



OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA  
SPECIAL EDUCATION DIVISION

Submit completed request:

Via email:  
[SEfilings@dgs.ca.gov](mailto:SEfilings@dgs.ca.gov)

Via fax: (916) 376-6319

Questions about OAH's  
Special Education  
Division?

Call: (916) 263-0880

## Request for Continuance of Initial Due Process Hearing Date and Initial Mediation Date

**Introduction:** After receiving a request for due process hearing or mediation, the Office of Administrative Hearings (OAH) issues a scheduling order with a mediation date, and, if a hearing is requested, a prehearing conference date and a hearing date. These dates are set to insure compliance with federally mandated timelines, and cannot be changed except for 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 will be extended. This form may only be used for the first continuance of a Due Process Hearing. The form must be signed by all parties.

**Mediation:** You must select a date for mediation that is within 30 days of the initial mediation date in the scheduling order. If the date for mediation is beyond 30 days, you must explain why an earlier date is not available. Mediation is a voluntary process and both parties must agree to participate. If either party does not wish to mediate, you may cancel the mediation below. Mediations are held on Tuesday through Thursday. Mediations with Los Angeles Unified School District begin at either 9:00 a.m. or 1:30 p.m. All other mediations begin at 9:30 a.m. A mediation cannot be held on the same day as the prehearing conference or hearing.

**Hearing:** You must select dates for hearing that are within 90 days of the initial hearing date in the scheduling order. If the dates for hearing are beyond 90 days, you must explain why an earlier date is not available. Please request the total number of days both parties believe it will take to complete the hearing. Hearings are held on Monday through Thursday. Hearings beginning on either Monday or the Tuesday after a holiday start at 1:30 p.m. The first day of all other hearings start at 9:00 a.m. You may not request a trial setting conference instead of choosing dates. If you cannot agree on dates, each side should provide dates within the next 90 days for hearing and OAH will pick the dates for you. 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 a prehearing conference on a Monday or Friday within 5 to 10 days before the first day of hearing you selected. Prehearing conferences are held at 10:00 a.m., 1:00 p.m., or 3:00 p.m., except that prehearing conferences on the first Monday of each month are only held at 1:00 p.m. and 3:00 p.m.

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### Request for Continuance of Mediation Date

Student Name

Case Number

Initial Mediation Date

Requested Mediation Date

**Please cancel the mediation without rescheduling.**

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### Request for Continuance of Due Process Hearing Date

(This form may only be used for the first continuance of a Due Process Hearing).

Student Name

Case Number

Initial Hearing Date

Requested Hearing Dates

Prehearing Conference Date and Time

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

Explanation for why dates are not within 90 days

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The parties agree to the selected dates for mediation and hearing. All hearings shall continue day to day, Monday through Thursday, as needed at the discretion of the ALJ. All parties understand and agree that by changing the due process hearing dates they are agreeing to extend the timeline to issue 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.

**Granted.** The matter is continued to the following dates: \_\_\_\_\_

**Denied.** \_\_\_\_\_

ALJ assigned to prehearing conference and hearing: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Presiding Administrative Law Judge