



from Equip for Equality's Legal Advocacy Program

EFE FACT SHEET – Special Education

Timeline for Due Process – School District

NOTE: The length of these timelines may be extended either by agreement between the school district and the parent, or if the hearing officer grants a request by the parent or school district.

45 Day Period	Day 1	The due process hearing process begins once the resolution process is over.
	Pre-Hearing	A pre-hearing must be scheduled with 10 days notice. A pre-hearing must occur no less than 14 days prior to the hearing.
	5 Days Before the Hearing	The school district has until 5 days before the hearing to amend the due process request, if the hearing officer allows the amendment. The school district and the parent have until 5 days before the hearing starts to disclose all the documents that each side intends on using at the hearing.
	Conclusion of Hearing	After the end of the hearing, the hearing officer has 10 business days to reach a decision.
	End of 45 Day Period	The conclusion of the due process hearing must finish within 45 days, unless an extension of time was granted.
Appeal		The school district or parent may appeal up to 90/120 days after receiving the Hearing Officer's decision.

DO YOU HAVE A QUESTION?

Contact Equip for Equality (all services are free of charge):
 800.537.2532 (voice) or 800.610.2779 (TTY)
Contactus@equipforequality.org
www.equipforequality.org

This resource material is intended as a guide for people with disabilities. Nothing written here shall be understood to be legal advice. For specific legal advice, an attorney should be consulted.

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