

# Formal Request for a Due Process Hearing

Today's Date (include month, day, and year)

Your name

Your Street Address

City, State, Zip Code

Day time telephone number

Special Education Hearing Office

McGeorge School of Law - UOP

3200 Fifth Avenue

Sacramento, CA 95817

(916) 739-7053; (916) 739-7066 (fax)

RE: Student's name

Date of birth

Teacher and grade level

Dear (name of person, use title and last name),

I am writing to request a due process hearing.

I am making this request because:

(list specifics—what happened or didn't happen and why is it a problem.)

Problems can occur with:

- Identification and Assessment-When the parent feels a child qualifies for special services because of a disability and the school refuses to assess the child, refuses to conduct additional assessments or consider independent assessments when making decisions.
- When the school wants to assess the child and the parent disagrees/refuses to give permission for assessments
- Eligibility-When the parent feels a child should be eligible for services and school fails to qualify the child for services under IDEA or Section 504 of the Rehabilitation Act. If the parent disagrees with the child's qualification as a disabled child.
- Program development-when the parent feels proposed or provided services are inadequate to address the child's needs, inappropriate or harmful to the child
- Placement-parent feels placement and/or services are inappropriate and school refuses to make requested changes or if the child's services are changed or stopped without parental consent
- Free appropriate public education-the parent feels conditions exist that prevent the child from fully benefiting or accessing their educational program

I have attempted to resolve this situation by talking to (include everyone you talked to about the problem, include the persons title) on (list dates of contact whenever possible).

(person talked to) attempted to address the problem by (list actions promised and actions taken).

Unfortunately these actions did not adequately address the problem because (state why those actions were insufficient, i.e., speech therapy was increased to three times a week but John is still not progressing as outlined in his IEP).

I have included the following documentation regarding this problem including: (list any documentation related to the problem, such as assessment results, letters regarding the child, etc.).

In order to resolve this problem, I am requesting (if you have ideas about what may solve the problem, list them here. Explain why you think your solution will help the child and/or others involved).

I look forward to your response and can be reached at (daytime telephone number).

Sincerely,

(Full name)

A copy of this request must also be sent to the school district or other agencies that are parties to the hearing.