

Guidelines for a Special Education Due Process Case

This is an **official legal proceeding** governed by the Florida Department of Administrative Hearings (DOAH).

Immediately instruct all staff working with this student to **retain all records** related to this student (including e-mails).

Immediately fax a copy of the **two (2) most recent IEPs, Behavior Intervention Plan (if applicable), and Notice of Proposal/Refusal Form(s)** to the School Board Attorney's Office, Attention: Special Education Attorney, (305) 995-1412.

The District's Special Education Compliance Supervisor, Ms. Edna Waxman, will contact you to schedule a **Resolution Meeting** within 15 days of the complaint.

If the student's placement has been changed by the IEP team, the student must **remain in the current placement** during this litigation. For discipline cases, please consult the School Board Attorney's Office (305) 995-1304 or Edna Waxman (305) 995-2766.

Please complete the form **Potential Witness List for Special Education Due Process Cases** contained in the Special Education Due Process Case Toolkit and fax it to the School Board Attorney's Office, Attention: Special Education Attorney, (305) 995-1412.

Please type a **Chronology of Important Events** concerning this case and fax it to the School Board Attorney's Office, Attention: Special Education Attorney, (305) 995-1412. The chronology should include the events that led to this litigation and background facts. Parents can allege complaints that are two (2) years old; therefore, the chronology should date back two (2) years if applicable.

If the case cannot be resolved or dismissed, the School Board Attorney's Office will contact you to schedule a **witness preparation meeting** with the attorneys handling the case.

If requested by the School Board Attorney's Office, please prepare a copy of the Student Records by following the **Student Records Checklist for Special Education Due Process Case** contained in the Special Education Due Process Case Toolkit.

If the case proceeds to a due process hearing, please share with the potential witnesses **Tips for Testifying** contained in the Special Education Due Process Case Toolkit.

If you have any questions, please contact the **School Board Attorney's Office at (305) 995-1304**.

Your cooperation is appreciated. Thank you.