

Hints When Requesting Direct State Intervention

Suggestions with examples on how to expedite the investigation process.

The California Department of Education, Special Education Division, responds to complaints as quickly as possible in order to make sure that the needs of special education students are met. Following the suggestions listed below will help expedite the investigation process. The examples pertain to only the most common allegations. You have the right to file a complaint about any special education laws and regulations that may have been violated.

- Be sure to sign your request for a complaint investigation.
- If your complaint alleges failure to implement an individualized education program (IEP), attach a copy of the IEP in question. Also, indicate what part of the IEP was not implemented, and include the date(s) the IEP was not implemented.
Example: "The IEP dated April 8, 2006 says that my child is supposed to receive speech therapy three times per week, but the XXX School District did not provide any speech therapy between September 11, 2006 and October 14, 2006. A copy of the IEP is attached."
- If your complaint involves a request for special education testing, attach a copy of the written request. If you don't have a copy, indicate that on the complaint form. Include the date(s) you requested testing.
Example: "I asked for special education testing on September 2, 2006. It's been more than 15 days and I still haven't received a proposed assessment plan from XXX School District. A copy of my request is attached."
- If your complaint alleges that the an IEP team meeting has not been held within required timelines, attach a copy of the signed assessment plan or a copy of your written request for an IEP team meeting, whichever one applies. If you do not have a copy of the document involved, indicate that on the complaint form. Include the date you signed the assessment plan or the date you asked for an IEP team meeting.
Example: "On October 8, 2006, I asked for an IEP team meeting. It's been more than 30 days now and the XXX School District still hasn't held a meeting. A copy of my written request is attached." Note: If you are alleging that a review of your child's IEP was not held within one year of the last IEP team meeting, or that a triennial review was not held within three years, attach a copy of the last signed IEP and include the date a meeting should have been held.
- If your complaint involves a request for copies of your child's school records, attach a copy of your written request. If you do not have a copy of the request, or if you asked verbally and there is nothing in writing, indicate that on the complaint form. Include the date(s) you asked for the records.
Example: "I asked for a copy of my child's school records on November 10, 2006. It's been more than five days and the XXX School District has not given me the copies. A copy of my request is attached."

Questions: Procedural Safeguards and Referral Services | 800-926-0648

Last Reviewed: Thursday, January 10, 2008