



DUE PROCESS COMPLAINT

A SoonerStart due process hearing is an administrative hearing to resolve disputes on any matter related to the identification, evaluation, service location, and the provision of services in accordance with the Individuals with Disabilities Education Act (IDEA) Part C.

CONTENTS OF A DUE PROCESS COMPLAINT

A request for a due process complaint must be made in writing and must include the following information:

- Current date.
- The child's name, address (or available contact information in the case of homelessness), and local SoonerStart site.
- The signature of the individual making the request for a due process hearing.
- A description of the nature of the problem, including supporting facts.
- A proposed resolution of the problem or the relief sought to the extent known and available at the time to the party.

The use of this form is optional; however, all Due Process Complaints must include the required elements listed above.

SOONERSTART DUE PROCESS COMPLAINT FORM

Contact Information of Individual Filing the Complaint

FULL NAME

CHILD'S NAME

CHILD'S DATE OF BIRTH

ADDRESS

CITY

STATE

ZIP

PHONE NUMBER

EMAIL ADDRESS (OPTIONAL)

DESCRIPTION OF THE NATURE OF THE PROBLEM

**** Required Component***

In the case of a regular due process complaint, describe the nature of the problem(s) of the child and/or adult student relating to the identification, evaluation, educational placement, and the provision of IDEA Part C Services. Include specific facts relating to such problem(s) which make this hearing necessary. Attach additional pages as needed.

PROPOSED SOLUTION

**** Required Component***

A proposed solution of the problem(s) to the extent known and available to the party at the time of filing. Attach additional pages as needed.

RESOLUTION SESSION

SoonerStart must convene a resolution session unless:

- Both parties agree in writing to waive the resolution session and begin the Due Process hearing timeline.
- Both parties agree in writing to go to mediation; or
- A trained mediator will be provided if parties choose to waive the resolution session and participate in mediation rather than a resolution session.

TIMELINES

A resolution session must occur **within 15 days** of receiving a due process complaint from the parent.

• **A due process hearing may not proceed unless:**

- Parties attend a resolution session.
- Parties agree in writing to waive the resolution session and start the hearing timeline; or
- Parties agree in writing to go to mediation in lieu of a resolution session.

MEDIATION (OPTIONAL)

Mediation is available to parents at no cost. It can be entered into with the agreement of SoonerStart. Such participation is voluntary and must be agreed to by both parties.

This step is optional. Check all boxes that apply.

☐ I would like more information about mediation.

☐ I request mediation and authorize SoonerStart to share child specific information with the mediator about my child's identity, educational needs, and information pertinent to the mediation. I understand the mediator will keep this information confidential.

SUBMITTING THE COMPLAINT

The Due Process Hearing timeline does not begin until the Due Process Complaint, completed in accordance with all requirements, is received by both the parent and SoonerStart. To request accommodations for language or print assistance, please contact (405)521-4880 or soonerstart@sde.ok.gov. SoonerStart will accept a request by mail, email, or hand delivery to the address below.

Oklahoma State Department of Education

Office of SoonerStart
2500 N. Lincoln Boulevard, Suite 510
Oklahoma City, OK 73105
Email: soonerstart@sde.ok.gov

SIGNATURE (REQUIRED)

DATE (REQUIRED)