



Model Due Process Complaint/Request for Hearing Form

Michigan Department of Education Office of Special Education
June 2022

Purpose

This model form may be used to submit a request for a due process hearing to resolve a disagreement about the identification, evaluation, eligibility, educational placement, or manifestation determination of a student, or regarding the provision of a free appropriate public education for a student under the Individuals with Disabilities Education Act (IDEA). For any complaint that involves a child with an Individualized Family Service Plan (IFSP), the Michigan Department of Education (MDE) Office of Great Start/Early Childhood Development and Family Education is notified by the Office of Special Education (OSE) to ensure coordination and involvement of IDEA Part C staff in the process.

Instructions

Complete this form and deliver by mail, electronically (email or fax), or hand-deliver it to the MDE OSE using the contact information on page 4. The use of this form is not required; it is provided to assist in filing a due process complaint. **Note: The * indicates required information.**

Complainant Contact Information

Name*:

Address*:

City*:

State*:

Zip Code*:

Email:

Phone Number:

Student Information

Name*:

Age:

DOB:

Grade:

Address*:

(provide contact information if student is homeless)

City*:

State*:

Zip Code*:

Parent/Guardian Information (if other than the person filing the complaint)

Name:

Email:

Phone Number:

School Information

Name of the school the student attends*:

Name of the district(s) the complaint is filed against:

Problem and Facts *

What is the nature of the problem that relates to the student's special education program and what are the facts that relate to the problem? Include dates, if known. (1,000 character limit. Attach additional pages if necessary.)

Proposed Resolution (to the extent known) *

Briefly explain how you think the issue could be resolved. (2,600 character limit. Attach additional pages if necessary.)

Mediation: Release of Contact Information to SEMS

The Michigan Department of Education (MDE) encourages parents and districts to resolve disputes through informal dispute resolution processes, including mediation.

Mediation is a voluntary process. A trained, impartial mediator assists the parties in reaching a mutually acceptable resolution of the dispute between the parties. Mediators are not affiliated with any local school district nor do they represent any of the parties in a complaint. Discussions during mediation are confidential.

The MDE provides mediation services at no cost to the complainant or the district if they use [Special Education Mediation Services \(SEMS\)](#). SEMS is funded by an MDE grant.

If you are interested in resolving a complaint through mediation or informal resolution, the MDE will, with your consent, forward your name and telephone number to SEMS. SEMS will contact you to tell you more about mediation and other alternative dispute resolution options. If you choose to participate in mediation, SEMS will contact the district to determine if the district agrees to participate in mediation. If so, SEMS will make the arrangements and schedule the mediation meeting(s).

If you and the district agree to participate in mediation after a due process complaint has been filed, the hearing timeline may be extended until the mediation process is completed. If the issue is resolved through mediation, the complaint will be withdrawn or dismissed. If the issue is not resolved, the MDE will proceed with the due process hearing.

For more information about mediation and informal dispute resolution, see the MDE Special Education Due Process Complaint Procedures or contact Special Education Mediation Services (SEMS) at 833-KIDSIST (833-543-7178) or the [SEMS website](#) (<http://MiKidsIst.org>).

Yes, I am interested in mediation and authorize the OSE to forward my name and contact information to SEMS. I understand SEMS will contact me directly.

No, I am not interested in mediation. I understand SEMS will not contact me, and at any point, I can contact the public agency or SEMS to request mediation. Visit the [SEMS website](#) or call 833-543-7178 for more information.

Submit Due Process Complaint/Request for Hearing

The due process complaint/request for hearing must be signed and mailed, hand delivered, or electronically (fax, email) to submit to the MDE.

Signature*

Printed Name

Date

Michigan Department of Education
Office of Special Education – Due Process Complaints
608 West Allegan
P.O. Box 30008
Lansing, MI 48909
Fax: 517-241-7141
Email: MDE-MIComplaints@michigan.gov