

NEW HAMPSHIRE STATE DEPARTMENT OF EDUCATION
USERS' GUIDE TO ADMINISTRATIVE PROCESS

Office of Legislation and Hearings
101 Pleasant Street, Concord, N.H. 03301
FAX 603-271-4034; Citizens Services Line 1-800-339-9900

Special Education Impartial Due Process Hearing Program
PARENT(S)

FORM TO REQUEST AN ADMINISTRATIVE DUE PROCESS HEARING

*NOTE: SEND ORIGINAL TO LOCAL EDUCATION AGENCY; COPY TO STATE
DEPARTMENT OF EDUCATION*

**WITH RESPECT TO ANY MATTER RELATING TO THE IDENTIFICATION,
EVALUATION, EDUCATIONAL PLACEMENT AND PROVISION OF A
FREE APPROPRIATE PUBLIC EDUCATION**

1. Child's name: _____
SPEDIS number: _____
Date of Birth: _____

2. Child's home address and mailing address (if not the same as home address):

3. Name of school district and school the child is attending:

4. Name of school district in which the child resides:

5. LEA name: _____

6. Are you presently involved in a complaint under Ed 1121 on this same issue? _____

7. Parent's name: _____

8. Parent's name: _____

9. Parent's mailing address (if not the same as child's mailing address): _____

10. Parent's mailing address (if not the same as child's mailing address): _____

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11. Parent's daytime telephone number: _____

12. Parent's daytime telephone number: _____

13. Would you be willing to attend a mediation session? _____

14. **NOTE:** *Federal law requires that you completely and accurately describe the reason(s) you are asking for a hearing and the outcome you are seeking. This includes a description of the student's special needs, all of the issue(s) you want the Hearing Officer to address, and the facts relating to those issues. Failure to provide complete information may result in a challenge to the sufficiency of the Hearing Request.*

Description of the issue(s): Please describe the student, the student's IEP or educational program, and the reason(s) you are requesting a hearing. Please be as complete as possible including dates, names, and places when appropriate. Please identify all the issues you want the Hearing Officer to address. Incomplete information may limit the scope of the hearing.
(Use additional pages if needed.)

IT IS VERY IMPORTANT THAT YOU DESCRIBE BELOW ANY ISSUE YOU WISH TO ADDRESS IN THE HEARING. IF THE ISSUE IS NOT DESCRIBED BELOW, YOU WILL NOT BE ALLOWED TO RAISE IT IN THE HEARING. FOCUS ON THE ISSUES THAT GENUINELY AFFECT THE EDUCATION OF THE STUDENT. YOU MAY ATTACH ADDITIONAL SHEETS IF NECESSARY.

A. Evaluations- including initial evaluations re-evaluations and independent evaluations. Please describe any issues you wish to raise which relate to the evaluation of the student, including any area of disagreement about what evaluation measures will be used, who the evaluators will be, how the evaluation will be conducted, the timing of the evaluation, the provision of an independent evaluation when a parent disagrees with a school district evaluation, or any other issue related to evaluation.

Proposed solution: How would you like to see the evaluation issue resolved? Please describe.

B. Eligibility/Identification: This section relates to questions or disagreements about whether a student is eligible for special education and related services or not- a decision

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usually made after the evaluation process is complete. There may also be a question as to whether a student who was eligible continues to be eligible. A related question for students who are found eligible for special education is what disability category is appropriate for the student, i.e., what is the educational disability that best fits the student's profile. Please describe any issues you wish to raise related to the student's initial eligibility, ongoing eligibility, or disability category.

Proposed solution: How would you like to see the eligibility or identification issues resolved? Please describe.

C. The Individualized Education Program (IEP): This section relates to issues about the student's IEP. The IEP is written after the evaluations are completed and after a finding that the student is eligible for special education and related services. These issues may include disagreements about what items should be included in a student's IEP, or questions about whether the student is receiving services that have been agreed upon by the IEP team, or questions about making changes to the IEP, or questions about whether the student is making adequate progress in school with the IEP that is in place.

Please describe any issues related to the IEP.

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Proposed solution: How would you like to see the IEP issues resolved?

D. Placement: This section relates to the question of where a student should go to school. This is a decision that is made after the IEP is written. Please describe any issues you wish to raise related to the question of where the student should go to school.

Proposed solution: How would you like to see the placement issue resolved?

E. Discipline: This section relates to the process by which disciplinary matters are handled in the school setting. Issues include such things as whether a student's disability is related to the conduct in question, what discipline is appropriate, and whether additional evaluations are needed after a disciplinary event. Please describe any issues you wish to address which are related to discipline.

Proposed solution: How would you like to see the placement issue resolved?

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F. Procedural Issues: State and federal law require that various procedures be followed during the course of the evaluation, identification, IEP, placement, and discipline processes. Please describe any significant issues which you believe constitute a violation of the procedures required by law, with a focus on those issues which had an adverse effect on the education of the student.

Proposed solution: How would you like to see the issue of procedural violations resolved?

G. Other Issues: If you wish to address other issues which are not identified above, please do so here. This may include any issue related to the provision of a free appropriate education to the student. Please describe any other issue you wish to have addressed in the hearing.

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Proposed solution: For any issue raised above, how would like to see that issue resolved?

Parental signature(s)

Signature

Date

Signature

Date

CERTIFICATION:

In accordance with JUS 804.02(a)(4), I certify that on this date, _____,
that I have sent a copy to the state and simultaneously the original of this document to the school
district.

Signature

Date