



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 DON GASPAR
SANTA FE, NEW MEXICO 87501-2786
Telephone (505) 827-5800
www.ped.state.nm.us

KURT A. STEINHAUS
SECRETARY OF EDUCATION (DESIGNATE)

MICHELLE LUJAN GRISHAM
GOVERNOR

New Mexico Public Education Department
Special Education Complaint Form
(Use of this form is optional)

Date: _____

Please complete all information and mail or email to:

Deborah Dominguez-Clark
c/o Office of General Counsel
New Mexico Public Education Department 300 Don Gaspar
Santa Fe, NM 87501
Email: dispute.resolution@state.nm.us

I. **Public Agency or School District serving the child:** _____

II. **Complainant and Student Information:**

a. Complainant(s) Name(s): _____

b. Address (or available contact information): _____

c. Phone number(s):

Home _____ Work _____

Cell _____ FAX _____

d. If the alleged violation of state or federal special education law is with respect to a specific child, please provide the following information:

1. Student's Full Name: _____

2. Student's Date of Birth (optional): _____

3. Student's Address (or available contact information):

4. School Student Attends:

III. Representative Information (optional)

a. Are you using an:

Attorney _____ Advocate _____ Other Representative _____

b. If using any of the above, please identify:

Name: _____ Title: _____

Address: _____

Phone number(s):

Home _____ Work _____

Cell _____ Fax _____

IV. Details Concerning Complaint:

- a. Complainant, please describe how the school district or charter school has violated a requirement of Part B of the Individuals with Disabilities Education Act and the facts relating to the complaint: (Who? What? Where? Why?) ***Attach any documents that support your position.***

- b. Does the complaint allege violations that occurred in the last year?

Yes _____ No _____ If yes, please provide specific dates:

- c. Describe a proposed resolution of the problem to the extent known:

V. **Signature and Date:**

Signature of Complainant

Date

VI. **Mediation:**

Federal law requires that the State make mediation available to the parties in response to a Formal Complaint. Mediation is offered at no cost to the parties. Mediation is encouraged and may be beneficial in resolving your concerns. Mediation is voluntary, and both parties must agree to mediate the dispute. You may request mediation now by signing below or at any time during the complaint investigation process.

I request mediation: _____

I decline mediation: _____

Signature of Complainant

Date

VII. **Facilitated Individualized Education Program (FIEP):**

State Rules allows parties to a state-level complaint to participate in a FIEP to help resolve the dispute. A FIEP is voluntary, and both parties must agree to a FIEP. You may request a FIEP now by signing below or at any time during the complaint investigation process. This is provided at no cost to the parties.

I request a FIEP: _____

I decline a FIEP: _____

Signature of Complainant

Date

THE PARTY FILING THIS COMPLAINT MUST FORWARD A COPY OF THE COMPLAINT TO THE SCHOOL DISTRICT OR PUBLIC AGENCY SERVING THE CHILD AT THE SAME TIME THIS COMPLAINT IS FILED WITH THE SPECIAL EDUCATION DIVISION.