

COMPLAINT PROCEDURES for GIFTED SERVICES

PURPOSE

This document sets forth the process for the resolution of gifted education complaints filed with the Ohio Department of Education (ODE), Office for Exceptional Children (OEC) pursuant to Ohio Revised Code (ORC) 3324.01-.07 and Ohio Administrative Code (OAC) 3301-51-15.

AUTHORIZATION/REGULATIONS

The authority for the policies and procedures identified in this document is conferred at ORC 3324.05 (B) (C) and OAC 3301-51-15 (F) (2) (3).

GENERAL REQUIREMENTS

I. Filing a Complaint

A complaint may be filed by any party, including an individual or organization. The complaint must:

- A. Be in writing;
- B. Contain a statement that the public school district has allegedly violated a requirement of state laws(s) and/or regulations that apply to gifted education;
- C. Include the facts on which the complaint is based.

II. Letter of Allegations

- A. The Letter of Allegations identifies the alleged issues found in the complaint letter.
- B. The original Letter of Allegations is sent to the district superintendent with a copy sent to the gifted education director of the district as well as the parent and a third party complainant, if applicable.
- C. A copy of the written complaint is included with the Letter of Allegations.

III. Complaint Investigation

- A. The OEC shall conduct an investigation of the complaint which shall include a review of all relevant documentation and may include technical assistance by telephone or e-mail and/or an on-site investigation.
- B. Upon completion of the investigation, OEC will determine whether the district complied with the applicable gifted education laws and regulations. Determination of compliance or noncompliance on each issue shall be based upon the facts and applicable law, regulations or standards. The OEC shall notify the parties, in writing, of the findings and the basis for such findings.

V. Letter of Findings

- A. The OEC sends a Letter of Findings jointly to the complainant, the superintendent of the district, the gifted coordinator, and the third party complainant, if applicable.
- B. The Letter of Findings summarizes the complaint issues and results of OEC's investigation.
 - If the district is found in compliance, the complaint file is closed.
 - If the district is found not in noncompliance, the Letter of Findings shall specify the required corrective action(s) to be taken by the district. The complaint file remains open until corrective action is completed.
- C. OEC reviews the district's corrective action for compliance. Once the corrective action is approved as compliant, the OEC will close the complaint.
- D. If the district does not comply with the corrective action, sanctions, as appropriate will be implemented by the OEC.