

# SAMPLE LETTER REQUESTING A SPECIAL EDUCATION DUE PROCESS HEARING

Your Address  
Your Phone Number

Date

Director of Special Education  
Director of Special Education's Mailing Address

Dear Director of Special Education:

I am the parent of \_\_\_\_\_, whose date of birth is \_\_\_\_\_. My child is a student in the \_\_\_\_\_ grade and attends [include name of school].

I hereby request a Special Education Due Process Hearing because of my concerns about my child's Individualized Education Program (or evaluation, placement, or other issue). In order to complete my request, I am providing the following information:

1. **My child and I live at** [if your child lives at a different address, include the child's address also; if you are homeless, provide any contact information that is available]:

\_\_\_\_\_  
\_\_\_\_\_.

2. **My reasons for disapproving the school district's recommendation [or for requesting something that the school district rejected] are** [list all of the problems that you would like the Hearing Officer to resolve. Remember, it is hard to add problems later, so make sure you include all of your concerns. Be sure to include all facts that explain the problems - see example below.]:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

*(For example: I am rejecting the offered IEP for my daughter because it proposes a separate special education classroom. I believe that my daughter can succeed educationally if she is placed in a regular classroom with supports. My daughter had a successful experience in a regular preschool. She needs to learn to speak and behave like other children of her age, and attending class with children who do not have disabilities will help. My daughter also needs speech therapy, and the school district won't agree to provide it, etc.)*

3. **My proposed solution(s) to the problem(s) are** [If you have a proposed solution list it here, or say that you don't know how to fix the current problem. Make sure that you state if you are asking for reimbursement or compensatory education to make up for past problems. In general, you can go back two (2) years from your Hearing request.]:
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*(For example: I think my daughter would do well in a regular first grade class if she had an aide to help with recess, and a special education teacher to help her with math and to help her teacher change the curriculum to take account of her learning needs and levels. My daughter also needs two hours per week of speech therapy. I am also asking for extra speech therapy to make up for what my daughter has already missed for the entire school year so far.)*

I am requesting that the Hearing be Open/Closed and held during the Day/Evening.

I would appreciate receiving copies of all my child's records as soon as possible, but in any case prior to the Hearing.

Thank you.

Sincerely

Your Name

cc: Office for Dispute Resolution,  
6340 Flank Drive, Suite 600  
Harrisburg, PA 17112-2764

**IMPORTANT NOTE:**

**BEFORE MAKING A REQUEST FOR A SPECIAL EDUCATION HEARING, PLEASE REVIEW THE SECTION OF THIS GUIDE CALLED *RESOLVING SPECIAL EDUCATION DISPUTES*. THAT SECTION EXPLAINS YOUR OPTIONS WHEN YOU DISAGREE WITH THE DECISION OF A SCHOOL DISTRICT OR A PUBLIC CHARTER SCHOOL. YOU CAN USE THIS LETTER TO ASK FOR A SPECIAL EDUCATION HEARING AT ANY TIME. OFTEN A FAMILY MAKES A REQUEST FOR A HEARING BY DISAPPROVING A SCHOOL PROPOSAL ON A NOTICE OF RECOMMENDED EDUCATIONAL PLACEMENT/PRIOR WRITTEN NOTICE (NOREP/PWN) AND CHECKING THE BOX FOR A DUE PROCESS HEARING. IF YOU REQUEST A HEARING ON THE NOREP/PWN, YOU MAY NOT HAVE PROVIDED ALL OF THE INFORMATION REQUIRED FOR A HEARING REQUEST. THEREFORE, YOU MUST ALSO SEND THE SCHOOL DISTRICT THIS LETTER OR YOU MUST COMPLETE THE DUE PROCESS COMPLAINT NOTICE MADE AVAILABLE BY THE OFFICE FOR DISPUTE RESOLUTION (ODR). FOR A COPY OF ODR'S DUE PROCESS COMPLAINT NOTICE, GO TO <http://odr.pattan.net/files/odr/dpcomplaintnotice.pdf>. PLEASE NOTE THAT ODR'S COMPLAINT NOTICE ASKS FOR MORE INFORMATION THAN IS REQUIRED BY LAW TO BE INCLUDED IN A DUE PROCESS COMPLAINT NOTICE. THIS SAMPLE LETTER PROVIDES JUST THE INFORMATION THAT IS LEGALLY REQUIRED TO BE IN A NOTICE. MAKE SURE THAT YOU SEND A COPY OF THE COMPLETED LETTER OR COMPLAINT NOTICE TO THE OFFICE FOR DISPUTE RESOLUTION. KEEP A COPY FOR YOUR RECORDS.**