

# The Current State of State Complaints in Colorado

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As a parent of a child with special needs, do you feel like you have a legitimate complaint to make against your child's school or school district? There are two common ways to make sure that the right people hear your complaint. The two most common methods are by making a state complaint or a due process complaint. [This website](#) can clarify when it is best to use a state complaint, as opposed to the dreaded due process complaint.

## **What is a state complaint?**

A state complaint is a letter written to an official state agency to report a violation or a problem that has surfaced in regards to special education. State complaints are considered to be one of the most basic, yet integral procedural safeguards outlined in IDEA. Filing a state complaint gives individuals and organizations an easy way to address issues regarding special education, and can be a direct avenue to resolve disputes. Many people favor state complaints over the due process hearing because they are more convenient and typically just as effective. Additionally, many parents find state complaints to be much less intimidating.

[Click here](#) to learn the IDEA regulations on a state complaint.

## **Who should I write it to?**

There must be two copies of the complaint. One copy is for the school district or public agency who is serving the child. The other copy is for the State Educational Agency (SEA). In Colorado, the state education agency is the [Colorado Department of Education](#).

## **What are the requirements of a state complaint letter?**

- 1) The complaint must cite a violation that occurred not more than one year prior to when the complaint is received.
- 2) The letter must contain a statement citing the public agency that has violated a requirement of [Part B of IDEA](#).
- 3) It must include concrete facts that can support the statement.
- 4) The letter must be signed.

**What happens after the state complaint is received?**

Upon receiving the state complaint, the SEA has 60 calendar days to resolve the complaint. After an on-site investigation and a review of all relevant information, it is determined whether a violation occurred or not. The SEA must issue a written decision to address the allegations in the complaint, as well as the reasoning behind their final decision.

**Can you show me an example of what my complaint should look like?**

[Click here to see an example](#) of a state level complaint in Colorado, as well as the results of the complaint.