



DUE PROCESS INFORMATION QUESTIONS AND ANSWERS

This document answers questions that parents may have about due process hearings under the *Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)*. This document is not intended to cover all provisions of due process under IDEIA. Refer to the last question and answer for additional information.

If you have questions or concerns about your child's education, whom do you contact?

The Ohio Department of Education is responsible for ensuring that children with disabilities receive a free appropriate public education (FAPE) in the least restrictive environment as defined by IDEIA and corresponding federal regulations, Ohio law, and state rules.

Anyone who has a question or concern about the education of a child with identified or suspected disabilities is urged to first contact the appropriate personnel at the local school district where the child attends school. The personnel would include the child's teacher and building principal, followed by the administrator responsible for special education.

Other organizations that might be helpful in addressing your concerns are:

Ohio's Special Education Regional Services Provider
(Your local school district has the address information for the special education regional services provider nearest you.)

The Ohio Coalition for the Education of Children with Disabilities
Bank One Building
165 W. Center Street, Suite 302
Marion, OH 43302-3741
(800) 374-2806

Ohio Legal Rights Service
50 West Broad Street, Suite 1400
Columbus, OH 43215-5923
(800) 282-9181; (614) 466-7264

Procedural Safeguards
Office for Exceptional Children
Ohio Department of Education
25 S. Front Street, Mailstop 202
Columbus, OH 43215-4183
Tell. (614) 466-2650

What is an impartial due process hearing?

An impartial due process hearing is a formal, administrative procedure that is held to resolve disagreements. Disagreements may be about the identification, evaluation or placement of your child, or the provision of a free appropriate public education (FAPE) to your child. An impartial

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

due process hearing may be requested by parents, the school district or other public agencies (e.g., county boards of mental retardation and developmental disabilities, developmental centers, and the Department of Youth Services).

An impartial hearing officer (IHO) will conduct the hearing. The IHO cannot be an employee of the school district, Ohio Department of Education, or any public agency involved in the education or care of your child. Also, the IHO cannot have a personal or professional interest that may interfere with his or her objectivity. The cost of the hearing officer is paid by the school district. However, the hearing officer is not considered an employee of the school district solely because he or she is paid by the school district to serve as a hearing officer.

In Ohio, a hearing officer must be an attorney and is required to complete periodic training provided by ODE. The state and local school district maintain a list of hearing officers and their qualifications. Each public agency shall also keep this list.

How do I request an impartial due process hearing?

You request a due process hearing by filing a due process complaint notice and hearing request. Your request must be in writing, and the request must be sent to the superintendent of the child's district of residence and a copy sent to Procedural Safeguards, Office for Exceptional Children, Ohio Department of Education, 25 South Front Street, 2nd Floor, Columbus, Ohio 43215-4183; telephone (614) 466-2650; fax (614) 728-1097. The due process complaint notice shall:

- Provide your child's name;
- State the address of the residence of the child;
- State the name of the school the child is attending;
- In the case of a homeless child or youth (within the meaning of section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), provide the available contact information for the child and the name of the school the child is attending;
- Provide a description of the nature of the problem of the child relating to the proposed or refused initiation or change of the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education to the child;
- Include the facts relating to the above-stated problem;
- Offer a proposed resolution to the problem to the extent known and available to you at the time.

The term "due process complaint notice" is used in the context of a due process hearing request. Whenever a due process complaint has been received, you must have an opportunity for an impartial due process hearing. You may complete and submit the ODE form "Due Process Complaint Notice and Request for a Due Process Hearing," or you may prepare and submit your own written due process complaint notice and request for a due process hearing. The use of the form is not required. The form is posted on ODE's website at www.ode.state.oh.us.

NOTE: You may not have a due process hearing until you, or the attorney representing you, files a due process complaint notice that includes all information required by federal regulation at 34 C.F.R. § 300.508.

Are there any limitations on the issues that I can raise at a due process hearing?

You may not raise issues at the due process hearing that were not raised in your due process complaint notice, unless the other party agrees otherwise.

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

May I file a separate due process complaint on an issue that I did not raise in a due process complaint that I already filed?

Yes. You may file a separate due process complaint on an issue separate from a due process complaint that you already filed.

What is the deadline for requesting an impartial due process hearing?

You must request an impartial due process hearing within 2 years of the date you knew or should have known about the alleged action that forms the basis of your due process complaint notice, except that the timeline shall not apply to you if you were prevented from requesting the hearing due to:

- Specific misrepresentations by the school district that it had resolved the problem forming the basis of your due process complaint; or
- The school district's withholding of information from you that was required under this part to be provided to you.

Will my due process complaint notice be sufficient to allow me to have a due process hearing? What happens if the school district believes my due process complaint notice is not sufficient?

Your due process complaint notice shall be deemed to be sufficient to allow you to have a due process hearing unless:

- Within 15 days of receiving your due process complaint notice, the school district notifies the hearing officer and you in writing that the school district believes your due process complaint notice has not met the requirements that apply to the complaint notice. (The school district should send a copy of its notification to Procedural Safeguards, Office for Exceptional Children, Ohio Department of Education, 25 South Front Street, 2nd Floor, Columbus, Ohio 43215-4183; fax (614) 728-1097.)
- The school district should contact Procedural Safeguards, Office for Exceptional Children, ODE, for the name of the hearing officer if the district has not already received this information from OEC (Telephone (614) 466-2650).
- Within 5 days after receiving this notification from the school district, the hearing officer shall determine whether your due process complaint notice on its face meets the requirements that apply to the due process complaint notice.
- After making this determination, the hearing officer shall immediately notify you and the school district in writing of his/her determination.

What can I do if the district has filed a due process complaint notice and request for a due process hearing, and I believe the district's due process complaint notice is not sufficient?

The district's due process complaint notice shall be deemed to be sufficient unless:

- Within 15 days of receiving the district's due process complaint notice, you notify the hearing officer and the district in writing that you believe the district's due process complaint notice has not met the requirements that apply to the complaint notice. (Send a copy of your notification to Procedural Safeguards, Office for Exceptional Children, Ohio Department of Education, 25 South Front Street, 2nd Floor, Columbus, Ohio 43215-4183; fax (614) 728-1097.)
- Contact Procedural Safeguards, Office for Exceptional Children, ODE, promptly for the name of the hearing officer whom you must contact if you have not already received this information from OEC (Tel. 614-466-2650).
- Within 5 days after receiving your notification, the hearing officer shall determine whether the district's due process complaint notice on its face meets the requirements that apply to the due process complaint notice.
- After making this determination, the hearing officer shall immediately notify you and the school district in writing of his/her determination.

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

May I amend my due process complaint notice?

You may amend your due process complaint notice only if:

- The school district consents in writing to the amendment and is given the opportunity to resolve the due process complaint through a resolution meeting; or
- The hearing officer grants permission, except that the hearing officer may only grant such permission at any time not later than 5 days before a due process hearing occurs.

NOTE: If you file an amended due process complaint, the timelines for the resolution meeting and the time period to resolve the due process complaint begin again with the filing of the amended due process complaint.

If the school district is the party filing the due process complaint, may the district amend its complaint?

The school district may amend its due process complaint notice only if:

- You consent in writing to the amendment and are given the opportunity to resolve the due process complaint through a resolution meeting; or
- The hearing officer grants permission, except that the hearing officer may only grant such permission at any time not later than 5 days before a due process hearing occurs.

NOTE: If the school district files an amended due process complaint, the timelines for the resolution meeting and the time period to resolve the due process complaint begin again with the filing of the amended due process complaint.

What will the school district do after it receives my due process complaint?

A. If the school district has not sent a prior written notice to you regarding the subject matter contained in your due process complaint notice, the school district must, within 10 days of receiving your due process complaint, send to you a response that includes:

- An explanation of why the agency proposed or refused to take the action raised in the complaint;
- A description of other options that the IEP team considered and the reasons why those options were rejected;
- A description of each evaluation procedure, assessment, record, or report the agency used as the basis for the proposed or refused action; and
- A description of the other factors that are relevant to the school district's proposed or refused action.

SUFFICIENCY: A response by the school district shall not be construed to preclude the school district from asserting that your due process complaint notice was insufficient, where appropriate.

B. Upon receipt of your request, the school district will provide you with a copy of *Whose IDEA Is This? A Resource Guide for Parents*.

C. If the school district requests an impartial due process hearing, you will receive written notice and a copy of *Whose IDEA Is This? A Resource Guide for Parents*.

D. After an impartial due process hearing is requested:

- You will be told about the availability of mediation and will be provided with information about mediation.
- If you requested the due process hearing, the school district will convene a resolution meeting as discussed in detail below.
- The Office for Exceptional Children will send you and the school district a list of the names of three impartial due process hearing officers and their qualifications.

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

- You and the school district will have the opportunity to agree upon an impartial due process hearing officer. If you agree, the school district will contact the Office for Exceptional Children with the name of the agreed-upon hearing officer.
- If you and the school district do not agree upon an impartial due process hearing officer, the school district must notify the Office for Exceptional Children immediately. The Office for Exceptional Children will then appoint an impartial due process hearing officer from the list that you received.
- If, within 10 days of the mailing of the list of hearing officers, the Office for Exceptional Children does not receive notification that you and the district have agreed upon a hearing officer named on the list, the Office for Exceptional Children will appoint a hearing officer from the list.
- If you or the school district requests a hearing, the school district shall inform you of any free or low-cost legal or other relevant services available in your area.
- Arrangements for the location, date, and time of the impartial due process hearing will be made by school district personnel.
- At least five business days before the impartial due process hearing, each party must disclose to all other parties all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing. If any party fails to comply with this requirement, the hearing officer may bar that party from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.
- An impartial due process hearing will be held and a decision will be mailed to each of the parties. The school district must ensure that this happens within 45 days after the end of the resolution period, unless a specific extension of time beyond the 45 days has been requested, in writing, by either you or the school district and granted by the IHO.
- The decision made at an impartial due process hearing is final unless an appeal is filed by you or the school district within 45 days of notification of the decision.

If the school district is the party filing the due process complaint, what must I do when I receive a copy of the district's due process complaint?

Within 10 days of receiving the school district's due process complaint, you must send to the school district a response that specifically addresses the issues raised in the school district's due process complaint notice.

What does the resolution meeting involve?

If you requested the due process hearing, a resolution session will take place as follows:

RESOLUTION MEETING: Prior to the initiation of a due process hearing, the school district shall convene a meeting with you and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the complaint:

- Within 15 days (7 days if expedited request) of receiving notice of your due process complaint;
- Which shall include a representative of the public agency who has decision-making authority on behalf of that agency;
- Which may not include an attorney of the school district unless you are accompanied by an attorney; and
- The purpose of which is for you to discuss your due process complaint, and the facts that form the basis of the complaint, so that the school district has the opportunity to resolve the dispute that is the basis for the complaint, unless you and the school district agree in writing to waive such meeting, or agree to use the state mediation process.

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

If the school district requests a due process hearing, is the district required to convene a resolution meeting, and is there a resolution period before the timeline for issuing a hearing decision begins?

No. When a school district requests a due process hearing, there is no requirement for a resolution meeting and a resolution period. Therefore, if a district requests a due process hearing, the timeline for issuing a hearing decision begins when you receive notice of the district's due process complaint. Not later than 45 days after you receive notice of the school district's due process complaint, the hearing must be held; a hearing decision reached; and a copy of the decision mailed unless an extension of the timeline has been granted by the hearing officer at the written request of either party.

If my complaint is resolved at the resolution meeting, what is the next step?

WRITTEN SETTLEMENT AGREEMENT: If a resolution to the dispute is reached at the resolution meeting, you and the school district must execute a legally binding agreement that is:

- Signed by you and a representative of the school district who has the authority to bind the school district; and
- Enforceable in any State court of competent jurisdiction or in a district court of the United States.

REVIEW PERIOD: If you and the school district execute a written settlement agreement, either you or the school district may void the agreement within 3 business days of the agreement's execution.

What happens if my complaint is not resolved through the resolution session?

If the school district has not resolved the complaint to your satisfaction within 30 days of the receipt of the due process complaint, the due process hearing may occur, and all of the applicable timelines for a due process hearing (45 days) shall commence unless an adjustment to the 30-day resolution period applies.

What happens if I do not participate in the resolution meeting?

Unless you and the school district have jointly agreed to waive the resolution process or to use state mediation, your failure to participate in the resolution meeting will delay the timelines for the resolution process and the due process hearing until the meeting is held.

What happens at the end of the resolution period if I do not participate in the resolution meeting?

If the school district is unable to obtain your participation in the resolution meeting after reasonable efforts have been made (and documented), the school district may, at the conclusion of the 30-day (15-day if expedited request) period, request that a hearing officer dismiss your due process complaint.

What happens if the school district fails to convene the resolution meeting or fails to participate in the resolution meeting?

If the school district fails to convene the resolution meeting within 15 days (7 days if expedited request) of receiving notice of your due process complaint or fails to participate in the resolution meeting, you may seek the intervention of the hearing officer to begin the 45-day due process hearing timeline.

When does the 45-day due process hearing timeline begin?

When you request a due process hearing, the 45-day due process hearing timeline begins at the end of the 30-day resolution period, except that the 30-day resolution period shall be adjusted and

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

the 45-day timeline shall begin after one of the following events:

- Both parties agree in writing to waive the resolution meeting;
- After either the mediation or resolution meeting starts but before the end of the 30-day period, the parties agree in writing that no agreement is possible;
- If both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, the parent or the school district withdraws from the mediation process.

If the due process hearing goes forward, what are my rights?

If you are involved in an impartial due process hearing, you have the right to:

- Have the child who is the subject of the hearing present;
- Open the hearing to the public;
- Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;
- Present evidence and confront, cross-examine, and compel the attendance of witnesses;
- Prohibit the introduction of any evidence at the hearing that has not been disclosed to you at least five business days before the hearing;
- Obtain a written, or at your option, electronic, verbatim record of the hearing.
- Obtain written, or at your option, electronic findings of fact and decisions.
- Have the record of the hearing and the findings of fact and decisions provided to you at no cost to you.

How will the hearing officer make his/her decision?

IN GENERAL: Subject to the Procedural Issues provision below, a hearing officer's determination of whether a child received a free appropriate education (FAPE) must be made on substantive grounds.

PROCEDURAL ISSUES: In matters alleging a procedural violation, a hearing officer may find that your child did not receive a FAPE only if the procedural inadequacies:

- Impeded your child's right to a FAPE;
- Significantly impeded your opportunity to participate in the decision-making process regarding the provision of a FAPE to your child; or
- Caused a deprivation of educational benefits.

RULE OF CONSTRUCTION: Nothing in this provision shall be construed to preclude a hearing officer from ordering a school district to comply with procedural requirements.

RULE OF CONSTRUCTION: Nothing pertaining to the hearing shall be construed to affect your right to file an appeal with the Ohio Department of Education.

What is your child's status during due process proceedings?

- Unless your child is in an interim alternative educational setting (IAES), during the pendency of a state level review or judicial proceeding regarding a due process complaint notice requesting a due process hearing, your child must remain in his or her present educational placement unless you and the State or the school district agree otherwise. This is referred to as "stay-put."
- If the due process complaint involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public school until the completion of all the proceedings.

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

- If the complaint involves an application for initial services under Part B from a child who is transitioning from Part C to Part B and is no longer eligible for Part C services because the child has turned three, the public agency is not required to provide the Part C services that the child had been receiving. If the child is found eligible for special education and related services under Part B and the parent consents to the initial provision of special education and related services, then the public agency must provide those special education and related services that are not in dispute between the parent and the public agency.
- If the hearing officer in a due process hearing or a state level review officer in a state level review agrees with the child's parents that a change of placement is appropriate, that placement must be treated as an agreement between the State and the parents for purposes of stay-put under bullet one above.

What if you or the school district disagrees with the decision?

If you or the school district disagrees with the decision made by a hearing officer, either party aggrieved may appeal to the Ohio Department of Education in writing. The letter of appeal must be sent to the State Board of Education in care of Procedural Safeguards, Office for Exceptional Children, Ohio Department of Education within 45 days of notification of the hearing officer's decision. Upon receipt of the letter of appeal, the Ohio Department of Education will appoint a state level review officer (SLRO) to conduct an impartial review of the hearing officer's decision. The SLRO:

- Examines the entire impartial due process hearing record;
- Ensures that the procedures at the impartial due process hearing were consistent with the requirements of due process;
- Seeks additional evidence, if necessary. If a hearing is held to receive additional evidence, the impartial due process hearing rights apply.
- May grant specific extensions of time if you or the school district make a request;
- Makes an independent decision on completion of the review.

The state shall ensure that an independent decision is reached in a state-level review of an appeal and that a written copy or electronic word-for-word record at your option of the findings and decision is mailed to all parties within 30 days after the receipt of a request for an appeal, unless either party requests an extension of this timeline and that extension is granted, in writing, by the state level review officer. The decision made by the SLRO is final. However, if you are still not satisfied with the findings and decision made in a state-level review, you have the right to bring a civil action in state or federal court without regard to the amount in controversy. You may bring a civil action:

- In a district court of the United States within 90 days from the date of the decision of the state level review officer; or
- In the court of common pleas of the county in which the child's school district of residence is located within 45 days of notification of the order of the state level review officer.

In any civil action, the court:

- Receives the records of the administrative proceedings;
- Hears additional evidence at the request of a party; and
- Basing its decision on the preponderance of the evidence, grants the relief that the court determines to be appropriate.

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

What is the procedure for requesting an expedited due process hearing?

An expedited due process hearing may be requested:

- By the school district if the district believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others; or
- By you if you disagree with the manifestation determination or with a decision regarding placement for disciplinary removals.

When you request an expedited due process hearing:

- Submit your request in writing to your superintendent and send a copy to the Office for Exceptional Children. The school district must contact the person in charge of impartial due process hearings at the Office for Exceptional Children before the end of the following business day.
- An impartial due process hearing officer will be appointed by the Office for Exceptional Children on a rotation basis before the end of the following business day the district informs the Office.
- The impartial due process hearing officer will contact you within 24 hours of the appointment to set up the hearing.
- An expedited hearing shall occur within 20 school days of the date the hearing was requested and shall result in a determination within 10 school days after the hearing.

Where is my child educated during an expedited due process hearing?

Your child shall remain in the interim alternative educational setting (IAES) pending the decision of the hearing officer or until the expiration of the suspension/expulsion, whichever occurs first.

How do I request an appeal of the decision made in an expedited hearing?

Your written request must be made to the State Board of Education c/o the Office for Exceptional Children within 10 calendar days of notification of the hearing officer's decision. The review shall be completed and a written decision issued by the state level review officer within 30 calendar days, with no extension, from the date the State Board of Education receives the request. An appeal of the state level review officer's decision may be made to the appropriate common pleas court or the federal district court as described on page 8.

What rights does my child have if I suspect my child has a disability and he/she has been suspended or expelled for violating the school's code of conduct or for drugs, weapons, dangerous behavior or inflicting serious bodily injury on another person?

You may ask for an evaluation that must be conducted in an expedited manner. When the evaluation has been completed, the IEP team must determine eligibility.

School district personnel, the parent and relevant members of the IEP team (as determined by the parent and school district personnel) must:

- Conduct a manifestation determination if your child is eligible; and
- Provide services if your child is eligible.

You may use any of the due process protections if the school had knowledge that your child is a child with a disability before the behavior occurred.

NOTE: For additional information about expedited due process hearings, refer to *Whose IDEA Is This? A Resource Guide for Parent* (See Discipline section).

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

Do I pay my own attorneys' fees?

You are responsible for paying your own attorney and expert witness costs. However, if you prevail in any action or proceeding with respect to a due process hearing, you have the right to request that the court grant reasonable attorneys' fees as part of the decision. The court will determine the amount.

In addition to parents who are the prevailing party, the following prevailing parties may also qualify for attorney fees. The court, in its discretion, may award reasonable attorneys' fees as part of the costs to the following additional parties:

- To a prevailing party who is a State educational agency or school district/LEA against the attorney of a parent who files a complaint or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of a parent who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation; or
- To a prevailing State educational agency or school district/LEA against the attorney of a parent, or against the parent, if the parent's request for a due process hearing or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.

Meeting of IEP Team; Resolution Meeting

Attorney's fees may not be awarded relating to any meeting of the IEP team unless the meeting is convened as a result of an administrative proceeding or judicial action, or at the discretion of the State for a state mediation. A resolution meeting shall not be considered a meeting convened as a result of an administrative hearing or judicial action or an administrative hearing or judicial action for purposes of attorney fees.

Part B Funds

Funds under Part B of the IDEIA may not be used to pay attorneys' fees or costs of a party related to any action or proceeding under Section 615 of IDEIA and subpart E of the federal regulations at 34 C.F.R. Part 300. The preceding prohibition does not preclude a public agency from using funds under Part B of IDEIA for conducting an action or proceeding under Section 615 of IDEIA.

No Bonus or Multiplier

No bonus or multiplier may be used in calculating the amount of attorneys' fees awarded by the court.

Are there times when the court may not give you attorneys' fees for services performed after a written settlement offer?

Yes, attorneys' fees may not be awarded and related costs may not be reimbursed in any action or proceeding under section 615 of IDEIA for services performed subsequent to the time of a written offer of settlement to you if:

- The offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedure or, in the case of an administrative proceeding, at any time more than 10 days before the proceeding begins;
- You did not accept the offer within 10 days; and
- The court or administrative hearing officer finds that the relief finally obtained by you is not more favorable to you than the offer of settlement.

EXCEPTION: You may be awarded attorneys' fees and related costs if you are the prevailing party and you were substantially justified in rejecting the settlement offer.

DUE PROCESS INFORMATION: QUESTIONS AND ANSWERS

Are there times when the court may reduce the amount of attorneys' fees for services performed after a written settlement offer?

Yes, if:

- You or your attorney, during the course of the action or proceeding, unreasonably protracted the final resolution of the controversy;
- The amount of your attorneys' fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience;
- The time spent and legal services furnished were excessive considering the nature of the action or proceeding; or
- The attorney representing you did not provide to the school district/LEA the appropriate information in the due process request notice in accordance with 34 C.F.R. 300.508.

EXCEPTION: The above provisions on reduction of attorneys' fees do not apply in any action or proceeding if the court finds that the State or the school district/LEA unreasonably protracted the final resolution of the action or proceedings or there was a violation of Section 615 of IDEIA.

How can I obtain additional information about due process?

For additional information about due process:

- Refer to *Whose IDEA is This? A Resource Guide for Parents* which includes your rights under special education law and sources for you to contact for assistance. This is available from your school district and is posted on the Office for Exceptional Children, ODE, website at www.ode.state.oh.us.
- Refer to the Individuals with Disabilities Education Improvement Act (IDEIA) of 2004, Public Law 108-446, 108th Congress, enacted December 3, 2004 (H.R.1350) and effective July 1, 2005, 20 U.S.C. 1400 et seq.; federal regulations at 34 Code of Federal Regulations (CFR) Part 300; Sections 3323.04 and 3323.05 of the Ohio Revised Code and Rules 3301-51-05 and 3301-51-08 of the Ohio Administrative Code (*Operating Standards for Ohio's Schools Serving Children with Disabilities*).
- Contact Procedural Safeguards, Office for Exceptional Children, Ohio Department of Education, 25 S. Front Street, Columbus, Ohio 43215-4183, Telephone 614-466-2650.

NOTE: This document is a summary of due process provisions and is not intended to cover all provisions of due process under IDEIA or any related regulations, statutes, rules, or procedures. This document does not interpret the due process provisions and does not provide legal advice to any party. For a legal interpretation or legal advice, consult your attorney.

July 1, 2005, rev. February 1, 2007