



Twelve Most Common Reason Parents File Complaints under IDEA

(Data from Families as Allies Town Halls and Telephone Interviews 2016 – 2018)

1. **Child Find Violation-** District refuses/fails to evaluate a child who is suspected of having a disability (e.g., school personnel are aware that the child has a mental health diagnosis and receives mental health services, yet suspends/expels that child for behavior rather than evaluating them for a suspected disability under IDEA OR parent has repeatedly requested an evaluation but been ignored).
2. **Failure to provide a Free and Appropriate Public Education (FAPE)** – District fails to meet the unique needs of each child.
3. **Inadequate Individualized Education Program (IEP)** – IEP is not designed to help the child make meaningful educational progress. Progress is the corner stone of FAPE.
4. **Failure to hold an IEP meeting when the child is not making appropriate progress**
5. **Inappropriate or inadequate placement decisions** - Placement must be based on a child's needs. It cannot be based on cost and/or availability.
6. **Use of predetermined placements-** Placements must be based upon the goals of the IEP, not where the district always sends children with a particular diagnosis or disability.
7. **Changing placement without changing the IEP** - The District must show that it has made every effort to educate children in their Least Restrictive Environment (LRE) before changing to a more restrictive environment.
8. **District refusal of a parental written request** (e.g., a parent sends a letter requesting appropriate services for child and gives the district 7 days to respond but gets no response).
9. **District fails to respond to request for Independent Education Evaluation (IEE)** - Parents have the right to ask for an IEE at public expense, but it is not always provided when they do.
10. **Procedural violations** – Denial of parents' right to participate*
11. **No or inadequate Behavioral Intervention Plan (BIP) for students who need them** – Child with behavioral challenges does not have BIP OR the behavioral supports in the BIP are inadequate/inappropriate and do not meet the needs of the child (e.g., the child is constantly suspended for behavior).
12. **Predetermining outcomes of Manifestation Determination Review (MDR) meetings** - Parents are to have input during the MDR meeting.

* Remember that districts can still hold IEP meetings without families if they have notified parents of the meeting and parents do not respond.