

How to File a Complaint

If you feel your school has violated a special education regulation, policy, or procedure you may file a complaint with the Massachusetts Department of Elementary and Secondary Education (MDESE) Program Quality Assurance (PQA) Department. Keep in mind that PQA will only investigate complaints that are filed within one year of the alleged violation's occurrence.

Although every case is unique, in general SPEDWatch urges you to file a complaint whenever you think your child's rights have been violated. Violations that are not reported are violations that will continue to occur.

Preparation

Before calling PQA, try to locate the specific regulation, policy or procedure that you feel has been violated. If you cannot identify it there is a real chance that your concern is not within the jurisdiction of PQA. PQA investigates straightforward violations. They are not the people to contact if you have a difference of opinion with your district about your child's services and/or placement.

Gather written evidence of the violation. Although not required, submitting written evidence makes your case that much clearer to the PQA staff person who will investigate your complaint.

Call PQA at (781) 338-3700

Tell the person who answers the phone that you want to file a complaint. You will be asked if you have spoken to a MDESE Liaison yet about your issue. You may be told that you must speak to a Liaison before complaint paperwork will be sent to you. This is not true. **You do not have to speak to a MDESE Liaison in order to file a PQA complaint.** If you do not wish to speak to a Liaison, just say so.

If you do speak to a Liaison, that person may offer to call the district in an attempt to settle the problem informally without the need to file a formal complaint. While this may be the most expeditious way to handle the matter, it also means that a potential violation will go unrecorded. If you wish to accept the Liaisons offer to intervene informally, SPEDWatch suggests you also move forward with the formal complaint so that the violation will appear on the district's record.

Complete and Return Complaint Paperwork

PQA will mail you an Intake Form. The form asks for a brief statement of your concern. This is where you should be able to quote the specific regulation, policy or procedure that you feel has been violated.

The form also asks what steps you've already taken to try to address the problem with your district, and what you'd like the school to do to resolve the matter. While helpful, you are not required to answer these questions if you are unable to do so. Leaving these questions blank should not affect the processing of your complaint.

Return the completed form to PQA within 30 days along with any written evidence you have. **You must also send a copy of the completed complaint paperwork to the school district.** If you believe your district may not respond truthfully to the complaint, ask PQA to consult with you before they issue a finding. This will give you a chance to counter any inaccurate information that might be supplied by the district.

Do not use emotional, accusatory, or inflammatory language when filing a complaint. Calmly explain the relevant facts as you understand them. Becoming overly emotional clouds the facts that you want PQA to be able to see clearly.

Upon receipt of your Intake paperwork PQA will write to your district superintendent asking him/her to investigate your complaint. PQA will also conduct their own fact finding activities, and they may call you and the school for further information. PQA will then issue a Letter of Finding, usually within 60 days of their receipt of your complaint paperwork. If they find that no violation has occurred they will explain their reasoning. If they find that a violation has occurred they will describe the corrective actions the school must take

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