

INSTRUCTIONS FOR COMPLETING THE EXPEDITED DUE PROCESS HEARING REQUEST FORM

The request form for an expedited due process hearing should be filled out by the parent/guardian and provided to the special education director in the school district/agency.

Please print or type

If you need help in understanding or completing the form, please contact:
Barbara A. Drayton at 803-734-8783

1. Complete **Section I** by checking the appropriate boxes in Parts A and B. ***Although not required, it would be helpful to include the information.** This information is on the student's IEP.
2. Provide the information requested in Part C.
3. Complete **Section II** by explaining what you want to change.
4. Complete **Section III** by reading each of the statements.
5. Complete **Section IV** by printing or typing in the information about the student, the parent/guardian, and the school district/agency.
6. Forms are not accepted without the **signature** of the parent/guardian or the person requesting the expedited hearing.
7. Take the form to the special education director for your school district/agency.
8. Mail a copy of the form to the South Carolina Department of Education (SCDE) at the following address:

South Carolina Department of Education
Office of General Counsel
1429 Senate Street, Room 1015
Columbia, South Carolina 29201

You may fax a copy of the form to 803-734-4384 or submit a scanned copy of the completed form to the SCDE by electronic mail to bdrayton@ed.sc.gov.

You can get additional information by calling the Office of General Counsel at 803-734-8783 and by going to the SCDE's Web site at <http://www.ed.sc.gov/agency/programs-services/173/ParentResourcesonSpecialEducation.cfm>

Section II (Please print or type.)

What would you like to see changed?

(Attach additional pages if you do not have enough room on the form.)

Section III

We understand that both the school district/agency and the parent/guardian have the right to

- a. bring an attorney and/or persons with special knowledge or training about the problems of students with disabilities to the hearing;
- b. request the attendance or a subpoena for the attendance of particular witnesses;
- c. present evidence as well as question and cross-examine witnesses;
- d. object to evidence at the hearing that was not shared with the school district/agency and the parent/guardian or his or her attorney at least five days before the hearing;
- e. get a written, tape-recorded, or electronic transcript of the hearing;
- f. get a written statement of the findings of fact and the decision made at the due process hearing; and
- g. appeal if either the parent guardian or school district/agency disagrees with the decision.

Section IV (Please print or type.)

Name of student

Name of parent/guardian

Street address

Street address

City State Zip

City State Zip

Phone

Home phone

Name of school

Work phone

School district/agency

X _____
Signature of parent/guardian

Date

Date

In the case of a homeless child of youth, available contact information for the child and the name of the school the child is attending is required.