Delaware Department of Education Exceptional Children Resources John G. Townsend Building 401 Federal Street, Suite 2 Dover, DE 19901 Phone: (302) 735-4210

Fax: (302) 739-4654 https://education.delaware.gov/

DUE PROCESS COMPLAINT FORM AND REQUEST FOR DUE PROCESS HEARING

The Delaware Department of Education (Department) provides this Due Process Complaint Form and Request for Due Process Hearing in accordance with the Individuals with Disabilities Education Act (IDEA), and federal and state regulations. A due process complaint may be filed by a parent or public agency relating to: (1) the identification; (2) the evaluation; (3) the educational placement; and/or (4) the provision of a free appropriate public education to a child with a disability. Parents or public agencies may, but are not required to use this form when filing a due process complaint. For additional information, please see the Department's Due Process Information Guide on the Department's website at: https://education.delaware.gov/ or contact (302) 735-4210. You may also refer to the Department regulations concerning due process hearings at 14 DE Admin Code §§ 926.7.0 through 18.0 and federal regulations at 34 C.F.R. §§ 300.507 through 518.

| Address: | | | | |
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| Telephone Nun | nbers: | | | |
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| Email: | | | | |
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| (2) | Student Information: | | | | | |
|------------|--|--|--|--|--|--|
| | Student's Name: | | | | | |
| | Address: | | | | | |
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| | School the Student is Attending: | | | | | |
| | (Note: In the case of a homeless child or youth, please provide any available contact information for the child). | | | | | |
| (3) | Is This a Request for an Expedited Due Process Hearing? | | | | | |
| | ☐ Yes ☐ No | | | | | |
| | A parent may file an expedited Due Process complaint when they disagree with any decision regarding a disciplinary placement or a manifestation determination, or a school district or charter school believes that maintaining the current placement of the child is substantially likely to result in injury to the child of others. | | | | | |
| | If you selected Yes, above, describe why this due process complaint should be expedited: | | | | | |
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| (4) | Provide a description of the nature of the problem, including facts relating to the problem: | | | | | |
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| 5) | Provide a proposed resolution of the problem (t | to the extent known and available to you): | | | | |
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| 6) | Signature of Parent or Public Agency Filing the Due Process Complaint: | | | | | |
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| | (6', | (D. (.) | | | | |
| | (Signature) | (Date) | | | | |

TO FILE YOUR DUE PROCESS COMPLAINT, SEND IT BY U.S. MAIL, HAND-DELIVERY, FAX, OR E-MAIL TO:

Secretary of Education
Delaware Department of Education
John G. Townsend Building
401 Federal Street, Suite 2
Dover, Delaware 19901
Fax: (302) 739-4654

E-mail: dispute.resolution@doe.k12.de.us

The Department accepts Due Process complaints by E-mail.

Important Note:

You must also send a copy of the complaint to the opposing party at the same time you send it to the Secretary of Education. The opposing party may be the school district, charter school, or other public agency serving the student, or the parent or guardian of the student.