

ANCHORAGE SCHOOL DISTRICT
SPECIAL EDUCATION

MEMORANDUM

SEPTEMBER 29, 2004

TO: SPECIAL EDUCATION AND RELATED SERVICES
ADMINISTRATORS, STAFF AND TEACHERS

FROM: JERRY SJOLANDER, EXECUTIVE DIRECTOR
SPECIAL EDUCATION

SUBJECT: ANCHORAGE SCHOOL DISTRICT PROCEDURES WHEN A
DUE PROCESS REQUEST IS RECEIVE

A request for a due process hearing must be made in writing. The parent or the attorney representing the child may make the request. The written request must include:

1. The child's name, address, and school;
2. A description of the issue relating to the proposed or refused initiation or change, including relevant facts related to the problem; and
3. A proposed resolution of the problem, to the extent known and available to the parent.

There are several key principles that must be examined when a request for due process is received:

1. The district may not deny or delay a parent's right to a due process hearing for failure to provide the notice described above.
2. The executive director will immediately forward a copy of the due process request to the Department of Education and Early Development.
3. The executive director will inform the parent of any free or low-cost legal and other relevant services available in the area at least 10 days before the hearing.
4. The executive director will provide to the parent a copy of the Procedural Safeguards upon receipt of a request for due process and inform the parent of the availability of mediation as an alternative dispute resolution mechanism. However, the offer of mediation does not negate the parent's or district's right to a due process hearing.