

**Who can file a State Complaint Investigation Request?**

A state complaint investigation request may be filed by any individual or organization. The filing party must file a written complaint by mail, email, fax, or hand-delivery to both the Department of Education and the School Administrative Unit's (SAU) Superintendent. Once MDOE has confirmed the SAU has received the complaint, the timelines for the complaint will begin.

**What issues can be addressed?**

A State Complaint investigation can address any alleged violation of the Individuals with Disabilities Act (IDEA) or the Maine Unified Special Education Regulations (MUSER) that occurred within one year of the filing date.

**Systemic Complaints**

A Systemic Complaint is one which alleges that a public agency has a policy, practice, or procedure that is, or has resulted in, a violation of Part B or Part C of IDEA or Chapter 101, MUSER; and is, or has the potential to be, applicable to a group of students, named or unnamed.

**How does it work?**

Once a state complaint investigation request is filed, a Complaint Investigator will investigate the alleged violations. This process may include formal responses or replies from both parties and interviews conducted by the Complaint Investigator. A written decision must be issued within 60 calendar days.

If both parties agree to participate in voluntary mediation, the mediation will be scheduled prior to the complaint investigation and a mediator will be assigned.

**Who decides the outcomes?**

Following the investigation, the Complaint Investigator issues a written decision. If the Complaint Investigator determines that there were violations, remedies may be ordered, including but not limited to a corrective action plan. If the Complaint Investigator determines that no violations occurred, no remedies are ordered.

**What does it cost?**

There is no cost to either party to file a State Complaint Investigation request. Either party may retain an advocate or attorney at their own expense.

**Is there an appeal process?**

The Complaint Investigator's decision cannot be appealed. However, either party may choose to file a due process hearing request on the same issue(s).