



## **SECTION III: INSTRUCTION**

## **POLICY 3085**

### COMPLAINT PROCEDURES

### UNDER PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

To comply with the requirements of state and federal law, the School District 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 School District should be addressed to the superintendent or a District administrator. The complaint must include a statement that the District 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 District received the complaint.

Upon receipt of a formal written complaint alleging violation of Part B of the IDEA, the District will acknowledge receipt of the complaint in writing and provide the complainant with a copy of Parents Rights in Special Education. The District will provide the complainant an opportunity to voluntarily engage in mediation with the District in an effort to resolve the formal written complaint.

The District will promptly investigate formal written complaints. As part of the investigation, District personnel will give the complainant an opportunity to submit additional information, either orally or in writing, about the allegations in the complaint. District 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 District will issue a written decision 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 also include procedures for effective implementation of the decision, if needed, including technical assistance activities and corrective actions to achieve compliance. The District will extend the time limit for the decision only if exceptional circumstances exist regarding a specific complaint or the complainant and the District agree to extend the time to engage in mediation or other available alternative means of dispute resolution.

In the written decision, the District will advise the complainant of the right to request review of the District's 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 District.

Source: *Broken Arrow Board of Education policy adoption, July 13, 2009.*  
*Broken Arrow Board of Education policy revised, October 11, 2021.*