



**Michigan Department of Education Office of Special Education  
June 2021**

## State Complaint Model Form

A parent, any individual, or an organization may file a state complaint when they believe a public agency has violated the requirements of the *Individuals with Disabilities Education Act* (IDEA), the *Michigan Administrative Rules for Special Education* (MARSE), or the Michigan Revised School Code, as it pertains to special education programs and services, or when it is believed a public agency has failed to implement an individualized education program (IEP), an administrative law judge (ALJ) decision, an intermediate school district (ISD) plan for the delivery of special education programs and services, or the state application for federal funds under the IDEA. The use of this form is optional; however, all required information noted on the form must be included to file a state complaint.

The Michigan Department of Education (MDE) is only authorized to investigate allegations regarding special education. Examples of allegations MDE cannot investigate include allegations of abuse, neglect, discrimination, retaliation, harassment, civil rights violations, employment matters, matters pertaining to Section 504 of the *Rehabilitation Act* of 1973 and the *Americans with Disabilities Act* (ADA), or school policy matters.

### Person Filing the State Complaint

Name:

Address:

City:

State:

Zip Code:

Email:

Phone Number:

Complainant’s Relationship to Student:

Parent

Attorney

Advocate

Self

Other

## Student Information

(Required for alleged violations regarding a specific student. If the student is homeless, include available contact information.)

Name of Student:

Date of Birth:

Home Address (if different from above):

Name of School Student is Attending:

## Statement of Complaint

To file a state complaint, the written state complaint must include the alleged violation(s) with supporting facts and a proposed resolution, to the extent known and available to the complainant. Additional pages may be attached if needed.

### **The Public Agency the State Complaint is Filed Against**

Name of Public Agency:

### **Alleged Violation**

Describe the problem or issue(s). If alleging a violation with respect to a specific student, include a description of the problem.

## **Statement of Facts**

Provide facts to support the statement of the alleged violation(s). Describe the relevant events, including dates, and documents that support the alleged violations.

## **Proposed Resolution**

To the extent known, describe a proposal or suggestion to resolve the alleged violations.

## Mediation: Release of Contact Information to SEMS

A parent or public agency can request mediation by a neutral, third-party mediator through [Special Education Mediation Services \(SEMS\)](#). For state complaints involving a specific student, a nonparent complainant may only participate in mediation with parent participation. Mediation services are provided at no cost to the parties. The mediator will assist the parent and public agency in attempting to reach a mutually acceptable resolution of the dispute. SEMS is an *Individuals with Disabilities Education Act* (IDEA) grant-funded initiative that uses trained, independent mediators. The mediators are not employed by the Office of Special Education (OSE), a district, or an intermediate school district (ISD). Mediation may proceed at the same time as the state complaint investigation process, is completely voluntary, and is confidential.

Yes, I am interested in mediation and authorize the OSE to forward my name and contact information to SEMS. I understand SEMS will contact me directly.

No, I am not interested in mediation. I understand SEMS will not contact me, and at any point, I can contact the public agency or SEMS to request mediation. Visit the [SEMS](#) website or call 833-543-7178 for more information.

## Submit State Complaint

The state complaint must be signed and mailed, hand delivered, or electronically (fax, email) submitted to the OSE.

A copy of this state complaint was forwarded to the public agency.

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Signature

Date

*If the person filing the state complaint is not the student's parent, or if the student has reached the age of majority (18 in Michigan) and is not the complainant, this state complaint must include a signed and dated release of information before any information will be shared with the complainant.*

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