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What Is the Process in Michigan for Filing a Special Education Formal Complaint?

by Ron Greiner

In February 2003, the Michigan Department of Education (MDE), Office of Special Education and Early Intervention Services (OSE/EIS) released revised procedures for filing complaints regarding special education. This *FOCUS on Results* document answers frequently asked questions about filing special education complaints and gives some background for the revisions in the complaint procedures.

Figure 1

R 340.1701a(c)

"Complaint" means a written and signed allegation that includes the facts on which the allegation is based, by an individual or an organization, that there is a violation of any of the following:

- (i) Any current provision of these rules.
- (ii) 1976 PA 451, MCL 380.1 et seq., as it pertains to special education programs and services.
- (iii) The individuals with disabilities education act of 1997, 20 U.S.C., chapter 33, §1400 et seq., and the regulations implementing the act, 34 C.F.R. part 300.
- (iv) An intermediate school district plan.
- (v) An individualized education program team report, hearing officer decision, or court decision regarding special education programs or services.
- (vi) The state application for federal funds under the individuals with disabilities education act.

Source: *Revised Administrative Rules for Special Education*, June 2002

Q: What is a complaint?

A: A special education complaint involves an allegation (claim) that a district has failed to implement an individualized education program (IEP) for a student with a disability or has not complied with state or federal regulations related to special education.

Q: Who can file a complaint?

A: Any individual or agency, including those from another state, can file a complaint. *Individuals* who have filed complaints include students, parents, relatives, school district employees, and advocates. *Agencies* that have filed complaints include state and other agencies. *Advocacy groups* that have filed complaints include local, state, and national groups, some of which focus on all students with disabilities and others that focus on students with one particular type of disability.

Q: When can someone file a complaint?

A: Generally, a person has up to one year following an event to file a complaint.

If the violation is continuing or the complainant is requesting compensatory services, the allegations can go back as far as three years.

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▼ At times, MDE may bypass the ISD and conduct a direct investigation of its own. This could happen for a number of reasons:

1. It is in the best interest of the student to do so.
2. The ISD fails to act on a complaint or fails to address all allegations in the complaint letter.



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The Complaint Process

Q: How does someone file a complaint?

A: A complaint begins when someone puts concerns in writing, and those concerns connect with one or more of the criteria set forth in Rule 340.1701a(c) (see Figure 1). Formal complaints must be written and signed and must include the facts on which the allegation is based. Each written complaint must be given/sent to a district or intermediate school district (ISD) administrator. A call to the local ISD to ask for the name of the complaint investigator may speed up the process.

Q: What agencies can complaints be filed against?

A: A complaint can be filed against a specific school, school district, public school academy (PSA), ISD, or other public educational agency (see Glossary on page 5).

Q: What happens if a district receives only a verbal complaint?

A: The district or agency that receives the verbal complaint can try to resolve the complaint. However, the district must inform the person making the complaint that s/he has a right to file a written complaint that meets the standards contained in the *Revised Administrative Rules for Special Education* (Rules) and the final regulations implementing the *Individuals with Disabilities Education Act* (IDEA). The complainant may choose to delay filing a formal complaint to allow for an informal resolution or mediation.

Q: What happens after the formal complaint is filed?

A: Each written, signed complaint must be investigated and result in a written report. The agency that receives the complaint must immediately forward a copy to the ISD or the MDE. If the ISD receives it first, the ISD sends and faxes a

copy to the MDE within three days. If the MDE receives the complaint first, it sends and faxes a copy to the ISD. Either way, the MDE directs the ISD to investigate the complaint and assigns a case manager and case number.

Q: What will the initial investigating agency do first?

A: The initial investigating agency—usually the ISD▼—carries out a number of steps:

1. Assigns a staff person to conduct an independent investigation of the allegation.
2. Sends the complainant a copy of the section of the Rules that pertains to complaints (Part 8) and a copy of the state's *Complaint Procedures for Special Education*.
3. Notifies the complainant about a number of rights and services available to her/him (see Figure 2).

Q: Who will investigate the complaint?

A: The initial investigating agency appoints an independent investigator. This means that the investigator cannot have administrative responsibility for the programs and/or services against which the complaint is filed. For example, an ISD special education director cannot investigate a complaint because of her/his responsibilities for overall management. Also, because the investigation must be independent, the investigator has the authority to determine the conditions under which information is gathered, including who may be present during interviews (see Example on page 9 for an interesting case that clarifies one factor in an independent investigation).

Q: How will the ISD investigate the complaint?

A: The investigator first contacts the complainant to clarify the allegation. If necessary, the investigator helps the complainant identify additional concerns and formulate the complaint to meet the requirements in the Rules. The investigator also lets the complainant know about

available mediation services as another option.

Then the investigator reviews documents and interviews personnel who work with the student. The investigator has the legal authority to examine appropriate records without the parents' permission (*Family Educational Rights and Privacy Act of 1974 (FERPA)*, as amended, and its federal regulations).

Q: How long should the investigation take?

A: Within 21 calendar days of the date a formal complaint is filed, the ISD must submit its investigation report. The MDE may extend the time line if it receives a written request and if exceptional circumstances exist with respect to the particular complaint. Within 60 calendar days of the filing, the MDE must issue a final written decision to the complainant and any public agencies involved unless exceptional circumstances exist with respect to the partic-

ular complaint (see Figure 3 next page).

However, resolving complaints within this 60-calendar-day time has historically been a problem for Michigan. Improving this time line has become a key target of concern through Michigan's Continuous Improvement Monitoring Process (CIMP). As a result of the CIMP process, the OSE/EIS has revised the complaint procedures and its own internal operating procedures regarding dispute resolution. The OSE/EIS is committed to improving its ability to deal with complaints in a timely manner▼▼.

Complaint Reporting and Follow-up

Q: Who will get reports after the investigation is completed?

A: When the investigation is completed, the investigator will issue a formal report to the complainant, any public educational agency involved, and the MDE.

Figure 2

Initial Investigation Procedures

Any formal complaint filed with a public educational agency shall be immediately forwarded to the ISD or the MDE for investigation. The initial investigating agency shall:

1. Assign a staff person to conduct an independent investigation of the allegation. The investigator cannot have administrative responsibility for the programs and/or services against which the complaint is filed;
2. Send copies of Part 8 of the Rules and a copy of the *Complaint Procedures* to the complainant;
3. Inform the complainant that s/he has a right to request the MDE to investigate the complaint. If the complainant requests the MDE to investigate it, the ISD shall immediately inform the MDE of the request. The MDE will review the complaint and either investigate it under these procedures or direct the ISD to investigate it;
4. Inform the complainant that s/he can appeal the investigation conclusions with the MDE if s/he disagrees with the conclusions;
5. Inform the complainant about options to mediate the complaint (see *FOCUS on Results*, GATA 03-01, 03-02, and 03-03 on Mediation).
6. Assist the complainant to identify the concerns and formulate a complaint, which meets the standards contained in the definition of a complaint;
7. Give the complainant an opportunity to raise additional allegations, submit additional information, either orally or in writing, and clarify the allegations; and
8. If a complaint involves a student whose primary responsibility for care rests with the Department of Corrections (DOC), the Family Independence Agency (FIA), or the Department of Community Health (DCH), the MDE will forward the complaint to the proper state agency for investigation.

Source: *Complaint Procedures for Special Education*, February 2003. Michigan Department of Education, Office of Special Education Services and Early Intervention Services. Section I, C



OSE/EIS is making efforts to improve the complaint process.

In fall 2000 the U.S. Department of Education's Office of Special Education Programs (OSEP) initiated the Continuous Improvement Monitoring Process (CIMP) in Michigan. The CIMP process involves parents, advocates, attorneys, school district personnel, and personnel from other government agencies.

In response to the CIMP activity and to changes required by OSEP related to revising regulations for complaint procedures, the OSE/EIS:

1. Revised the Complaint Procedures.
2. Revised its internal operating procedures, including developing:
 - Criteria to identify the beginning and ending dates of a complaint investigation.
 - Criteria to identify the exceptional circumstances and complicating factors that support an extension of a time line.
 - Criteria to describe why an investigation report was not completed within a time line.
 - A process to identify which ISDs do not complete investigations within the 21-calendar day time line.
3. Made a commitment to study the efficacy of a 1-tier instead of a 2-tier complaint process.



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When an investigation report shows the school or agency denied special education services

In resolving a complaint in which the public educational agency failed to provide required services, the MDE must address:

1. How to remedy the denial of those services. This may or may not involve awarding monetary reimbursement or other corrective action appropriate to the needs of the student.
2. Appropriate future provision of services for all students with disabilities.
3. Whether or not the school or agency must reimburse the parents for any costs incurred by the parent in providing special education programs and/or services that the MDE determined to be the responsibility of the public educational agency.

Q: What must be included in the investigator's report?

A: The investigator must submit a formal investigation report that identifies:

- Date the complaint was received (a copy of the original complaint is to be attached to the investigation report).
- Name of the investigator.
- Name of any student(s) involved.
- Operating district and resident district or PSA.
- Student's category of special education eligibility and programs and services.
- Date of and method used to establish direct contact with the complainant to discuss the complaint and to request any additional information.
- Names of other persons contacted, the method, and the date.
- Documents reviewed and/or relied on.
- Any particular methods or procedures employed to gather information.
- Allegation(s).
- Legal standard(s) that governs the allegation(s).
- Findings of fact that relate to the specific standard(s) identified.

- Conclusion(s) of whether a violation has or has not occurred, with an explanation of how that conclusion(s) was made and how conflicts, if any, were resolved.
- Recommendations for corrective action and/or remediation if a violation has occurred.
- Statement of appeal rights.

Q: What happens if the investigation report shows a violation occurred?

A: If the investigation report shows that a specific violation occurred, the allegation is valid. The report then recommends ways to correct the violation and meet the needs of the student. If a denial of services occurred, the report also recommends a remedy.▼▼▼

The MDE reviews the report. The MDE issues a final decision that directs the district to correct the violation and to show proof that it has corrected the violation. If the report finds that the district has denied services to the student(s), then the MDE also directs the district to provide compensatory education. The MDE may also recommend plans for technical assistance and negotiations.

Figure 3

Time Line for Investigating Complaints

1. The time line for investigating a formal complaint begins on the date that the complaint is filed, that is, the date that the ISD and/or the MDE receives the complaint, whichever date is earlier;
2. If the ISD receives the formal complaint first, the ISD shall forward a copy of the complaint to the MDE within three calendar days of receiving the complaint, including forwarding a copy of the complaint and all attachments to the MDE by U.S. mail and faxing a copy of the letter of complaint itself to the MDE;
3. If the MDE receives the formal complaint first, the MDE shall forward a copy of the complaint to the ISD within three calendar days of receiving the complaint, including forwarding a copy of the complaint and all attachments to the ISD by U.S. mail and faxing a copy of the letter of complaint itself to the ISD;
4. Within 21 calendar days of the filing of a formal complaint, the ISD must submit its investigation report to the complainant, any public educational agency involved, and the MDE. An extension in the time line may be requested, in writing, and granted by the MDE if exceptional circumstances exist with respect to the particular complaint; and
5. Within 60 calendar days of the filing of a formal complaint, the MDE must issue a final written decision to the complainant and any public agencies involved, unless exceptional circumstances exist with respect to the particular complaint.

Source: *Complaint Procedures for Special Education*, February 2003. Michigan Department of Education, Office of Special Education Services and Early Intervention Services. Section I, E



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Q: How long does the district or agency have to correct its actions?

A: The MDE directive includes a time line for correcting the violation. The MDE also identifies documents the district or agency must submit to prove it has complied.

Q: Who assures the corrective action plan is followed?

A: The ISD is responsible to help the district correct the violation and monitor progress of the corrective action. When the district or agency has corrected the violation, it submits the required documents (proof of compliance) to the ISD and the MDE. The agency must submit this proof of compliance under the signatures of the district's special education director, superintendent, and president of the board of education.

Once the MDE accepts the proof of compliance, the MDE closes the case. The MDE informs the complainant and agencies of the closure, summarizes the corrective action taken, and informs the complainant of the right to appeal to a court of competent jurisdiction.

Q: What happens if the investigation report shows that no violation has occurred?

A: If the investigation finds that no violation occurred, the allegation is not valid. The MDE then informs the complainant of appeal rights. If there is no appeal, then the MDE issues a final decision and closes the case. The MDE informs the complainant and agencies of the closure and informs the complainant again of the right to appeal to a court of competent jurisdiction.

Q: What if the investigation report shows that the complaint is not related to special education?

A: If the investigation report finds that the allegation does not pertain to the Rules or regulations, the investigator does not have the authority to rule on it. The report directs the complainant to the

appropriate public agency.

If the complainant indicates a possible violation of other civil rights based upon gender, race, religion, color, creed, ethnicity, disability, or age, the investigation report refers the complainant to the U. S. Department of Education, Office for Civil Rights, Bank One Center, Room 750, 600 Superior Avenue, East, Cleveland, OH 44114-2611.

Q: What if the complainant doesn't agree with the conclusions of the investigation?

A: The complainant has the right to contest the ISD decision and request the MDE to investigate the allegation if s/he disagrees with the report's conclusions. If the ISD finds no violation, the MDE notifies the complainant of her/his right to appeal. The complainant has 10 days to file a written appeal.

The Appeal Process

Q: What happens during an appeal?

A: When the MDE receives an appeal, the MDE case manager informs the complainant and agencies involved. The case manager contacts the complainant to clarify the issue and provides an opportunity for additional input.

The case manager identifies the proper legal standard that applies to the allegation. S/he also reviews documents and interviews personnel involved in the case. After investigating the allegation, the MDE issues a final decision and sends its report to all parties. This report describes the facts of the case and concludes whether the allegation is valid or invalid.

Q: What if a new allegation arises in the letter of appeal?

A: If a new allegation appears in a letter of appeal, the MDE takes one of the following actions:

If the new allegation is related to the previous allegations identified in the original letter of complaint, the MDE may

GLOSSARY

Allegation—an accusation that a school district or other public educational agency has failed to serve a student with a disability.

Complainant—a person filing a written, signed, special education complaint.

Continuous Improvement Monitoring Process (CIMP)—A process required by the OSEP by which a state continuously reviews its special education services.

Initial investigating agency—Michigan has a two-tier complaint investigation process. The initial investigating agency (usually the ISD) conducts the first level of the investigation.

Mediate/Mediation—a collaborative method to resolve disputes between two parties, in this case most likely districts and parents (or other interested adult) of students with disabilities. Special Education Mediation is a voluntary, confidential process.

Public Educational Agency—A public educational agency is a local school district, a public school academy (PSA), an intermediate school district (ISD), or the Michigan Department of Education (MDE). Public educational agency also includes the Department of Corrections (DOC), the Family Independence Agency (FIA), and the Department of Community Health (DCH).

The Rules—*Michigan's Revised Administrative Rules for Special Education*, June 2002.



investigate the new allegation in the state investigation or send the new allegation to the ISD for investigation.

If the new allegation is not related to the allegation identified in the original letter of complaint, the MDE opens a new complaint investigation of the new allegation.

Q: What happens if the MDE finds that any allegation is valid?

A: The MDE directs the agency to correct the violation, tells how the agency must prove it has complied, and directs compensatory education if there has been a denial of services.

Q: What happens if the MDE determines all the allegations are invalid?

A: The MDE closes the case and informs the parties of their right to appeal to a court of competent jurisdiction.

Complaints and Due Process Hearings

Q: What is the difference between a complaint and a due process hearing?

A: In a complaint, generally the parents and the district agree on the student's disability and on what programs and services the student is supposed to receive, but someone alleges the district did not do what it had agreed to do. The reason for the failure might be a misunderstanding, results that failed to meet someone's expectations, or lack of resources or staff to provide the agreed-upon services.

In a due process hearing, generally the parents and the district disagree. For example, the parties can't agree on what the student's disability is or what the proper accommodation(s) might be. In

such cases, either the parent or the district must request a hearing before an impartial third party.

Q: Can a person file a complaint and request a due process hearing at the same time?

A: Yes. If a complaint has been filed but is not resolved, and the complainant simultaneously requests a due process hearing, the investigating agency must immediately inform the MDE of the request for the due process hearing. The MDE reviews the complaint to determine if it contains any issues that are also part of the due process hearing. If the MDE determines that one or more issues in the complaint are the same as those addressed in the due process hearing, the MDE sets related issues aside and informs the parties that the matter is being held in abeyance (put on hold) until completion of the due process hearing. However, any issue in the complaint that is not part of the due process action must be resolved within the time limit and using the criteria identified for the complaint process.

Q: What if a complaint relates to an issue that was previously decided in a due process hearing?

A: The investigating agency immediately informs the MDE. The MDE informs the parents and the district that the hearing decision is binding.

Q: What if a complaint relates to a public agency's failure to implement a due process decision?

A: The investigating agency immediately informs the MDE. The MDE is responsible for addressing the situation.

Disclaimer

The OSE/EIS is providing information in this feature with a reminder that each due process hearing decision and each complaint investigation decision is based solely on factual circumstances, as presented in individual cases. Specific cases presented here should not be the basis of generalizations about dispute resolution.



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Some Additional Questions

Q: What if a parent or other complainant struggles to put her/his concerns in writing or doesn't understand this procedure?

A: The initial investigating agency (the ISD or the MDE) is required to help the complainant identify the concerns and put them into a complaint that meets the standards contained in the definition of a complaint. The agency is also required to give the complainant an opportunity to raise additional allegations, submit additional information either orally or in writing, and clarify the allegations.

Q: Does the MDE ever bypass the ISD and conduct direct state investigations?

A: Yes. In fact, the initial investigating agency must notify the complainant right away that s/he has a right to bypass the ISD investigation and instead request the MDE to investigate the complaint. If the complainant requests the MDE to investigate the complaint, the ISD immediately forwards the complaint to the MDE and informs the MDE of the request. The MDE reviews the complaint and informs the parties that the MDE will either investigate the complaint itself or refer the complaint to the ISD for initial investigation. Generally, the MDE prefers that

Want to know more?

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1. Download full text at www.cenmi.org. Click on "Additional Products" under "Featured Products" and search for the document you need.
2. Order print copies by calling CEN at **(800) 593-9146**.

Figure 4

Systems Complaints

In the previous three years, a number of "systems complaints" have been filed that have alleged violation(s) related to:

1. All students in one special education program operated by a district [e.g., the students in a program for students with emotional impairment (EI)].
2. All students in one type of special education program operated by a district (e.g., all EI programs).
3. All students in several types of special education programs operated by a district [e.g., all programs for students with EI, Learning Disabilities (LD), and resource room (RR)].
4. All students at a building level operated by a district [e.g., all students with disabilities at middle school(s)].
5. All students with a specific disability in a building operated by a district, or across a district, or across a geographic area encompassing multiple districts [e.g., all students with autism (AI)].
6. All students with disabilities in a specific public school academy (PSA).
7. All new referrals for special education evaluations in a district during a given year.

Managing investigations of "systems complaints" has evolved. Several significant points have emerged:

1. A complaint does not have to identify a specific student in order to be investigated.

2. Section 300.661(a)(4)(i) of the *Individuals with Disabilities Education Act* (IDEA) final regulations requires that each complaint must be investigated and result in a written report that includes findings of fact.
3. Each complaint must be reviewed based on the facts presented by the complainant; there is no single way to manage systems complaints.
4. Section 300.662(b)(2) requires the complainant to identify the facts on which the complaint is based.
5. The investigator must attempt to discover other relevant facts and document the attempts.
6. The investigator must provide the complainant opportunities to provide additional facts and document the opportunities.
7. The review of previous monitoring reports and previous due process hearing decisions can sometimes provide relevant factual information.
8. If the complainant is unable to provide enough facts to prove a violation, and/or the investigator is unable to discover additional facts to prove a violation, the investigator would likely decide there was insufficient evidence to conclude a violation with the information presented.
9. The investigator has the responsibility to decide whether the complainant has provided enough facts.

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To learn more about dispute resolution, check out back issues of *FOCUS on Results* online at www.cenmi.org. Click "FOCUS on Results," under Featured Products, then click "Dispute Resolution."

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To learn who is responsible for investigating complaints at your county or regional intermediate school district (ISD), contact your local district's special education administrator.





Mediation is a collaborative method to resolve disputes between districts and parents (or other interested adults) of students with disabilities. A neutral person (not affiliated with districts or parent groups), called a mediator, helps parents, district staff, and service providers to communicate effectively about issues related to the student. If all parties agree, the mediator assists in developing a written agreement. Mediation is a voluntary, confidential process, so mediation discussions cannot be used in future due process hearings or court actions. Mediation offers an opportunity for parties to participate in resolving their own dispute, rather than having it resolved for them by someone else (like a hearing or compliance officer).

Source: Laura Bassein, Special Education Mediation Program Administrator. FOCUS on Results, GATA 03-01.

For more information about mediation services in your county, call the Special Education Mediation Program at **800-8RESOLVE** (800-873-7658) or visit www.courts.michigan.gov/scao/dispute.



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the ISD conduct the initial investigation, because this protects the complainant's right to an administrative review.

Q: What if a complainant believes a district has failed to follow the law regarding a whole group of students. Does the state require a separate formal complaint for each student who is affected?

A: No. A formal complaint can pertain to one student, multiple students, or systems issues (see figure 4 previous page).

Q: What if a complaint involves a student who is in juvenile detention or foster care?

A: The MDE forwards the complaint to the proper state agency for investigation: the Department of Corrections (DOC), the Family Independence Agency (FIA), or the Department of Community Health (DCH).

Q: What happens if the ISD fails to act on a complaint or fails to address all the allegations in a complaint letter?

A: The MDE either redirects the ISD to complete the investigation or conducts its own investigation and reports its findings to all parties. The MDE may also send back to the ISD any report that does not meet the requirements listed in the ISD Investigation Process (Section II) of the *Complaint Procedures for Special Education*.

Q: Can a district refuse to release information to the investigator?

A: No. All governmental agencies must cooperate with the MDE or the ISD during an investigation.

Q: What if the parties don't want to go through such a formal procedure? Is there another option?

A: The initial investigating agency informs the complainant about mediation. ▼▼▼▼

Q: Why were the *Complaint Procedures for Special Education* revised?

A: Four reasons formed the basis for the revisions:

1. In fall 2000, the U. S. Department of Education, Office of Special Education Programs (OSEP) initiated the CIMP in Michigan. OSEP identified management of complainant investigations as a priority.
2. The OSEP required the MDE to submit a copy of its Complaint Procedures (version dated October 1999) for review. In spring 2001, the OSEP completed a review of that document and informed the MDE about required changes.
3. The MDE compliance staff participated in multi-state training opportunities provided by the Mountain Plains Regional Resource Center (MPRRC) and the Great Lakes Area Resource Center (GLARRC).
4. The MDE has been involved in several court actions that related to complaints.

Example

Independent Investigation Reports June 9, 2003

The term “independent” in regards to independent investigation reports is not precisely defined in any regulation. However, it arguably means more than simply not having administrative authority over the program against which the complaint is filed. A review of a recent complaint case provides some guidance:

1. The parent filed a complaint with several allegations, one of which related to excluding a student with disabilities from an extracurricular activity.
2. The investigator scheduled a meeting to interview the teacher. The superintendent attended, stating that he wanted to sit in on the interview. The ISD investigator asked the staff if they were comfortable with the superintendent present, and they responded that they were. During the interview, the superintendent clarified some of the answers the staff provided. Based on the information provided by the staff, the ISD investigation report found the allegation invalid (the district did not violate any standards).
3. The parent requested a state investigation. As part of its investigation of the *appealed allegation*, the MDE interviewed the staff about the student’s participation in the extracurricular event. This time, the staff’s description of the circumstances differed from those provided to the ISD investigator. Based partially on that changed testimony, the MDE reversed the decision and found a violation.
4. At the time of the appeal, the parent also raised a *new allegation* that the superintendent’s participation influenced the responses of the staff. The MDE contacted the parent, who stated the superintendent had never been directly involved with the student, and his participation influenced the staff.
5. As part of its investigation of the *new allegation*, the MDE interviewed the ISD investigator, who stated that she was so surprised by the superintendent’s attendance that she was unsure how to proceed. However, she allowed him to attend when the staff said they were comfortable. She also indicated that, with the benefit of hindsight, she would not have allowed the superintendent to participate in the interview. The MDE interviewed the superintendent, who stated he had never been a member of the student’s individualized education program team (IEPT).
6. The MDE concluded there was no violation in the *new allegation*, with the following rationale:
 - a. The Office of Special Education Programs (OSEP) required that Complaint Procedures provide a clearer articulation that investigations would be independent.
 - b. The Revised Complaint Procedures made the ISD investigator responsible for conducting an independent investigation.
 - c. With the responsibility to conduct an independent investigation comes the duty and the authority to establish the conditions under which information is gathered, including who is present during interviews.
 - d. The ISD investigator allowed the superintendent to participate.
 - e. The appropriate process to follow if the complainant disagrees with the ISD investigation is to request a state investigation, which the complainant did do.
 - f. The superintendent was not present when the MDE interviewed the teacher. Her testimony changed, and the MDE reversed the ISD conclusion in the appealed allegation.

Source: “Independent Investigation Reports,” by Ron Greiner. June 9, 2003 PowerPoint presentation for the Michigan Department of Education, Office of Special Education and Early Intervention Services.

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**Consortium for Appropriate Dispute Resolution
 in Special Education (CADRE)**
www.directionservice.org/cadre

Michigan Special Education Mediation Program (MSEMP)
 Michigan Supreme Court, State Court Administrative Office,
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www.courts.michigan.gov/scao/dispute

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American Bar Association Network
www.abanet.org/dispute/home.html

Association for Conflict Resolution
www.acresolution.org

National Special Education Web Sites with Dispute Resolution Pages

National Association of State Directors of Special Education (NASDSE)
www.nasdse.org

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 with Disabilities (NICHCY)**
www.nichcy.org

Technical Assistance Alliance for Parent Centers (The Alliance)
www.taalliance.org

U.S. Department of Education, Office of Special Education Programs (OSEP)
<http://www.ed.gov/about/offices/list/osers/osep/index.html>

Michigan Special Education Web Sites

Citizens Alliance to Uphold Special Education (CAUSE)
Michigan's designated parent training and information center
www.causeonline.org/

Center for Educational Networking (CEN)
www.cenmi.org

Michigan Department of Education
www.michigan.gov/mde
 (Click on Administrators, then Special Education)