**Section 828.60 Procedures for Hearing Request**

The School, the parent or guardian of any student, or the student may request an impartial due process hearing. A request for a hearing by a parent, guardian or student shall be made in writing to the superintendent of the School.

a) If the School makes the request, a written request shall be sent to ISBE, attention Division of Program Compliance, in Springfield, and at the same time a copy shall be sent to the other party. This letter shall include the information set forth in subsections (b)(1)(A), (C) and (D) of this Section.

b) Within 5 days after the School receives a request for a hearing from a parent, guardian or student, the School shall:

1) Send a certified letter to the Division of Program Compliance requesting the appointment of an impartial due process hearing officer. This letter shall be delivered by a means that provides written evidence of the delivery and shall include:

A) the name, address and telephone number of the student and the parent or guardian, and of the person making the request for the hearing, if it is someone other than the student, parent or guardian;

B) the date on which the request for the hearing was received by the School;

C) the nature of the controversy to be resolved;

D) the primary language spoken by the parents or guardian and student; and

E) a copy of the request from the parent, guardian or student.

2) Send to the person requesting the hearing, by certified mail or other means providing written evidence of delivery, a copy of the letter sent to ISBE.

A) If the hearing has been requested by someone other than the student's parents or guardians, the School shall inform the parents or guardians by certified mail of the request and invite them to participate in the proceedings.

B) Copies of all correspondence pertaining to impartial due process hearings shall be forwarded to the DHS-DRS Director, who will notify and distribute correspondence to the appropriate administrators and units within DHS-DRS.

(Source: Amended at 37 Ill. Reg. 6358, effective April 25, 2013)