**Section 828.50 Impartial Due Process Hearing**

a) A parent, guardian or student may request an impartial due process hearing.

b) A hearing may be requested for, but not limited to, the following reasons:

1) Objection to signing consent for a proposed case study evaluation or initial placement.

2) Failure of the School, upon request of the parents, guardians, other persons having primary care and custody of the student, the student, or ISBE to provide a case study evaluation.

3) Failure of a local school district to consider evaluations completed by qualified professional personnel outside the local school district.

4) Objection to a proposed special education placement, i.e., an initial placement, a continuation of a previous placement, or a change in the placement.

5) Termination of a special education placement.

6) Failure of the School to provide a special education placement consistent with the finding of the case study evaluation and the recommendations of the Eligibility Review (see 89 Ill. Adm. Code 795).

7) Failure of the School to provide the least restrictive special education placement appropriate to the student's needs.

8) Provision of special education instructional or resource programs or related services in an amount insufficient to meet the student's needs.

9) Recommendation for the graduation of a student.

10) Failure of the School to comply with any provision of this Part.

c) A hearing may be conducted via video conference or teleconference.

d) Receipt of a request for an impartial due process hearing shall cause the student to remain in his or her current educational placement, unless a mutual agreement is reached between the parents or guardians and the School.

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