

## SCHOOL REQUESTS HEARING – TIMELINES

### **WITHIN 10 CALENDAR DAYS OF RECEIVING A REQUEST FOR A DUE PROCESS HEARING**

- The parent (or the parent's attorney) must provide a written response to the School's due process hearing request specifically addressing the issues identified in the due process hearing request.

### **WITHIN 15 CALENDAR DAYS OF RECEIVING A REQUEST FOR A DUE PROCESS HEARING**

- If the parent (or the parent's attorney) believes that the School's due process hearing request does not meet the requirements of 511 IAC 7-45-3(b), the parent (or the parent's attorney) may send notice to the independent hearing officer and the School of its belief. (The School's request for a due process hearing will be deemed sufficient unless the parent (or the parent's attorney) notifies the IHO and the School in writing of the parent's belief to the contrary.)
  - 511 IAC 7-45-3(b) requires the School's due process hearing request to include:
    - the name, address, and residence of the child (or available contact information for a homeless child)
    - the name of the school the child attends
    - a description of the nature of the problem of the child relating to such proposed initiation or change, including facts relating to such problem and
    - a proposed resolution to the extent known and available at the time.
  - Within 5 days of receiving the parent's (or parent's attorney's) notice of insufficiency, the IHO must make a decision on the sufficiency of the School's request for a due process hearing and immediately notify the parties in writing.

### **WITHIN 45 DAYS OF RECEIVING A REQUEST FOR A DUE PROCESS HEARING**

- A hearing must be conducted and a written decision rendered unless the hearing officer grants a party's request for an extension of time.
- Mediation may occur during this time, but may not delay the timelines.

**Note:** The timelines for providing a response to the request for a hearing and providing notice that a request does not comply with the stated requirements begin upon the receipt of the request for hearing by the opposing party.