

# Citizen Complaint Against a School District or Other School Service Provider

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Here is an overview of the citizen complaint process described fully in Chapter 392-168 WAC, Special Service Programs—Citizen Complaint Procedure for Certain Categorical Federal Programs.

- Find this WAC online: <http://apps.leg.wa.gov/wac/default.aspx?cite=392-168>.

A citizen complaint is a written statement that alleges a violation of a federal rule, law or regulation or state regulation that applies to a federal program.

- Anyone can file a citizen complaint.
- There is no special form.
- There is no need to know the law that governs a federal program to file a complaint.

Follow steps 1 through 5 to complete the citizen complaint process.

## STEP 1 Use Your Local Process First

If you have followed the citizen complaint process of your school district, ESD or school service provider (subgrantee) **and are unable to reach a satisfactory solution**, use this citizen complaint process through OSPI.

## STEP 2 File a Citizen Complaint Through OSPI

A citizen complaint **must be in writing**, signed by the person filing the complaint, and include:

- **Contact Information of the Person Filing the Complaint.** Your name, address, telephone number and email, if you have one.
  - **Optional:** If someone is helping you to file this citizen complaint, include **1)** their contact information, and **2)** your relationship to them — for example, family member, a relative, friend or advocate.
- **Information About the School District, ESD or School Service Provider You Believe Committed This Violation.** Name and address of the school district, ESD or school service provider (subgrantee) you think violated a federal rule, law or regulation or a state regulation that applies to a federal program.
- **The Facts — What, Who & When.** Include a description of the facts and dates, in general, of when you think the alleged violation happened.
  1. What specific requirement has been violated?
  2. When did this violation occur?
  3. Who you believe is responsible: names of all the people, and the program or organization involved.
- **Optional:** Did you file a written citizen complaint first with the school district, ESD or school service provider? Although not required by Chapter 392-168 WAC, it is helpful if we can review a copy of your citizen complaint and the results, if any.
- **The Resolution You Expect.** A proposed solution, if you think you know or have ideas about how the issue can be resolved.

## STEP 3 Mail or Fax Your Written Citizen Complaint to OSPI

Office of Superintendent of Public Instruction

**Attn: Citizen Complaint-Title I, Part A**

P.O. Box 47200

Olympia, WA 98504

Fax: (360) 586-3305

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## **STEP 4 OSPI Staff Process Your Complaint**

Once federal program staff at OSPI receive your written complaint, here is what follows:

1. OSPI sends a copy of your complaint to the school district, ESD or school service provider (subgrantee).
2. The school district, ESD or school service provider begins a formal investigation led by a designated employee.
3. The designated employee provides the written response of the investigation to OSPI — within **20 calendar days**.
4. OSPI staff will send you a copy of the results of the investigation conducted by the school district, ESD or school provider (subgrantee).

Their response must clearly state one of two results:

- Denial of the allegations in your complaint and the reason for denial.
- Proposal of reasonable actions that will correct the violation.

If you need to provide more information about the allegations in the complaint, send that information to OSPI within **5 calendar days** of the date of the response from the school district, ESD or school service provider (subgrantee).

## **STEP 5 Final Decision by OSPI**

OSPI will send you the final decision in writing within **60 calendar days** of the date federal program staff at OSPI received your written complaint — unless exceptional circumstances demand that this investigation take more time.

Here are the steps OSPI staff will follow to reach a final decision:

1. Review all the information gathered related to your complaint. The review could include the results of an independent, on-site investigation.
2. Decide independently whether or not the district, ESD or school service provider (subgrantee) violated a federal rule, law or regulation or a state regulation that applies to a federal program.
3. Provide you with the final decision: Findings of fact, conclusions, and reasonable measures necessary to correct any violation.
4. The district, ESD or school service provider (subgrantee) must take the corrective actions OSPI prescribes within **30 calendar days** of the final decision.
5. A citizen complaint is considered resolved when OSPI has issued a final written decision and corrective measures, if necessary, are complete.

### **Extend or Waive Timelines**

If you as the complainant, and the school district, ESD or school service provider (subgrantee) named in your citizen complaint **agree to extend the timelines**, this agreement must be in writing and sent to OSPI **within 10 calendar days** of the date the school district, ESD or school service provider (subgrantee) received notification from OSPI.

Office of Superintendent of Public Instruction

**Attn: Citizen Complaint—Title I, Part A**

P.O. Box 47200

Olympia, WA 98504