

Alabama State Department of Education



Special Education Services DUE PROCESS COMPLAINT

(Sample Form)

Your signed request for a due process hearing must allege a violation that occurred not more than **two (2) years** prior to the date that the due process complaint is received.

1. The use of this form is optional.
2. The party filing the request for a due process hearing must forward a copy of the due process complaint to the superintendent of the school district/public agency serving the child at the same time the party files the due process complaint with the Alabama State Department of Education.
3. The school district/public agency must provide a copy of the Special Education Rights if this is the first due process complaint filed by the parent in a school year.
4. All information requested that is identified with a "*" is required information for a due process complaint to be considered complete.

REQUEST FOR A DUE PROCESS HEARING

Parties:

*(Name of Parent/Guardian requesting the hearing, unless the child is over the age of 19)

*(Name of the Child)

vs.

*(School District/Public Agency)

This information must be included:

*Name of the School the Child is Attending
*Address of the Child
*City, State, & Zip Code
*In the case of a homeless child or youth (within the meaning of the <i>McKinney-Vento Homeless Assistance Act</i> (42 USC 11434a(2)), available contact information for the child instead of the address, and the name of the school the child is attending.

Birthdate of the Child:

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Problem or Complaint 2 (Optional)

Problem or Complaint 3 (Optional)

- Federal law requires that you provide solution(s) to the extent you know the solutions for the problems described above.

Attach additional pages if necessary.

***Solution(s) to the problem(s) or complaint(s):**

(Proposed resolution of the problem(s) or complaint(s) to the extent known and available at the time the due process complaint is filed)

Contact Information for Parent/Guardian or Student Requesting the Due Process Hearing:

Name
Street Address
City, State, & Zip Code
Phone Number
Email Address

Signature

Date

(Provide a copy of the due process complaint to the superintendent of the school district/public agency serving the child at the same time you file the due process complaint with the Alabama State Department of Education.)

Mediation

Mediation is an option available to resolve the problems identified in a dispute and may be a quicker and more direct way of resolving issues relating to a specific student.

The parent(s) and school district/public agency must voluntarily agree to participate in mediation.

I am interested in mediation as an alternative dispute resolution method for resolving this due process complaint.

The IDEA does not require mediation and mediation cannot be used to deny or delay a parent's right to a due process hearing or other procedural safeguards.

Send to:
dph@alsde.edu

or
SES DPH
Special Education Services
Alabama State Department
of Education
P.O. Box 30201
Montgomery, AL 36130

334-694-4782