

Explanatory paragraph: This is a short-form amendment to Subsection H of 6.31.2.13 NMAC, effective 9/11/2018. Subsections A - G were not published as there were no changes. Subsection H, Paragraphs 2 - 8 and Subsections I - M were not published as there were no changes.

H. State complaint procedures.

(1) Scope and dissemination.

(a) This Subsection H of 6.31.2.13 NMAC prescribes procedures to be used in filing and processing complaints alleging the failure of the department or a public agency to comply with state or federal laws or regulations governing programs for children with disabilities under the IDEA or with state statutes or regulations governing educational services for gifted children.

(b) The SEB shall disseminate information regarding state complaint procedures to parents and other interested individuals and organizations, as identified by the SEB, including parent centers, information centers, advocacy agencies ~~and attorneys, private advocates~~, independent living centers, and other appropriate entities throughout the state.

(i) The SEB shall place documents regarding state complaint procedures in English and Spanish, including state complaint forms, in an easily accessible location on the SEB website.

(ii) The SEB shall, on a yearly basis, send an email to ~~[all parent centers, information centers, advocacy agencies and attorneys, private advocates, independent living centers, and other appropriate entities throughout the state as identified by the SEB,]~~ the organizations and individuals identified in Subparagraph (b) of Paragraph (1) of Subsection H of 6.31.2.13 NMAC ~~[to provide]~~ providing information regarding state complaint procedures and ~~[to encourage]~~ encouraging these organizations and individuals to post a link to the SEB website on their website.

(iii) Upon request by any individual or organization, the SEB shall provide the information regarding state complaint procedures, as posted on the SEB's website, in print or electronic form.
