*Welcome to LLA Reports, a podcast produced by the Louisiana Legislative Auditor’s office. This podcast is intended to be an oral representation of the written report it highlights and is primarily for the use of the Louisiana Legislature.*

This is Gina Brown. I’m a manager for LLA’s Performance Audit Services. This episode of LLA Reports focuses on our new report titled “Complaint Process for Students with Disabilities Receiving Special Education Services.”

This report provides the results of our audit of the Louisiana Department of Education’s – or LDOE’s – process to address complaints related to students with disabilities. This report is the first in a series of reports that will evaluate LDOE’s oversight of students with disabilities who receive special education services.

As of October 2022, almost 90,000 of the more than 685,000 kindergarten through 12th grade public-school students in Louisiana had a disability and were receiving special education services.

The federal Individuals with Disabilities Education Act – or IDEA – mandates that all children with disabilities be provided a free and appropriate public education, that educational services be designed to meet their unique needs, and that their rights and their parents’ rights be protected.

Federal law also requires LDOE to provide general supervision of local school systems and ensure all IDEA requirements are met. To accomplish this, LDOE must adopt written procedures for due process hearings, mediations, and formal complaints.

Because federal law allows for some flexibility in how states set up their dispute resolution processes, Louisiana has developed two additional options — Individualized Education Plan – or IEP – facilitations and informal complaints.

This report focuses primarily on informal and formal complaints.

To conduct this audit, we interviewed LDOE staff, researched applicable state and federal laws and regulations, reviewed a consultant’s report on LDOE’s Dispute Resolution Process, surveyed parents and special education directors, conducted parent interviews, and reviewed complaint files at LDOE. We also researched other states’ websites, statutes, and regulations.

We found LDOE investigated and rendered decisions on 61 formal complaints in academic year 2021-2022. However, it did not address all allegations it received through its dispute resolution email.

Specifically, LDOE received an additional 42 emails through its dispute resolution email but did not investigate these allegations. LDOE responded to nine of the emails, did not respond to 13, and could not provide evidence of how it responded to 20.

Better tracking of complaint information could help LDOE identify trends of noncompliance and ensure that all allegations are referred to monitoring or program staff.

We also found LDOE could increase trust in its complaint process by making it more accessible, user friendly, and transparent. This could include receiving complaints by phone, ensuring parents are routed to appropriate resources, providing dispute resolution forms in languages other than English, and contacting the complainant during the formal investigation.

Of the 17 complaints LDOE dismissed during academic year 2021-2022, eight were dismissed because of insufficient or incomplete information. LDOE could give parents the opportunity to submit missing information before dismissing their complaint.

LDOE also does not always contact parents during a complaint investigation, but it does contact the school systems, which may contribute to parents’ perception that the process is unfair and complaints are not thoroughly investigated.

In addition, we found LDOE should increase its outreach to parents of students with disabilities, help them navigate the system, and answer questions about the dispute resolution process. According to our survey, only 48 percent of the 954 parents or guardians who responded said they were aware of LDOE’s dispute resolution options.

Additionally, state law does not require school systems to post information on their websites about their informal complaint process or about other dispute resolution options offered by LDOE.

As a result of our report, we developed nine recommendations and one matter for legislative consideration.

We suggested the Legislature consider requiring school systems to post dispute resolution information on their websites – such as informal complaint process information, a link to LDOE’s dispute resolution web page, informal complaint representatives’ contact information, and other resources, including links to the local Families Helping Families and the Louisiana's Educational Rights of Children with Disabilities Handbook.

We recommended LDOE create a process to ensure it responds to all complaint allegations submitted through the dispute resolution email.

We also recommended LDOE track information on all dispute resolution options, including the date a complaint is received, the name of the complainant, the school involved, the type of allegation, and the outcome, and share the information with monitoring and program staff.

In addition, we recommended LDOE develop a way to start the formal complaint process over the phone and ensure its call center contractor provides appropriate help for parents who call with a special education complaint.

We recommended as well that LDOE post dispute resolution instructions and forms in multiple languages on its dispute resolution web page.

Additionally, we recommended LDOE contact the complainant when it receives a complaint and not dismiss a complaint for lack of information before this contact occurs.

Finally, we recommended LDOE post formal complaint results on its website, consider ways to increase its outreach to parents, and post a list of all informal complaint representatives for each school system on its website.

As part of its response, which is included in the report as Appendix A, LDOE agreed with all nine of our recommendations.

*We hope you found this podcast informative, and that you’ll follow future episodes of LLA Reports.*

*This podcast was created as part of the audit report just discussed and is intended primarily for the use of the Louisiana Legislature. Both the full report and the podcast can be found on the LLA’s website at* [*www.lla.la.gov*](http://www.lla.la.gov)*.*

*Thank you for listening.*