



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

DEPUTY COMMISSIONER FOR VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES

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July 2005

TO: School Districts, Individuals and Organizations Interested in the Education of Students with Disabilities

FROM: Rebecca H. Cort 

SUBJECT: **Revised Sample Due Process Complaint Notice – Effective July 1, 2005**

Attached is a sample *Due Process Complaint Notice* to provide parents and school districts and other agencies responsible for the education of students with disabilities with a model form to assist in filing for a due process proceeding (impartial hearing) relating to the identification, evaluation, or educational placement of a child or the provision of a free appropriate public education to a student with a disability or a student suspected of having a disability.

The New York State Education Department is required under federal law and regulations to develop this model form. This form has been revised to include all the requirements under 20 U.S.C. section 1415(b)(7) of the Individuals with Disabilities Education Act (IDEA) which became effective on July 1, 2005. School districts must provide information to parents about the availability of this form. School districts, parents or their attorneys may choose to use this form or provide the information in another format. However, failure to provide the required information as noted on the sample form may result in the delay or denial of a resolution session and/or a due process hearing and the reduction of attorneys' fees that may be awarded by a court.

This sample form and updated versions will be available through the Department's web site at: <http://www.vesid.nysed.gov/specialed/publications/policy>. If you have questions about this information, please contact the Office of Vocational and Educational Services for Individuals with Disabilities (VESID), Special Education Policy Unit, at 518-473-2878 or your Regional Associate at one of the following VESID Special Education Quality Assurance Regional Offices:

Central NY Regional Office	(315) 428-3287
Eastern Regional Office	(518) 486-6366
Hudson Valley Regional Office	(914) 245-0010
Long Island Regional Office	(631) 884-8530
New York City Regional Office	(718) 722-4544
Western Regional Office	(585) 344-2002 ext.420

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