

# State Complaint Procedures for ISD Representatives

September 15, 2020

***Office of Special Education***



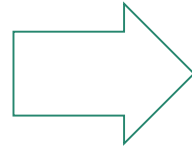
# Agenda

- Introduction
- State Complaint Investigation Background
- The Journey
- Review Procedures for ISD Reps Document
- Feedback / Q & A

# History of State Complaint Investigations

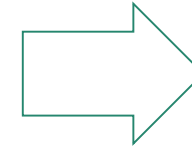
## ISD Conducted Investigation

- ISD wrote final report
- Complainants could appeal to MDE



## ISD Led Investigation

- ISD issued preliminary report to MDE
- MDE made changes or accepted the report



## MDE Leads Investigation

- Collaboration with ISD
- MDE determines and issues final decision

# State Complaint Investigation Process

- Posted on the MDE website
  - Part of problem-solving document
  - Required by IDEA
- Investigation process, dated 2017, intended to be an overview for all stakeholders, has not changed
- PA unit recognized the need for detailed procedures beyond the step-by-step process document based on feedback

# State Complaint Investigation Feedback

- Variations between OSE case managers
  - Interviews
  - Sharing of reports
  - Analysis of findings
- Unclear roles and responsibilities of ISD representatives
- Lack of clear process in determining conflict of interest

# OSE Internal State Complaint Procedures

- Team effort to identify needs
  - Reviewed current practices of complaint investigators
  - Recognized need for consistency
  - Considered ISD's role in the process
- Detailed procedures developed to align with process
  - Adjusted to address virtual environment
    - Increased efficiency – continue in any environment
- Professional development provided to PA unit

# Outcomes of Developed Procedures

- Strengthen collaboration
- Improve communication
- Clarify roles
- Increase consistency
- Reinforce ISD's authority under general supervision

# Steps 1 and 2: Receipt of State Complaint, Intake, and Sufficiency (Days 1-3)

Steps	Person Responsible
Receive the state complaint request via mail, fax, hand-delivery, or by electronic submission.	The OSE
Create the complaint in Catamaran and upload documentation.	Administrative assistant
Review complaint and complete the checklist in Catamaran to determine sufficiency of the complaint.	OSE Staff
<ul style="list-style-type: none"> <li>• <b>Insufficient:</b> When the complaint is insufficient, send an insufficiency letter to all relevant parties. <i>Note: When the complaint includes items of concern which cannot be investigated, contact the ISD representative to request support be provided to the district.</i></li> </ul>	OSE staff ISD representative
<ul style="list-style-type: none"> <li>• <b>Sufficient:</b> When the complaint is sufficient, assign an OSE case manager to investigate the complaint.</li> </ul>	Complaint coordinator
When the complainant notes interest in mediation, send contact information to Special Education Mediation Services (SEMS).	Administrative assistant



# Step 3: Notification (Days 1-5)

Steps	Person Responsible
<p>Mail an introduction letter to all relevant parties (the complainant/parent, ISD superintendent, and district superintendent). Notify District and ISD staff through Catamaran.</p>	<p>Administrative assistant</p>
<p>Investigations:</p> <ul style="list-style-type: none"> <li>• When the complaint is against a member district, an ISD representative will conduct the investigation in collaboration with the OSE.</li> <li>• When the complaint is against an ISD, the OSE will conduct the investigation without an ISD representative.</li> <li>• When there is a conflict of interest, the OSE may encourage utilization of another ISD personnel to support the investigation process or will conduct the investigation without an ISD representative.</li> <li>• When an investigation will proceed without an ISD representative, a second OSE staff will collaborate with the OSE case manager.</li> </ul>	<p>OSE case manager Complaint coordinator Supervisor Coaching and training coordinator</p>

# Step 4: Issues Letter (Days 3-10)

Steps	Person Responsible
After a review of the complaint and accompanying documents, draft an issues letter which outlines the issue(s) to be investigated and the documentation to be requested from the district.	OSE case manager
Send an email to the ISD representative which includes: <ul style="list-style-type: none"> <li>• A draft of the identified issues and requested documents.</li> <li>• A request for the ISD representative to schedule the complainant interview and reserve a block of time for district interviews.</li> <li>• The OSE case manager's availability for interviews.</li> <li>• The conference ID and phone number for the interviews.</li> </ul>	OSE case manager
Within two business days, provide feedback to the OSE case manager regarding the identified issues and requested documentation.	ISD representative
Mail the issues letter to all relevant parties. Notify district and ISD staff through Catamaran.	Administrative assistant

# Step 5: Investigation (Days 10-45)

Steps	Person Responsible
<p>No later than day 20:</p> <ul style="list-style-type: none"> <li>• Schedule the complainant interview and reserve a block of time for district interviews.</li> <li>• Notify the district contact a list of staff to be interviewed will be provided once a review of documents has been completed.</li> <li>• Provide district and complainant the phone number and conference ID for dialing in to the interviews.</li> <li>• Email the dates and times of the scheduled interviews to the OSE case manager.</li> <li>• If there are any barriers to scheduling the interviews, contact the OSE case manager.</li> </ul>	<p>ISD representative</p>
<p>When the requested documents have not been received within 10 days of sending the issues letter, the district director, ISD representative, and OSE case manager are notified through Catamaran. Send a follow-up email to the district contact and the OSE case manager when the district does not upload documentation within three days of the Catamaran notification.</p>	<p>ISD representative</p>

# Step 5: Investigation (continued)

Steps	Person Responsible
Review documentation submitted by the district and complainant.	OSE case manager ISD representative
At least one week prior to interviews, email a list of proposed district staff to be interviewed to the ISD representative.	OSE case manager
Provide the district the list of staff to be interviewed and schedule specific times for each staff member's phone interview. Provide the OSE case manager an interview schedule and contact information for each person to be interviewed.	ISD representative
At least one day prior to the interviews, email a draft of the interview questions to the ISD representative for review. <i>Note: Interview questions are for the ISD representative's use only and are not to be shared with the district.</i>	OSE case manager
Conduct phone interviews.	OSE case manager ISD representative

# Step 6: Draft of Report (Days 15-50)

Step	Person Responsible
Compose a draft of the final decision to include findings of fact, conclusions, decisions, and corrective action, as appropriate.	OSE case manager

# Steps 7 and 8: Review and Issuance (Days 45-60)

Steps	Person Responsible
Initiate the internal review process, which includes multiple reviews and feedback to the OSE case manager.	The OSE
Email a draft of the findings of fact to the ISD representative and schedule a meeting to discuss the final decision.	OSE case manager
Provide feedback on accuracy and order of the findings of fact to the OSE case manager prior to the scheduled discussion.	ISD representative
Discuss findings of fact, conclusions, decisions, and corrective action, as appropriate.	OSE case manager ISD representative
Complete final reviews, revisions, and decisions.	The OSE
Mail copies of the final decision report to all relevant parties. Notify the district and ISD through Catamaran 72 hours after issuance.	Administrative assistant

# Resources

Catamaran Website

<https://catamaran.partners/>

Catamaran Training Website

<https://training.catamaran.partners/>

Catamaran Help Desk

- [help@catamaran.partners](mailto:help@catamaran.partners)
- 1-877-474-9023

Special Education Mediation Services

<https://mikids1st.org/>

Mi-SER

<https://miser.specialedreference.com/>

Email Templates

# Contact Information

## Special Education Information Desk

1-888-320-8384

### PA Unit Supervisor

Rebecca McIntyre [mcintyrer1@michigan.gov](mailto:mcintyrer1@michigan.gov)

### PA Unit Coordinators

Marcia O'Brien [obrienm6@michigan.gov](mailto:obrienm6@michigan.gov) (State Complaints)

Kristina Collier [collierk1@michigan.gov](mailto:collierk1@michigan.gov) (Coaching and Training)

Nancy Rotarius [rotariusn@michigan.gov](mailto:rotariusn@michigan.gov) (Policy)



# Questions and Answers



*Questions are the path to learning*