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1.0 PURPOSE AND SCOPE

1.1.1. The purpose of this procedure is to provide instructions for the Connecticut Birth to Three System or Lead Agency in reviewing, investigating, and acting on complaints or allegations of noncompliance with the Individuals with Disabilities Education Act (IDEA) Part C or with Connecticut Birth to Three policies, or procedures by any public or private Birth to Three program.

2.0 REFERENCES

2.1 Associated Documents

- 2.1.1. [Early Intervention Complaint Request Form](#)
- 2.1.2. [Early Intervention Complaint Request Form \(in Spanish\)](#)
- 2.1.3. Interviews

2.2 Source Information

2.2.1. Connecticut Birth to Three Complaints Procedure. Effective July 1, 1996. Revised July 1, 2012.

3.0 INSTRUCTIONS

3.1 Overview

3.1.1. **UNDERSTAND** any of the following may file a written complaint alleging that there has been an instance of noncompliance with the Individuals with Disabilities Education Act (IDEA) Part C or with Connecticut's Birth to Three System policies, or procedures by any public or private service provider:

- Public agency
- Public employee
- Parent
- Private individual
- Organization

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3.1.2. **ENSURE** parents are aware that the Connecticut Birth to Three System will investigate all facts of the complaint received and within sixty calendar days, issue a written decision to the complainant.

1. **KNOW** the following regarding any extension to the sixty-calendar day timeframe:
 - a. Any necessary extension is agreed upon by both parties and will **NOT** exceed sixty calendar days.
 - b. There may be an extension of that timeframe if exceptional circumstances exist.

3.1.3. **NOTIFY** the following of this Complaints procedure:

1. **ENSURE** parents are aware of through the following information:
 - a. During intake process.
 - b. Parents Rights Under Individuals with Disabilities Education Act (IDEA), Part C brochure provided initially and annually from Birth to Three program.
 - c. Birth to Three links to:
 - Birth to Three website (www.birth23.org)
 - Welcome Video
 - [Early Intervention Complaint Request Form](#)
2. **ENSURE** any public or private service provider are aware of this procedure, including but not limited to:
 - Public agency
 - Public employee
 - Parent
 - Private individual
 - Organization

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3.2 Completing Early Intervention Complaint Request Form

3.2.1. At anytime during participation in Birth to Three System, a parent may **COMPLETE** an [Early Intervention Complaint Request Form](#) as follows:

1. **ENTER** all Contact Information.
2. **INDICATE** who the complaint is against:
 - a. Birth to Three System
 - b. Birth to Three Program
 - c. Other
3. **IF** complaint involves a child,
THEN ENTER child's contact information.
4. **INDICATE** Dispute Topic, such as:
 - a. Evaluation
 - b. IFSP
 - c. Services
 - d. Eligibility
 - e. Confidentiality
 - f. Access to Records
 - g. Other
5. **SELECT** Informal Option to be contacted to discuss questions and concerns (this is optional).
6. **INDICATE** all Formal Dispute Resolution Options that apply:
 - a. Administrative (Written) Complaint
 - b. Mediation
 - c. Due Process Hearing

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3.2.1 (continued)

7. **WRITE** the Dispute Description:
 - a. **EXPLAIN** the problem.
 - b. **PROVIDE** a written description of facts upon which the dispute is based.
 - c. **DESCRIBE** a proposed resolution.
8. **ENTER** name (signature and date).
9. **SEND** signed and completed complaint form, along with supporting documents by one of the following methods to Office of Early Childhood-Birth to Three:
 - a. Mail to:

450 Columbus Blvd.
Hartford, CT 06103-1835
 - b. Fax to: 860-326-0559
 - c. Email to: OEC.B23family@ct.gov

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3.3 Formal Complaint Process

3.3.1. Connecticut Birth to Three System **RECEIVE** a completed and signed written complaint from any public or private service provider or individual.

1. **CONFIRM** copy of complaint to:

- Public agency
- Birth to Three Provider serving the child

2. **REVIEW** written complaint to ensure the following information is included:

- a. A Statement declaring lead agency, public agency, or Birth to Three provider has violated a requirement of Part C of Individuals with Disabilities Education Act (IDEA) occurring no more than one year prior to the date the complaint is received.
- b. The Facts on which the statement is based.
- c. The signature and contact information for complainant.
- d. **IF** alleging violations are with respect to a specific child,

THEN ENSURE the following is included:

- Description of the nature of the problem of the child, including facts relating to the problem.
- Proposed resolution using current status available to the party when complaint is filed.

3. **IF** any of the above information is **NOT** addressed in the written complaint,

THEN KNOW Family Liaison will address as part of the investigation.

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- 3.3.2. Connecticut Birth to Three System Director **PERFORM** one of the following to begin investigation:
1. **REQUEST** Family Liaison to conduct investigation of complaint through interview and a review of the early intervention record(s).
 2. **DETERMINE** if an independent on-site investigation is necessary:
 3. **PROVIDE** complainant opportunity to submit additional information orally or in writing within the required timeline.
 4. **ENSURE** Programs cooperate and provide full access to records and personnel to the liaison or independent person investigating.
- 3.3.3. Connecticut Birth to Three System **PERFORM** the following to begin review:
1. **REVIEW** all relevant information.
 2. **DETERMINE** whether a public or private agency is violating a requirement of the Birth to Three System or IDEA Part C.
 3. Within sixty days of a complaint being filed **SUBMIT** written decision.
 - a. **IF** extenuating circumstances exist,
 - THEN** may **PERMIT** time extension with respect to a particular complaint.
 - (1) **ENSURE** necessary extensions:
 - Are agreed upon by both parties.
 - Do **NOT** exceed sixty calendar days.
- 3.3.4. **KNOW** written decision will address all allegations in complaint and contain the following:
1. Findings of facts and conclusions.
 2. Reasons for lead agency's final decision.
 3. Necessary corrective actions to achieve compliance, including:
 - Additional corrective action appropriate to needs of child and child's family.
 - Corrective actions required of the system, or program, or termination of a program's contract for cause.

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3.3.5. **ENSURE** Lead Agency documents the implementation of corrective action required of a program.

1. **OFFER** technical assistance from Personnel and Practice Office, if necessary.

3.4 Formal Complaint Time Frames

3.4.1. Connecticut Birth to Three System **ADHERE** to the following time frames regarding formal complaints:

1. **ENSURE** alleged violation occurred **NO** more than one year prior to date the complaint is received.
2. **DO NOT ACCEPT** allegations of violations received beyond one year after the violation occurred.

3.5 Informal Complaints

3.5.1. **ENCOURAGE** parents and others prior to filing a formal complaint or requesting mediation or a hearing, try resolving the issue by speaking with the following:

- Service Coordinator (s)
- Program Director
- Family Liaison at Central Office

NOTE

By maintaining logs of formal complaints and analyzing the issues and trends, it allows for an understanding of where improvements need to be made at either the program or system level.

3.5.2. Programs and the Lead Agency **MAINTAIN** logs of formal and informal complaints.

1. **INCLUDE** how and when complaints were resolved.

3.5.3. Birth to Three System **ANALYZE** documented formal complaints found in the logs.

1. **IDENTIFY** the following:
 - Issues
 - Trends
2. **MAKE** necessary improvement at appropriate program or system level.

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3.5.4. **WHEN** a parent calls or the Family Liaison, at Central Office to voice a concern,

THEN KNOW Family Liaison performs the following:

1. Investigates concern with parent's permission.
2. Tries to resolve the issue, if possible.

END of Instructions

4.0 REVISION HISTORY

Location	Description of Change
ALL	Human Factored Procedure in New Template