



Filing a State Complaint Questions & Answers

Q: Why file a Formal Written Complaint (complaint)?

A: The complaint procedure is used when it is believed a school, district, or Area Education Agency (AEA) has not followed requirements of the Individuals with Disabilities Education Act (IDEA).

Q: Why file a Formal Written Complaint (complaint)?

A: The complaint procedure can be used when it is believed a school, district, or Area Education Agency (AEA) has not followed requirements of Part B of the Individuals with Disabilities Education Act (IDEA).

Q: Who can file a complaint?

A: Any person including a parent, a group of parents, or an organization may file a complaint.

Q: Do you need to hire an attorney or advocate to write the complaint?

A: No, there is no need to hire any type of legal counsel. However, it may be helpful to talk to someone familiar with the process (ie. staff at a Parent Training and Information Center or a Protection and Advocacy organization).

Q: What resources are available to help me in Iowa?

- A:
1. [ASK Resource Center](#) is Iowa's Parent Training and Information Center. Family Support Coordinators are available to provide guidance, support, and resources to help you become familiar with the process of filing a complaint.
 2. [Disability Rights Iowa](#) is Iowa's Protection and Advocacy Organization.
 3. Guidance documents specific to the complaint process and descriptions of the law can be found on the [Iowa Department of Education website](#).
 4. [Iowa Administrative Code 281, Chapter 41](#) contains the formal rules addressing state complaint procedures.

Q: Are there time limits involved with filing a complaint?

A: Yes, the complaint must be filed within one year of when the alleged violation occurred.

Q: Can a complaint be filed if you believe there is an IDEA violation that involves more than one student?

A: Yes, a complaint may concern one student or a group of students.

Q: What has to be included in a state complaint?

A: Complaints must include certain details. In Iowa, you can find the requirements in the Iowa Department of Education's [Procedures for Complaints document](#).



Q: What happens if my complaint does not meet the requirements?

A: The Iowa Department of Education will decide within five business days if the complaint is “proper in form.” You will be notified in writing within an additional ten day time limit if your complaint will not be investigated and the reasons for this decision. If your complaint did not have all the required details, you can correct the complaint and file again according to the procedures for a state complaint. For rules related to this process, refer to the above mentioned Procedures for Complaints document.

Q: What happens if your complaint will be investigated?

A: The Iowa Department of Education investigates the complaint to determine if the complaint is “found” or “unconfirmed” and provides a decision in writing.

Q: Who reviews the complaint/evidence in the investigation?

A: There are designated individuals trained within the Iowa Department of Education to investigate the complaints received.

Q: How long will it take to receive a decision?

A: There is a time limit of 60 days. The time limit can be extended if you and the public agency (school, district, or AEA) agree in writing.

Q: What options are available to resolve my complaint?

A:

1. Request a training for all relevant staff by an agreed upon provider.
2. [AEA Resolution Facilitator process](#). The Resolution Facilitator is objective third-party who has received mediation training and is employed by an AEA. The Facilitator will preside over a meeting and help all parties seek common ground and solutions. If the meeting is successful, the parties will devise and implement a written plan acceptable to all. This service is available by contacting the AEA’s Resolution Facilitator Coordinator. You may also have the option to request a State Mediator to serve as a Resolution Facilitator.
3. [Pre-appeal \(Mediation\) Conference](#). The Iowa Department of Education provides a neutral, trained mediator. The rules are in Iowa Administrative Code 281—41.506, 41.1002. The desired result of the conference is a written agreement that is acceptable to all parties.

Q: What if agreement cannot be reached by both parties?

A: There are rules and procedures in place if this is the outcome. The Iowa Department of Education’s [Mediation Question and Answer document](#) outlines the options available.