

## How to File a Complaint

The VDOE Complaint is most appropriate when there is a literal violation of a parent's or a student's rights as defined in the Virginia regulations or the procedural safeguards. VDOE has developed a system that receives and investigates complaints. VDOE then makes a determination on whether there is a violation and makes a determination on what action must be taken to remedy the violation, if one occurred. VDOE complaints can only address actions that occurred within **one (1) year** of the date the complaint is filed. However, if a violation is ongoing, the one year period begins after the most recent violation. Although the regulations state that either the parent or the school division may file a Complaint, it is most often parents that use this dispute resolution alternative.

The process begins with the Complaint form. The information the parent must provide on the Complaint form includes:

- Your child's name and address; the name of the school that your child is attending.
- A description of the issues, with supporting facts that your Complaint is based upon.
- The law that that you believe the school has violated that applies to your facts.
- All documents related to the situation that back up your allegations.
- Your proposal for how the problem should be resolved.

Your completed Complaint must be submitted to the VDOE Office for Dispute Resolution and Administrative Services (ODRAS). You must also forward a copy of your Complaint to the school division as well.

Once ODRAS receives your complaint it will first validate that all required information is included. The sixty (60) day time line for complete resolution of the Complaint begins once the complaint is determined to sufficiently include all required information. Within seven (7) days, ODRAS will notify all parties to the Complaint. All concerned parties are notified that there is a ten (10) day resolution period within which the dispute may be resolved without further ODRAS involvement. Early resolution may include use of the VDOE Mediation system. If the dispute is resolved, the school division must submit a resolution statement to ODRAS. ODRAS would then close the investigation associated with that Complaint. If the dispute is not resolved within the resolution period, ODRAS proceeds with the investigation and issues a finding.