

Policy:

Receipt and Resolution of [Written Formal State-Level](#)
Complaints

Effective:

Approved: July 1, 2019
Updated: January 7, 2020

Federal Authority:

Title 34 of the U.S. Code of Federal Regulations, Vol. II, Chapter III, Parts 300-399:

§§ 303.430(a), (c)-(d); 303.433(c); 303.721(c)

Title 20 of the U.S. Code of Law, Chapter 33. §§1400-1499:

§§ 1412(a)(8); 1412(a)(9); 1415(e); 1415(f)(1)(A); 1415(f)(3)(A)-(D); 1417(c); 1418(a)(1)(B), (C), (F)-(H); 1435(a)(5), 14; 1435(c)(3); 1437(a)(9); 1439; 1442

IDEA/Part C shall maintain procedures for receiving and resolving early intervention systems complaints. The early intervention system complaint may concern violations by any public agency in the State that receives funding under IDEA/Part C; other public agencies that are identified as being part of the State's early intervention system; or Early Intervention Service (EIS) providers under public supervision.

- Any parent with a child referred or receiving early intervention services, individual, or organization, including an organization or individual from another state, may file a [written formal, written, state-level](#) complaint with the South Carolina Department of Health and Human Services, ~~as the state lead agency.~~
- The alleged violation must have occurred not more than one (1) year before the date that the complaint is received by the public agency unless a longer period is reasonable.
- In addition to or instead of a [written formal, written state](#) complaint, a parent may request mediation sessions and/or a due process hearing through the state lead agency.