



Model Form: Due Process Complaint (Request for Due Process Hearing)

In submitting this form, you are requesting a due process hearing to resolve a disagreement between families and a public agency in regards to a learner who is receiving early intervention or special education services as required by IDEA (Individuals with Disabilities Education Act). A due process hearing is a formal event that occurs when disputes arise over a child's early intervention (Early ACCESS) or special education identification, evaluation, placement, or the provision of FAPE (Free Appropriate Public Education). The process is started when a person, school, or agency submits a written request for a due process hearing – also known as a “due process complaint”— with the Iowa Department of Education. Attorneys are typically involved in this process. An administrative law judge assigned by the Iowa Department of Education is in charge of the due process hearing. A due process hearing occurs only after mediation or a resolution session occurs, unless the parties agree otherwise. A due process hearing most closely resembles going to court. During the hearing, both sides present their case. Upon hearing both sides and reviewing the submitted information, the administrative law judge makes a decision. This decision is final unless a party who disagrees with it appeals the decision to state or federal district court.

You may either use this form or submit a written signed statement that includes the required information below. Please attach additional documents as needed. The use of an asterisk (*) indicates the information is required.

To file your due process complaint, send copies to:

- (1) the LEA(s), AEA(s) or other public agency involved, and
- (2) the Iowa Department of Education at ideadisputeresolution@iowa.gov or Grimes State Office Building, 400 E. 14th St., Des Moines, IA 50319-0146

Please select one of the following:

- I am the parent or guardian of the student.
- I am a parent representative.
- I am the school district or local LEA representative.
- I am the adult student

Is this complaint based on Suspension/Expulsion or a Manifestation Determination? Yes No

I am filing a due process complaint. I request a due process hearing before an administrative law judge appointed by the Iowa Department of Education.

*Child's Name: _____ Alternate Name, if applicable: _____

Child's Date of Birth: _____

*Child's Address: _____

*City: _____ *State: _____ *Zip: _____



Department of Education

Is the child "homeless?" Yes No.

*If yes, provide contact information for the child: _____

If the child is age 3 or above, the school district where child **lives**: _____

Address: _____

City: _____ State: _____ Zip: _____

*If the child is age 3 or above, the school district where child **attends**: _____

Address: _____

City: _____ State: _____ Zip: _____

If the child is age 3 or above, name of **school building** that child attends: _____

For **Early ACCESS (ages birth to 3)**, the AEA that provides services for the child: _____

Parent/Guardian 1 Name: _____ Signature: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail (if available): _____

Parent/Guardian 2 Name: _____ Signature: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail (if available): _____

1. *The nature of the problem:

2. *The facts of the case relating to the problem:



Department of Education

3. *Your proposed resolution to the problem:

Is this form completed by someone other than the parent? Yes No.

If yes, provide your name, your contact information, and your relationship to parent, if different from above:

Do you elect to receive notices and communications via email? Yes No. (If no, all notices and communications will be sent via U.S. mail.)

If yes, what email address would you like notices and communications sent to? _____

The law requires the parties be provided an opportunity to engage in mediation. Mediation is a voluntary process available at no cost to the parties.

Are you interested in engaging in mediation? Yes No

Signature of Complainant: _____ Date: _____