

OFFICE OF ADMINISTRATIVE HEARINGS (OAH)
STATE OF CALIFORNIA

**REQUEST FOR CONTINUANCE OF INITIAL SPECIAL EDUCATION DUE PROCESS
HEARING DATE AND INITIAL MEDIATION DATE**

INTRODUCTION: Upon receipt of a request for due process hearing and mediation, OAH issues a scheduling order which identifies a mediation date, the name of the assigned mediator, a prehearing conference and one date for hearing. These dates are set to insure compliance with federally mandated timelines, which cannot be changed except upon a showing of good cause. **This form may be used only when the parties mutually agree to continue the initial dates that were identified in the scheduling order.** If you agree to continue the case, the federally mandated timelines to issue a decision in the case will be extended. If you are making a second request for continuance, you may use this form, but you must also include an explanation identifying your reason for requesting the continuance. The form must be signed by all the parties when a change is requested.

MEDIATION: You must select a date for mediation that is within 30 days of the initial mediation date identified in the scheduling order. If the date for mediation is beyond 30 days, you must include an explanation why the date is requested. Mediation is a voluntary process and both parties must agree to participate. If either side does not wish to mediate the case, you may cancel the mediation below. Mediation cannot be held on the same day as the hearing.

HEARING: You must select dates for hearing that are within 90 days of the initial hearing date identified in the scheduling order. If the dates for hearing are beyond 90 days, you must include an explanation why the hearing dates are requested. Please select the total number of days both parties believe it will take to hear the matter. You may not request a trial setting conference in lieu of picking dates. If you cannot agree upon dates, each side should submit dates for hearing in writing within the next 90 days and OAH will pick the dates for hearing. You may also request that OAH set dates for you within 90 days of the initial hearing date.

PREHEARING CONFERENCE: You must also select a date for prehearing conference on a Monday or Wednesday that is within 7 to 10 days before the first date of hearing you selected. The prehearing conference must be at 10:00 a.m. or 1:30 p.m.

REQUEST FOR CONTINUANCE OF INITIAL SPECIAL EDUCATION MEDIATION DATE

Case Number: _____

Student Name: _____

Initial Mediation Date: _____

Requested Mediation Date and Time: _____

Please cancel the mediation without resetting.

**REQUEST FOR CONTINUANCE OF INITIAL SPECIAL EDUCATION DUE PROCESS
HEARING DATE**

Initial Continuance Request

Second Continuance Request

Case Number: _____

Student Name: _____

Initial Hearing Date: _____

Requested Hearing Dates: _____

Prehearing Conference Date/Time: _____

The parties cannot agree upon hearing dates and ask that OAH set hearing dates within 90 days of the initial hearing date.

Explanation for second continuance or why dates are not within 90 days:

The parties agree to the dates for hearing and mediation selected above. Both parties understand and agree that by changing the due process hearing dates they are agreeing to extend the timeline for issuance of a decision.

(Signature of Parent/Representative)

Date

(Signature of District/Agency Representative)

Date

(Signature of Other Party/Representative)

Date

FOR OAH USE ONLY

The request of the parties has been reviewed for good cause and the request is:

___ GRANTED. The matter is continued to the dates requested by the parties.

___ DENIED. _____

Judge assigned to Prehearing Conference/Hearing: _____

IT IS SO ORDERED.

DATE: _____

Administrative Law Judge