

New York State Education Department Revised Sample State Complaint Form

If a parent, individual or organization believes that a school district or public agency has violated a requirement of Part B of the Individuals with Disabilities Education Act (IDEA) or State law/regulation related to the education of students with disabilities, they may submit a written, signed State complaint to the New York State Education Department (NYSED). Attached is a revised New York State (NYS) Sample Complaint Form that may be used to submit a complaint. Use of this form is recommended, but not required. If using your own format to submit a State complaint, you must provide the required information, as appropriate, as indicated on the sample form. Upon receipt of a written complaint by an individual or agency, NYSED must determine if the alleged violation occurred and issue a written decision of its findings.

NYSED encourages parents and school districts to use mediation to resolve complaints regarding the education of a student with a disability.

Parent, Individual or Organization (Complainant) Submitting the State Complaint

Requests for a State complaint must be made in writing.

A State complaint must be signed by the complainant (faxed or e-mail signatures will not be accepted).

The State complaint must include:

- a statement that a school district or public agency has violated a requirement of Part B of IDEA or State law/regulation related to students with disabilities;
- the facts on which the statement is based;
- contact information of the person filing the complaint;
- if alleging violations with respect to a specific child, include:
 - the name and address of the residence of the child;
 - the name of the school the child is attending;
 - in the case of a homeless child or youth, available contact information for the child and the name of the school the child is attending;
 - a description of the nature of the problem of the child (the concerns that led you to file the complaint), including the facts relating to the problem; and
 - a proposed resolution of the problem to the extent known and available at the time the person is filing the complaint.

The complaint must allege a violation that occurred not more than one year prior to the date that the complaint is received by NYSED.

The individual filing the complaint must forward a copy of the complaint to the school district or other public agency serving the child at the time the person files the complaint with NYSED.

State Complaint Procedures

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Instructions: Complete, sign and make two copies of the original State complaint form.

Send the original State complaint form to NYSED, Office Special Education, 89 Washington Avenue, Room 309, Albany, NY 12234, Attention: State Complaints.

Send one copy of the State complaint form to the school district serving the child at the same time that the complaint is filed with NYSED.

Retain a copy of the State complaint form for your records.

A question and answer document clarifying the procedures used by NYSED in the investigation and resolution of State complaints which allege that a school district or public agency has violated federal and New York State law or regulation relating to students with disabilities is available on our website at: [New York State Complaint Procedures - Questions and Answers](#).

Sample New York State Complaint Form

