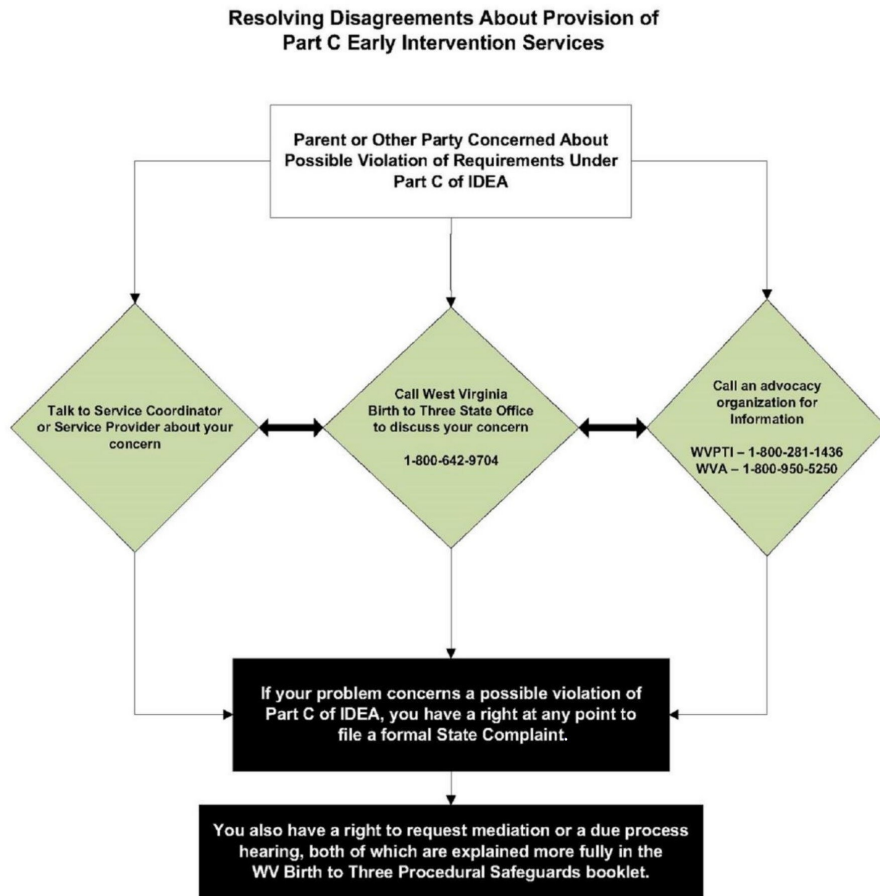


WV Birth to Three State Complaint Process



WV Birth to Three services and supports are provided under Part C of the Individuals with Disabilities Education Act (IDEA) by the WV Department of Health & Human Resources, through the Office of Maternal, Child and Family Health.

Introduction:

WV Birth to Three (WV BTT) provides ways for parents and other individuals to resolve disagreements about the way early intervention services are provided.

Problems might be solved without filing a complaint.

Sometimes issues may be resolved by talking with your service coordinator or early intervention service provider. You can also contact the WV BTT State Office at 1-800-642-9704. If your issues are still not resolved, the WV BTT Procedural Safeguard booklet provides details on all options to resolve disagreements. One option, is to file a written State Complaint about the problem. This brochure can guide you through that process.

Who can file a State Complaint?

The State Complaint process can be used when a requirement of Part C of the Individuals with Disabilities Education Act (IDEA) has not been met. Parents or other individuals may file a State Complaint.

According to federal regulations, a formal complaint:

- Must be in writing.
- Must be signed and include your name and address.
- Must include the name and address of the child involved and a description of the nature of the problem(s).
- Must include the facts upon which the complaint is based.
- Must be about a problem that happened not more than a year before.
- May include suggestions on how to resolve the problem.
- Must forward a copy of the complaint to the early intervention service provider(s) or agency that the complaint involves. This must be completed by the person filing the complaint.

What happens after a State Complaint is received?

WV BTT has 60 days to:

- Gather additional information about the problem from the person filing the complaint and the person(s)/agency involved.
- Provide an opportunity for all parties involved to voluntarily engage in mediation.
- Review all information and determine whether an early intervention service provider or agency has violated a requirement of Part C of IDEA.
- Issue a written report that responds to each concern in the complaint; steps to correct the problem if required; and provide conclusions and the reasons for the decisions.

For additional information about the State Complaint process or assistance in completing a State Complaint form, please contact the

WV Birth to Three State Office at:
(304) 558-5388 or Toll Free in WV 1-800-642-9704
Email: dhrwvbt@wv.gov

For additional information about parent rights in WV Birth to Three:
www.wvdhr.org/birth23/families.asp

Or
WV Parent Training and Information Center (WVPTI)
can also provide assistance:
(304) 624-1436 or Toll Free in WV 1-800-281-1436

Or
WV Advocates
1-800-950-5250