



State Complaint Process

Parents have the right to file a complaint with the Exceptional Student Services Division of the Arizona Department of Education when they believe that the school district is not complying with federal or state special education laws and regulations. This complaint can deal with any aspect of the process relative to the identification, evaluation, placement, or the provision of FAPE.

The complaint must be in writing and signed by the parent/guardian. The complaint should include the facts related to the alleged violation(s) and should be filed within one calendar year of the alleged violation(s). However, a longer period will be considered reasonable if the violation is continuing, or because the parent/guardian is requesting compensatory service for a violation that occurred not more than three years prior to the date the complaint is received.

The complaint should be sent to:

Dispute Resolution Coordinator,
Arizona Department of Education,
Exceptional Student Services,
1535 West Jefferson,
Phoenix, Arizona 85007

When the Dispute Coordinator receives the complaint, it is reviewed and an investigator is assigned. The parent/guardian will be notified and a copy of the complaint will be forwarded to the school district. The parent/guardian will be contacted to ensure that the investigator understands the concerns and to discuss any additional information that the parent believes may be relevant. Additionally, the school district will be contacted to discuss the procedures that will be used to gather preliminary information that may be needed. A decision is then made as to whether the investigator will do an on-site visit or request that the school district submit information in writing. The investigator will complete his or her investigation and give the parent/guardian his or her decision within 60 calendar days. The decision will include findings of fact and establish a corrective action plan, if one is required. An extension of the timeline will only be made if there are extraordinary circumstances. If this occurs, all parties will be notified in writing.

If a written complaint is received that is also the subject of a due process hearing, or contains several issues, of which one or more are part of the hearing, the State must set aside any part or the complaint that is being addressed in the due process hearing until the conclusion of the hearing. The State complaint process must resolve any issue in the complaint that is not a part of the due process action.