

Request for Special Education Due Process Hearing



As required by the Individuals with Disabilities Education Act (IDEA), the Texas Education Agency (TEA) offers due process hearings to resolve disputes relating to the identification, evaluation, or placement of a student with a disability or regarding the provision of a free appropriate public education. IDEA also requires that the TEA develop a model form to assist parties in requesting special education due process hearings.

This form may be used to request a due process hearing. You may use it to satisfy IDEA's notice requirements, or you may submit any written request that includes the name and address of the residence of the student, the name of the school the student is attending, a description of the nature of the problem(s), including facts relating to the problem(s), and a proposed resolution to the problem(s). If the student is homeless, the request must also include available student contact information. **Please note that the information following an asterisk (*) is required information.** If the request does not include all of the required information, the other party may challenge the sufficiency of the request. For more information about special education due process hearings, please see [TEA's Special Education Dispute Resolution Systems Handbook](#).

This request is being filed by: (choose one)

- ☐ Parent, Guardian, Surrogate Parent or Adult Student
☐ School District or Other Local Education Agency (LEA)

Does this request for a due process hearing involve a disciplinary matter that requires an expedited timeline?

A parent or adult student may request an expedited hearing **only** when the parent or adult student disagrees with a decision regarding a disciplinary placement or with a manifestation determination. An LEA may request an expedited hearing **only** when the LEA believes that maintaining the current placement is substantially likely to result in injury to the student or to others. (choose one)

- ☐ Yes ☐ No

If an interpreter is needed for any participant, please specify the language: _____

Student Information

*Name: _____
Date of Birth: _____
*Address: _____
*Available contact information if student is homeless: _____

Parent, Guardian, or Surrogate Parent Information

Name: _____
Address: _____
Phone Number(s): (home) _____ (cell) _____ (work) _____
Email (optional): _____

School Information

School District: _____
*Name of the School Student is Attending: _____

Person Filing the Request

Name: _____
Relationship to Student: (choose one) ☐ Parent ☐ LEA ☐ Self ☐ Legal Guardian or Surrogate Parent

Attorney/Advocate Information for Requestor (if applicable)

Name: _____
Capacity (choose one): ☐ Attorney/Bar Number: _____ ☐ Advocate
Address: _____
Phone Number(s): (office) _____ (cell) _____ (fax) _____
Email: _____

***Description of the Problem(s) and Relevant Facts**

Describe the nature of the problem(s) relating to a proposed or refused initiation or change in the identification, evaluation, or educational placement of or the provision of a free appropriate public education to the student. Include relevant dates, specific events, and/or persons involved. You may add additional pages if necessary.

***Description of the Proposed Resolution**

Describe what you believe would be the complete remedy and resolution of the problem(s) to the extent that you know and have that information available to you. You may add additional pages if necessary.

Statement of Service

You are required by law to send or deliver a copy of any request for due process hearing to the other party and to the Texas Education Agency. Remember to retain a copy for your records. Please indicate your compliance with this requirement by checking the appropriate box below.

I have provided a copy of this request to all the named parties and to the Texas Education Agency by:
(choose one)

- ☐ Email
- ☐ First Class Mail
- ☐ Fax
- ☐ Hand Delivery (if other than requestor, name person who made service): _____

Signature: _____

Printed Name: _____

Mail, email, fax, or hand deliver this request to the other party and to:

Texas Education Agency
1701 North Congress Ave.
Austin, Texas 78701
Email: SE-Legal@tea.texas.gov
Fax: (512) 463-6027