

B. CONTENTS OF DUE PROCESS COMPLAINT (34 CFR §300.508)

1. General

In order to request a hearing, you or the LEA (or your attorney or the LEA's attorney) must submit a due process complaint to the other party. That complaint must contain all of the content listed below and must be kept confidential. At the same time you or the LEA – whichever filed the complaint – provides the due process complaint to the other party, a copy must be filed with the Office for Dispute Resolution (ODR).

2. Content of the complaint

The due process complaint must include:

- a. The name of the child;
 - b. The address of the child's residence;
 - c. The name of the child's school;
 - d. If the child is a homeless child or youth, the child's contact information and the name of the child's school;
 - e. A description of the nature of the problem of the child relating to the proposed or refused action, including facts relating to the problem; and
 - f. A proposed resolution of the problem to the extent known and available to you or the LEA at the time.
- #### **3. Notice required before a hearing on a due process complaint**

You or the LEA may not have a due process hearing until you or the LEA (or your attorney or the LEA's attorney), files a due process complaint that includes the information listed above.