



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## REFERENCE GUIDE

**TITLE:** Special Education Dispute Resolution –  
The Three Options For Parents with IEP Disputes:  
(1) Informal Dispute Resolution, (2) State  
Mediation Only, and (3) Formal Due Process  
Proceedings - Revised

**NUMBER:** REF-1410.4

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Los Angeles Unified School District SELPA/  
Division of Special Education

**DATE:** August 1, 2012

**PURPOSE:** The purpose of this Reference Guide is to provide schools with updated information and instructions regarding the three options available to parents for resolving special education disputes: (1) Informal Dispute Resolution; (2) State Mediation Only; and (3) Formal Due Process Proceedings.

**MAJOR CHANGES:** This Reference Guide replaces REF-1410.3. The following important changes were made:

- Updated version of Attachment C: “Mediation Only Request Form”
- Updated contact information in the “Assistance” section
- “Special Education Support Units” have been renamed “Special Education Service Centers”

**BACKGROUND:**

1. The District’s implementation of the Informal Dispute Resolution (IDR) process was required per the Modified Consent Decree. The IDR process is optional for parents. A parent is not required to go through the IDR process before initiating due process proceedings. Further, a parent may utilize the IDR process and subsequently initiate due process proceedings if the IDR process is unsuccessful.
2. The State Mediation Only process is required by state and federal special education law. Like the IDR process, parent participation in Mediation Only is optional. Further, requesting Mediation Only does not preclude a parent from subsequently initiating due process proceedings. Under the Individuals with Disabilities Education Act (IDEA), states are required to establish procedures to ensure that students with disabilities are guaranteed certain procedural safeguards, which include an opportunity for an impartial due process hearing on disputed issues.

**ROUTING**

All Locations  
Local Instructional Area  
Superintendents  
Instructional Directors  
Special Education Service  
Center Administrators  
School Site Administrators  
Teachers



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### **BACKGROUND (cont.):**

3. Formal Due Process: On July 1, 2005, the procedural safeguards section of the “Individuals with Disabilities Education Improvement Act of 2004” (IDEIA 2004) went into effect. IDEIA 2004 provides for a mandatory 30-day resolution period when a parent submits a due process complaint notice to the District. This resolution period provides the District with an opportunity to resolve parent issues and concerns at the school site level before commencement of due process hearing timelines.

### **INSTRUCTIONS:**

The District prefers to solve IEP disputes using IDR or Mediation Only rather than more costly and time consuming formal due process proceedings. If a parent’s concerns and issues are not resolved during IDR or Mediation Only the parent may initiate formal due process proceedings.

If a parent disagrees with any part(s) of the IEP, at the conclusion of the IEP team meeting, the administrator/designee will ensure that the following is documented on page 10 of the IEP: the disputed issues; which parts of the IEP are agreed upon (*i.e.*, those parts that parents give consent for implementation); and which process the parent would like to use to resolve the dispute.

The administrator/designee will inform the parent of their due process rights and of the various dispute resolution options (*i.e.*, IDR, Mediation Only, and Formal Due Process). The administrator/designee will provide and refer parents to “A Parent’s Guide to Special Education Services” which describes the various processes. Attachment A: “Special Education Dispute Resolution Flow Chart” contains additional information about the dispute resolution processes and corresponding timelines. The administrator/ designee should also provide the parent with Attachment B-3: “IDR Brochure.”

## I. INFORMAL DISPUTE RESOLUTION (IDR) PROCESS

### A. IDR Referral

If a parent selects the IDR process to resolve the disagreement(s), the administrator/designee of the IEP meeting must do all of the following within one school day of the conclusion of the IEP meeting:

1. Make sure the box on page 10 (parent consent page) of the IEP next to the statement, “I wish to schedule an informal conference to resolve the issues,” is checked;



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## INSTRUCTIONS (cont.):

2. Meet with the parent and complete “Request for Informal Dispute Resolution (IDR) Regarding Individualized Education Program (IEP) Issues – IDR Form A” (Attachment B-1);
3. Sign, and have the parent sign, IDR Form A;
4. Fax IDR Form A to the Due Process Department at (213) 241-8917; and
5. Call the IDR HELPLINE at (213) 241-8135 (this number is for District staff only.).

Completion of IDR Form A and contact with the HELPLINE must take place within one business day after the parent elects to use IDR. Timelines are critical to the IDR process. The twenty (20) business day timeline is calculated from the date the parent signs IDR Form A.

The IDR HELPLINE’s function is to have an IDR administrator assist school staff in exploring solutions for IEP disagreements and determine the appropriate level (e.g., local school, Special Education Service Center, Related Services) and staff to work with the parent to resolve the issues in disagreement. The IDR HELPLINE is for Los Angeles Unified School District staff only.

### B. Resolution Activities

When the IDR HELPLINE is contacted, the HELPLINE Specialist and the school administrator/designee will determine the most appropriate level and staff to work with the parents to resolve the disagreement(s).

If it is determined that the IDR will take place at the school level, five business days will be allotted for the school staff to resolve the disputed issues.

If it is determined that the IDR will take place at the Special Education Service Center or Related Services Department level, ten business days will be allotted for staff to resolve the disputed issues.

If resolutions are not reached within those timelines, an IDR Specialist will spend the remaining 15 or 10 days respectively attempting to resolve the dispute. Resolution activity will be recorded on Attachment B-2: “Informal Dispute Resolution Activity – IDR Form B.” This form documents:

1. The parents’ request(s);
2. Their rationale for the request(s);
3. The District’s settlement offer and rationale; and
4. Whether the parents accept or reject the District’s offer.



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### INSTRUCTIONS (cont.):

When IDR Form B is completed and signed by the District representative and parent, it must be faxed immediately to the Due Process Department at (213) 241-8917 with a coversheet marked "URGENT."

#### C. IDR Agreement Implementation

- If a resolution is reached during IDR and the agreement alters eligibility, placement or services, an IEP team meeting must be held within 30 calendar days to document the terms of the agreement.
- If resolution is reached at the school level, an implementation IEP meeting must be held at the student's current school of attendance.
- If resolution is reached at a level other than the school, IDR Form B or other documentation will be sent to the student's current school of attendance to inform the administrator/designee of the outcome of the resolution process. If the documentation indicates that a resolution has been reached, the school must convene the IEP meeting to implement the resolution, if required.

If resolution is not reached, a District administrator will inform the parent of the right to initiate due process proceedings.

## II. STATE MEDIATION ONLY

If a parent selects the State Mediation Only process to resolve their disagreement(s), the administrator/designee of the IEP meeting must:

- A. Provide the parent with Attachment C: "Mediation Only Request Form." This form is also available on the OAH website at [www.oah.dgs.ca.gov](http://www.oah.dgs.ca.gov).
- B. Instruct the parent that Mediation Only is initiated by sending a completed Mediation Only Request Form by mail to the California Office of Administrative Hearings, Special Education Division, 2349 Gateway Oaks Drive, Suite 200, Sacramento CA 95833-4231 (Telephone: (916) 263-0880) or by fax to (916) 263-0890, and that they should also mail or fax a completed form to the District's Due Process Department.
- C. Call the Due Process Department at (213) 241-6718 and notify a Due Process administrator that parents are filing a request for Mediation Only.

After OAH receives a Mediation Only request, it will schedule a mediation date and time with the parents and the District's Due Process Department. A Due Process Specialist will represent the District at the mediation. In most cases, the Due Process Specialist will obtain information from the administrator/designee and other IEP team members prior to the mediation. Under state rules, attorneys or paid advocates may not attend the mediation.



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## INSTRUCTIONS (cont.):

If a resolution is reached at mediation, the settlement agreement will be sent to the school site. If the agreement alters eligibility, placement or services, an IEP team meeting must be held by the school site within 30 calendar days to document the terms of the agreement.

If resolution is not reached, the Due Process Specialist will inform parents of their right to initiate due process proceedings.

### III. FORMAL DUE PROCESS PROCEEDINGS

If the parent would like to initiate due process proceedings (rather than IDR or Mediation Only) the administrator/designee will provide the parent with a Request for Mediation and Due Process Hearing Form (See Attachments D-1 and D-2). This complaint form is also available online at [www.oah.dgs.ca.gov](http://www.oah.dgs.ca.gov). The IEP team will check the box on page 10 (parent consent page) of the IEP next to the statement: "I wish to initiate a request for a Due Process hearing and I have been provided with the filing procedures."

The administrator/designee will instruct the parent that a completed complaint form or written complaint notice with the required information must be submitted to the school of attendance, and copied to the District's Due Process Department and the Office of Administrative Hearings (addresses and facsimile numbers are in the Parent's Guide and on the complaint form). A written complaint notice must include: (1) the name of the child, (2) the address of the residence of the child or available contact information for the child if the child is homeless, (3) the name of the school the child is attending, (4) a description of the nature of the problem, and (5) a proposed resolution to the problem to the extent known and available at the time.

#### A. Receipt of Completed Complaint Form or Written Complaint Notice

Upon receipt of a completed complaint form or written complaint notice, the administrator/designee must immediately do both of the following:

1. Fax the complaint form or written complaint notice to the Due Process Department at (213) 241-8917; and
2. Call the Due Process HELPLINE at (213) 241-5420 to discuss the case and provide information as necessary.

The complaint information will be forwarded to a Due Process Specialist by the HELPLINE Specialist, who will contact the administrator/designee within 24 hours to assist the school site during the resolution period.

*Timelines are critical during the resolution period.* Resolution period timelines are calculated from the date the parent submits the completed complaint form or written complaint notice to the school site and Due Process Department.



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### INSTRUCTIONS (cont.):

#### B. Role of Due Process Specialist

The assigned Due Process Specialist will assist the administrator/designee with IDEA 2004 requirements, including:

1. Determining the participants in the resolution session which must include: the parent, a member of the IEP team who has specific information regarding the issue(s) in dispute, and a District representative who has decision making authority. (Depending on the issue(s), the District representative could be a Special Education Service Center Specialist, Related Services Specialist, or Due Process Specialist.)
2. Scheduling and informing the parent of the resolution session.
3. Developing the District's written response to the complaint, which must be provided to the parent within 10 calendar days of the District's receipt of the complaint form or complaint notice. The 10-day letter must contain:
  - A description of the action proposed or refused by the District;
  - An explanation of why the District proposes or refuses to take the action;
  - A description of each evaluation procedure, assessment, record, or report the District used as a basis for the proposed or refused action;
  - A description of other options considered by the IEP team and why those options were rejected; and
  - A description of the relevant factors in the District's proposal or refusal.
4. Convening the resolution session.
5. Collecting pertinent records to analyze the dispute.

#### C. The Resolution Session

At the resolution session the parent and District personnel will discuss the issue(s) raised in the complaint and possible resolutions. Successful resolutions will result in a legally binding written settlement agreement that is enforceable in a court of law. The parent may void the settlement agreement after it is signed if they provide written notification within three (3) business days.

If a settlement agreement is reached that alters eligibility, placement or services for the student, the school of attendance will hold an IEP team meeting to document the changes made in the settlement agreement in the student's IEP.



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### **INSTRUCTIONS (cont.):**

If resolution is not reached at the resolution session, the Due Process Specialist may continue to work with the parent and school site to reach a successful resolution. If resolution is reached after the resolution session, the Due Process Specialist will route the settlement agreement to the administrator/designee who will be responsible for implementing the terms of the settlement agreement and convening an IEP team meeting if necessary.

If there is no resolution by the 30<sup>th</sup> day following submission of the complaint, formal due process proceedings and timelines will commence. The Due Process Specialist will manage the case during the formal due process proceedings.

### SPECIAL INSTRUCTIONS

#### I. When parents refuse to sign an IEP.

If a parent refuses to sign an IEP, a minimum of three (3) attempts must be made to obtain the parent's signature. All attempts to obtain parent signatures must be documented (telephone calls, home visits, correspondence). If these efforts are unsuccessful, contact the Special Education Service Center for assistance. Due process proceedings and the resolution period do not begin until the parent initiates the proceedings by submitting a completed Due Process Complaint Form or written complaint notice, whether or not the IEP has been signed.

#### II. The HELPLINE is for Los Angeles Unified School District staff only.

The Due Process HELPLINE is designed to assist school site administrators with due process proceedings. Parents have other sources of support and information (e.g., Parent's Guide, Division of Special Education website, Special Education Service Center, Complaint Response Unit, advocates and attorneys) and should not be referred to the Due Process HELPLINE.

- ATTACHMENTS:**
- Attachment A: Special Education Dispute Resolution Flow Chart
  - Attachment B-1: Request For Informal Dispute Resolution (IDR) Regarding Individualized Education Program (IEP) Issues – IDR Form A
  - Attachment B-2: Informal Dispute Resolution Activity – IDR Form B
  - Attachment B-3: IDR Brochure
  - Attachment C: Mediation Only Request Form
  - Attachment D-1: Directions To File For Due Process
  - Attachment D-2: Request For Mediation And Due Process Hearing Form



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**RELATED  
RESOURCES:**

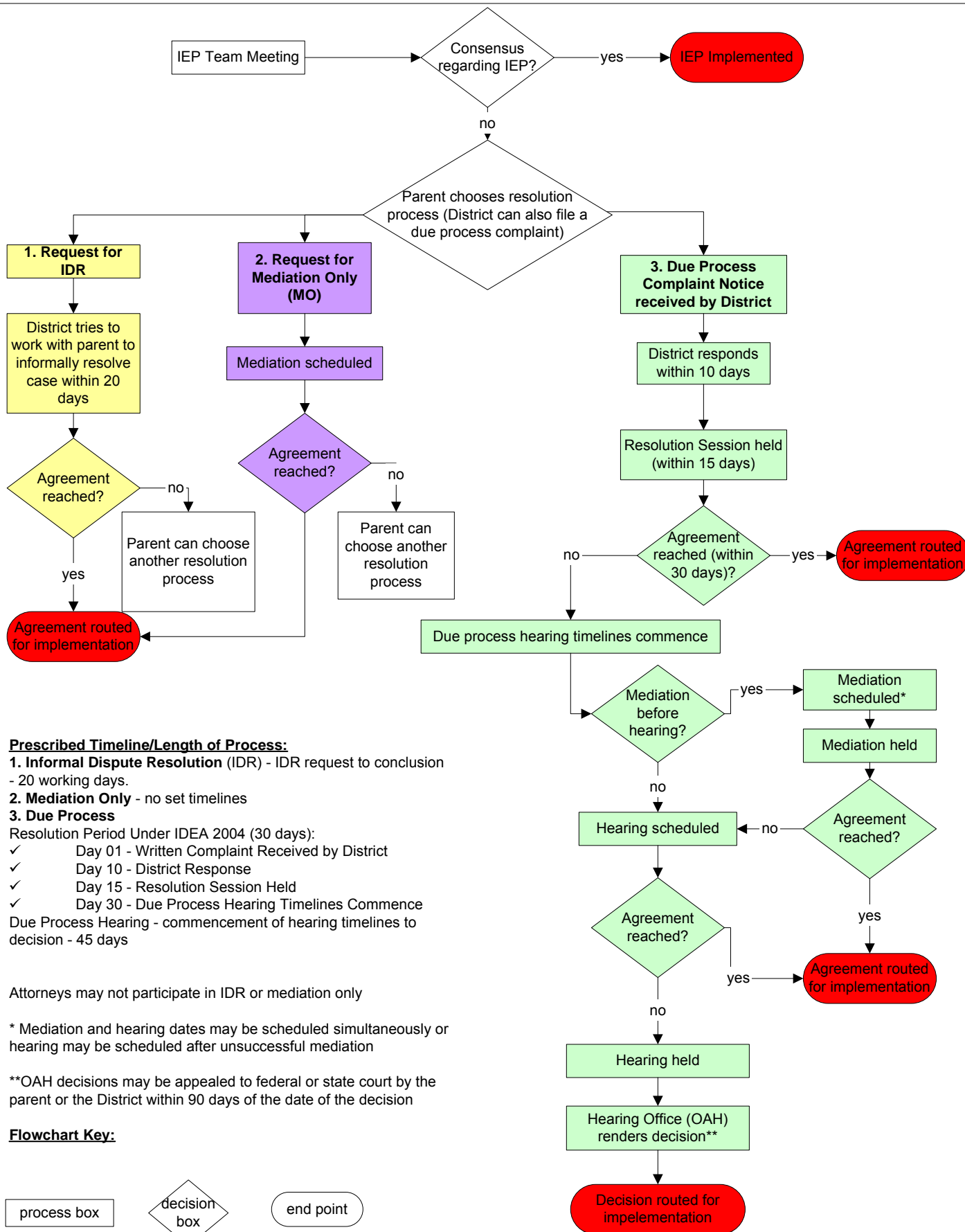
The “[Parent’s Guide to Special Education Services](#)” is posted on the Division of Special Education website in the “E-Library” section, “Guides” subsection. The Guide includes an overview of IDR, Mediation Only and Formal Due Process Proceedings.

**ASSISTANCE:**

For assistance or further information, please contact your Special Education Service Center Administrator or Susan Talesnick, Administrative Coordinator, Compliance Support and Monitoring, Division of Special Education, at (213) 241-6701 or [sue.talesnick@lausd.net](mailto:sue.talesnick@lausd.net).



### LAUSD Special Education Dispute Resolution System



**Prescribed Timeline/Length of Process:**

**1. Informal Dispute Resolution (IDR)** - IDR request to conclusion - 20 working days.

**2. Mediation Only** - no set timelines

**3. Due Process**

Resolution Period Under IDEA 2004 (30 days):

- ✓ Day 01 - Written Complaint Received by District
- ✓ Day 10 - District Response
- ✓ Day 15 - Resolution Session Held
- ✓ Day 30 - Due Process Hearing Timelines Commence

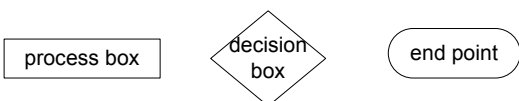
Due Process Hearing - commencement of hearing timelines to decision - 45 days

Attorneys may not participate in IDR or mediation only

\* Mediation and hearing dates may be scheduled simultaneously or hearing may be scheduled after unsuccessful mediation

\*\*OAH decisions may be appealed to federal or state court by the parent or the District within 90 days of the date of the decision

**Flowchart Key:**





**LOS ANGELES UNIFIED SCHOOL DISTRICT**  
**Division of Special Education**  
**Informal Dispute Resolution Activity**  
**IDR Form B**

Student Name: \_\_\_\_\_ DOB \_\_\_\_\_

	PARENT REQUESTS	PARENT RATIONALE
1		
2		
3		
4		

**DISTRICT SETTLEMENT OFFER:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**District Rationale**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<b>Parent Accepts Offer</b>		or	<b>Parent Rejects Offer</b>	
<b>A. ACCEPTED</b> _____ Date Accepted _____ 1. Implementation IEP team meeting required: <input type="checkbox"/> YES <input type="checkbox"/> NO 2. Date of implementation IEP team meeting _____ (Date) 3. Form B Faxed to (213) 241-8917 on _____ (Date)			<b>B. REJECTED</b> _____ Date Rejected _____ 1. Form B Faxed to (213) 241-8917 _____ (Date and Time) 2. Procedural Safeguards/Parent Rights Explained: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> To the Division of Special Education for Informal Conference <input type="checkbox"/> Parents will initiate due process proceedings	

\_\_\_\_\_

Print District Representative's Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Print Parent's Name

\_\_\_\_\_

Parent Signature

\_\_\_\_\_

Date

## Advantages of Informal Dispute Resolution

- Non adversarial
- Speedy Resolution
- Rapid Implementation of Services
- Positive Relationships Cultivated
- Time and Resources Saved



### A Task Force of:

- ✚ Administrators
- ✚ Teachers
- ✚ Paraprofessionals
- ✚ Parents
- ✚ Advocates

For additional information please contact:

Division of Special Education  
 Due Process Department  
 333 South Beaudry Avenue  
 Los Angeles, California 90017  
 Phone: 213.241.6718  
 Fax: 213.241.8917



## Los Angeles Unified School District



- ▶ ASSESSMENT
- ▶ ELIGIBILITY
- ▶ PLACEMENT
- ▶ SERVICES

Los Angeles Unified School District



Division of Special Education

# Informal Dispute Resolution (IDR)

## Is based on the beliefs that...

- IEP disputes are minimized when the IEP is developed through meaningful informed participation of all team members.
- An IEP dispute represents a difference of opinion, which in most cases can be resolved through open, informed communication.
- Resolution of disputes may best be achieved by those who know and work with the child, understand the child's needs, are knowledgeable about programs and understand the mandates of IDEA.
- Local site personnel should be empowered to resolve disputes; if local staff cannot reach resolution, an appropriate objective party may be of assistance.
- Formal Due Process should be the last resort for dispute resolution.

## STEPS in the IDR Process

### Step 1

If you elect to use IDR: at the end of the IEP team meeting note your disagreement with the IEP on page 10 of the IEP, section Q. Check the box:

I wish to schedule an informal conference.

### Step 2

Arrange a meeting with the IEP chair within 1 day to identify issues and concerns in more detail.

### Step 3

After meeting with IEP chair you will be contacted within 2-3 business days by a District Administrator to work on a resolution of your concerns and issues.

### Step 4

You will receive documentation of the IDR activity relating to your IDR request.

### Step 5

If the dispute is resolved to your satisfaction, the school will schedule an IEP team meeting to implement the resolution if it alters eligibility, placement, or services.

- IDR is an optional informal process. Instead of using IDR, you may request a mediation only or initiate due process proceedings.
- If you use IDR and the dispute is not resolved to your satisfaction, you may initiate due process proceedings.
- For more information on IDR, mediation only and due process proceedings, refer to the Parent's Guide.

## **Mediation Only Request Form**

### **Important information to know before requesting a Mediation Only case:**

Participation in mediation is voluntary. If one of the parties declines the opportunity to participate, the mediation cannot occur. However, if the mediation only does not occur, either party may still file a request for due process hearing.

For a mediation only case, the law provides that attorneys and other independent contractors who provide legal advocacy services shall not attend or otherwise participate in a "prehearing request mediation conference." However, they may otherwise participate during all stages of the hearing process if a party later files for due process hearing. This means that by requesting a mediation only case you may not have an attorney or advocate present at mediation.

The Office of Administrative Hearings (OAH) will assign your request to a mediator who is knowledgeable about non-adversarial dispute resolution. All mediators are also experienced in the area of special education law and mediation.

Attached is a form that you may use to request Mediation Only on behalf of a particular child. If the information requested is incorrect, incomplete or not provided, your request for mediation only may be delayed until that information is provided to OAH. All required information must be provided for the request to be processed. As soon as the completed request has been processed you will be notified by mail.

Your request must be sent to **all** of the parties you have identified and a copy provided to the Office of Administrative Hearings.

If you need assistance in completing this form or have questions about the due process hearing and mediation process, assistance is available by contacting the Office of Administrative Hearings at the numbers identified below.

Office of Administrative Hearings, Special Education Unit  
2349 Gateway Oaks Suite #200  
Sacramento, CA 95833  
Phone: (916) 263-0880  
Fax: (916) 376-6319

## Mediation Only Request Form

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### STUDENT INFORMATION:

NAME, First and Last (Required) \_\_\_\_\_

ADDRESS (Required) \_\_\_\_\_

\_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_

GRADE LEVEL \_\_\_\_\_

SCHOOL OF ATTENDANCE \_\_\_\_\_

(Required)

DISTRICT OF RESIDENCE \_\_\_\_\_

(Required)

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### PARENT INFORMATION:

NAME, First and Last (Required) \_\_\_\_\_

ADDRESS (Required) \_\_\_\_\_

HOME/MESSAGE PHONE (\_\_\_\_) \_\_\_\_\_

WORK PHONE (\_\_\_\_) \_\_\_\_\_

FAX (\_\_\_\_) \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

Interpreter needed?  Yes or  No If yes, what language? \_\_\_\_\_

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### PARTIES TO BE NAMED:

DISTRICT OF RESIDENCE \_\_\_\_\_

(Required)

ADDITIONAL PARTIES \_\_\_\_\_

(Required)

(Any other school district, including school of attendance, or public agency that is responsible for providing services that should be a party in the mediation and hearing.) **A copy of this form must be sent to each party you named.**

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### Mediation Only Request Form

**REQUESTING PARTY** (Circle one) **(Required)**

PARENT  
SCHOOL DISTRICT  
OTHER AGENCY

PARENT REPRESENTATIVE  
SCHOOL DISTRICT REPRESENTATIVE

If the requesting party is not the parent, please complete the following:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

ORGANIZATION \_\_\_\_\_

PHONE (\_\_\_\_) \_\_\_\_\_

FAX (\_\_\_\_) \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

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**BRIEF SUMMARY OF REASON FOR REQUEST** (Describe the nature of the problem including all relating facts.) **(Required)**

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**PROPOSED RESOLUTION OF PROBLEM STATED ABOVE** **(Required)**



## STATEMENT OF SERVICE

**INSTRUCTIONS:** Federal and state law require you to send or deliver a copy of this Request to each of the named parties. Additionally, you must send or deliver a copy to the Office of Administrative Hearings. Retain a copy for yourself. Please indicate your compliance with this requirement by checking the appropriate box, signing and dating below.

**I have provided a copy of this Request for Mediation Only to all the named parties and to the Office of Administrative Hearings by:**

- First Class Mail**
- Facsimile Transmission**
- Messenger Service (UPS, FedEx, Other courier service) Please attach proof of service**
- Personal Delivery (If other than requestor please name person who made service)**

\_\_\_\_\_  
**Signature of person completing this  
Statement of Service**

\_\_\_\_\_  
**Date of service**

Los Angeles Unified School District  
Division of Special Education

## **DIRECTIONS TO FILE FOR DUE PROCESS**

- 1.) Attached is the Due Process Complaint Form.  
Complete the form in its entirety (4 pages)**
- 2.) Send all the pages of the Complaint Form by fax or mail to:**
  - A.) California Office of Administrative Hearings  
Special Education Division  
2349 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833-4231  
Fax# (916) 263-0890**
  - B.) Due Process Department  
Division of Special Education  
Los Angeles Unified School District  
333 S. Beaudry Ave, 17<sup>th</sup> Floor  
Los Angeles, CA 90017  
Fax# (213) 241-8917**
  - C.) School of Attendance**

**\* Failure to provide the Complaint Form to all of the locations listed above may result in a delay or dismissal of your complaint.**

**MEDIATION AND DUE PROCESS HEARINGS UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004(IDEA)**

IDEA provides for mediation and due process hearings to resolve disputes relating to the education of children with disabilities to ensure that each child receives a Free and Appropriate Public Education (FAPE) tailored to his/her unique needs. Attached is the form (referred to as the "Due Process Complaint Notice") you should use to request mediation and a due process hearing on behalf of a particular child. You should be aware that the IDEA has very specific requirements regarding the information to be included on the request form. If the information requested is incorrect, incomplete or not provided, your request for a due process hearing may be delayed until the request form meets legal requirements. You should also be aware that the completed form must be served on all of the named parties you have identified.

**BEFORE FILLING OUT THE FORM PLEASE TAKE THE TIME TO READ THE FOLLOWING EXCERPTS FROM APPLICABLE FEDERAL STATUTES:**

The due process complaint notice shall include "the name of the child, the address of the residence of the child (or available contact information in the case of a homeless child), and the name of the school the child is attending..." (20 U.S.C. § 1415 (b)(7)(A)(ii)(I))

The due process complaint notice shall include "a description of the nature of the problem of the child relating to such proposed initiation or change, including facts relating to such problem...."(20 U.S.C. § 1415 (b)(7)(A)(ii)(III))

The due process complaint notice shall also include "a proposed resolution of the problem to the extent known and available to the party at the time." (20 U.S.C. § 1415 (b)(7)(A)(ii)(IV))

Either party now has the right to challenge the sufficiency of any Due Process Complaint Notice. (20 U.S.C. § 1415 (c)(2)(A))

The party filing the Notice is not entitled to a due process hearing if the Notice does not comply with 20 U.S.C. § 1415 (b)(7)(A). (20 U.S.C. § 1415 (b)(7)(B))

The determination of whether a Notice is sufficient and in compliance with the requirements of 20 U.S.C. § 1415 (b)(7)(A), shall be made by an administrative law judge solely on the content of the Notice. (20 U.S.C. § 1415 (c)(2)(D))

A party may amend its due process complaint notice only if: (I) the other party consents in writing and a Resolution Session is held; or (II) if permitted by the Administrative Law Judge. (20 U.S.C. § 1415 (c)(2)(E)(i))

All timelines, including those for a Resolution Session, start over upon the filing of an amended notice. (20 U.S.C. § 1415 (c)(2)(E)(ii))

California Office of Administrative Hearings  
Special Education Division  
2349 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833-4231

Tel. (916) 263-0880  
Fax (916) 263-0890

### REQUEST FOR MEDIATION AND DUE PROCESS HEARING FORM

**IMPORTANT:** This form is designed to assist parents in requesting mediation services and a due process hearing. Provide all information requested. Failure to provide all information may result in delay or dismissal of your hearing request. The Special Education Division will contact you regarding your hearing request.

<b>STUDENT INFORMATION</b>	<b>PARENT INFORMATION</b>
First and Last Name (Required)	First and Last Name
Street Address (Required)	Street Address
City, Zip Code (Required)	City, Zip Code
Date of Birth	Home Phone
Grade Level	Work Phone
School of Attendance (Required)	Fax
District of Attendance	

### PARTIES TO BE NAMED

INSTRUCTIONS; Below, please list the Parties to be named in the Due Process Hearing Request. This includes any school district, county office of education or other public agencies responsible for providing services you feel should be a party in the hearing. (Use additional sheets if necessary)

Additional Party
Additional Party
Additional Party

## BRIEF SUMMARY OF REASON FOR REQUEST

INSTRUCTIONS: Federal and state law require you describe with specificity the nature of the problem/complaint. Simply describing a problem as "Student denied FAPE for school year 2003-2004" is insufficient. Include facts, dates, references to specific IEP provisions, etc. Failure to identify specific problem(s) may result in the dismissal of this Due Process Hearing Request. Please attach separate sheets if necessary.

Problem(s) (Please number and list separately) :

1.

**PROPOSED RESOLUTION OF THE PROBLEM STATED ABOVE**

INSTRUCTIONS: Federal law requires that you provide a proposed resolution to each problem identified above. Again, you are required to be specific. Filling in the spaces below with "Provide a Free Appropriate Public Education (FAPE)" is insufficient. Please attach separate sheets if necessary.

Proposed Resolution(s) (Please number to correspond to problems listed)

1.

**NECESSITY OF INTERPRETER**

INSTRUCTIONS: If interpreter services are needed, please indicate below.

Language	Person needing interpreter services

**STATEMENT OF SERVICE**

INSTRUCTIONS: Federal and state law require you to send or deliver a copy of this form to each party named above. Additionally, send a copy to the Special Education Division and retain a copy for yourself. Please check the box below to indicate your compliance with this requirement. In the event a legal representative makes service, please attach a copy of the proof of service. If service was accomplished by other than first class mail, please describe the method of service.

I have delivered or sent by First Class Mail a copy of this Request for Due Process Hearing form to all the above named parties. (Attach proof of service if applicable).

**SIGNATURE OF PARTY REQUESTING HEARING**

Signature of party requesting hearing	Date

**SERVICE FOR LOS ANGELES UNIFIED SCHOOL DISTRICT**

**If you named LAUSD as a party, deliver, mail or fax a copy of this Request for Due Process Hearing to:**

**Due Process Department  
Division of Special Education  
Los Angeles Unified School District  
333 South Beaudry Avenue, 17<sup>th</sup> Floor  
Los Angeles, CA 90017  
Fax # (213) 241-8917.**