

# Filing a special education complaint with the Minnesota Department of Education (MDE)

If you have concerns that the school district is not following federal or state special education requirements, you have the right to file a special education complaint in writing.

Prior to filing a complaint, PACER Center encourages you to contact the special education director of your school district. You may be able to resolve the concerns at the local level. If not, use the information below to help you file a special education complaint with the Minnesota Department of Education (MDE).

## **Include the required information in your written complaint**

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### **Basic information**

- Student's name, address, and the name of the school the student attends
- Your name, phone number(s) where the MDE complaint investigator can reach you, address, (if different from the student's), and email address (if applicable)

### **Statement of alleged violation**

- List each violation of federal or state special education requirements you believe occurred
- Check your calendar. The violations you listed must have happened within one year of the date MDE receives your complaint.

### **Statement of facts**

- For each violation, list the facts that support your claim
- Focus on brief descriptions of key events, specific dates, related documents, and the names of individuals involved

### **Proposed resolution**

- List action steps you want the district to take to resolve your complaint
- The MDE complaint investigator will consider your suggestions if the district is found in violation of special education law

## **Submit your signed complaint to the required recipients**

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### **Minnesota Department of Education (MDE)**

- Mail, hand-deliver, fax, or scan and email your complaint to:  
Minnesota Department of Education  
Special Education Dispute Resolution Supervisor  
Division of Compliance and Assistance  
400 NE Stinson Boulevard, Minneapolis, MN 55413  
(651) 582-8725 Fax; (651) 582-8201 TTY; [mde.assistance-compliance@state.mn.us](mailto:mde.assistance-compliance@state.mn.us)
- PACER Center encourages you to keep a copy of the complaint for your own records

### **The school district**

- Federal law requires that you send a copy of your complaint to the school district at the same time that you send it to the MDE
- You can send it to the superintendent or the special education director

## Next steps

Within 60 calendar days of receiving the complaint, an MDE complaint investigator will make an independent decision about whether the school violated special education law. You will be notified by mail of the decision, which is binding. If violations are found, the MDE may develop a corrective action plan to fix the problem. The school must complete corrective action according to the complaint decision within one calendar year. If no violations are found, the MDE will close the file. Either party may file an appeal with the Minnesota Court of Appeals within 60 calendar days of receiving a copy of the final decision.

## Examples of possible violations and resolutions

**The school district did not invite a general education teacher to the Annual Review meeting for my child's Individualized Education Program (IEP).**



**The district will schedule another IEP team meeting which includes a general education teacher and all school staff will receive training on who are the required members of the IEP team.**

**The classroom teacher has not been providing the accommodations listed on my daughter's IEP, so she hasn't had access to the assistive technology she needs to complete writing assignments.**



**My daughter will be provided the opportunity to re-do her writing assignments for a new grade, using the assistive technology devices that are documented on her IEP.**

**For the last three months, my son's special education teacher has been on sick leave. He has not received the specialized instruction written in his IEP.**



**The district will provide my son with compensatory services to make up for all the minutes of specialized instruction he missed for the last three months.**

## Resources

For additional support to navigate concerns about possible school violations of federal or state special education requirements and understand your rights and dispute resolution options, contact:

### **PACER Center**

8161 Normandale Blvd  
Bloomington, MN 55437  
(952) 838-9000  
(800) 537-2237  
(952) 838-0199 Fax  
PACER@PACER.org  
[pacer.org/disputeresolution](http://pacer.org/disputeresolution)

### **MN Department of Education**

400 NE Stinson Boulevard  
Minneapolis, MN 55413  
(651) 582-8237  
[education.mn.gov/MDE/fam/sped/  
conf/compl](http://education.mn.gov/MDE/fam/sped/conf/compl)

### **Minnesota Disability Law Center**

111 N Fifth St., Suite 100  
Minneapolis, MN 55403  
(877) 696-6529 or (612) 334-5970  
(612) 334-5755 Fax  
(612) 332-4668 TDD  
[mylegalaid.org/about/our-work/  
disability-law](http://mylegalaid.org/about/our-work/disability-law)