

# State Complaint Form



West Virginia DEPARTMENT OF  
**EDUCATION**

## Office of Special Education

Any interested person may file a complaint, including an individual or organization from another state. This includes parents, students, if 18 years or older, and local educational agency (LEA) employees. **The complaint must allege a violation(s) that occurred not more than one year prior to the date the complaint is received.**

Date: \_\_\_\_\_

### Part I: Complainant Information

Complainant's Name: \_\_\_\_\_  
(Person/Agency Filing Complaint)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Alternate Phone Number: \_\_\_\_\_

### Part II: Student Information

Student's Name: \_\_\_\_\_  
Last First Middle Name

\*Student's Date of Birth: \_\_\_\_\_ \*Disability: \_\_\_\_\_

Parent's Name: \_\_\_\_\_  
(If different from the complainant)

Parent's Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

\*Home Phone: \_\_\_\_\_ \*Work Phone: \_\_\_\_\_ \*Cell Phone: \_\_\_\_\_

\*LEA: \_\_\_\_\_ \*School Student Attends: \_\_\_\_\_ Grade: \_\_\_\_\_

**\*Optional: This information is not required in 34 CFR §300.153(d) in order to file a state complaint.**

**Part III: Allegation Information** *(Use additional pages as needed.)*

Statement of the violation(s): Provide an explanation of the law(s) or regulation(s) (Individuals with Disabilities Education Improvement Act (IDEA), *Policy 2419: Regulations for the Education of Students with Exceptionalities*) that you believe the LEA has violated with regard to the student(s). (Please list each alleged violation individually.)

**Part IV: Facts**

Provide all relevant dates, a sequence of events, persons contacted and/or involved, meetings held, any efforts made to resolve each problem at the local level, and any other facts upon which the alleged violation(s) is/are based. (Please list the facts separately for each alleged violation(s) stated above.)

**Part V: Proposed Resolution(s)**

Provide information regarding how you believe the local education agency (LEA) could resolve the alleged violation.

In addition to the state complaint process, other options to resolve disagreements between parents and a local educational agency (LEA) include early resolution, mediation and a due process hearing. To obtain more information about these dispute resolution options, please go to the OSE's website at Monitoring and Compliance - West Virginia Department of Education ([wvde.us](http://wvde.us)) or call 304-558-2696.

A formal complaint must contain the complainant's original signature and must be forwarded to the local educational agency (LEA) special education director at the same time it is mailed to the address below.

Has the complaint been forwarded to the LEA? Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, when: \_\_\_\_\_  
If No, the WVDE will forward a copy of the state complaint to the LEA.

---

Complainant's/Parent's Signature

**Please mail this 2-page State Complaint Request Form and any relevant documentation to:**

West Virginia Department of Education  
Office of Special Education  
1900 Kanawha Boulevard East  
Building 6, Suite 750  
Charleston, WV 25305