procedures for effective implementation of the decision, if needed, including technical assistance activities and corrective actions to achieve compliance. The technology center will extend the time limit for the decision only if exceptional circumstances exist regarding a specific complaint or the complainant and the technology center agree to extend the time to engage in mediation or other available alternative means of dispute resolution.
In the decision, the technology center will advise the complainant of the right to request review of the decision by the Oklahoma State Department of Education (SDE) and how to request SDE review.

A complainant may choose to file his or her complaint directly with SDE rather than filing with the technology center. Where appropriate the technology center will involve the sending school district in all levels of the complaint.