



OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA
SPECIAL EDUCATION DIVISION

Submit completed
request:

Via U.S. mail or Secure
e-File

Questions about OAH's
Special Education
Division?

Call: (916) 263-0880

Request to Set Mediation (and for Continuance of Initial Due Process Hearing, if Required)

The Office of Administrative Hearings (OAH) strongly encourages parties to participate in mediation and will provide a trained mediator at no cost to the parties. Mediation is a voluntary, confidential process conducted by a neutral mediator in a cooperative and informal atmosphere. Mediation in special education cases has produced mutually satisfactory resolutions in the vast majority of cases. The parties are encouraged to work together to choose a mediation date and may use the form attached to make the request. The parties requesting the continuance may submit a letter or motion instead of this form. **A party who is not represented by an attorney may, if needed, contact the case manager listed on the Scheduling Order for assistance in setting up a mediation.**

The joint request for mediation must be made in writing to OAH via U.S. mail or Secure e-File at <https://www.applications.dgsapps.dgs.ca.gov/OAH/oahSFTWeb>. OAH will notify parties within two business days as to the status of their requested mediation date.

In order to assure the best chance of getting the requested mediation date, the request should be filed at least 10 business days before the date the parties are requesting for mediation. Requests made less than 10 business days before a requested date will be approved on a space-available basis. The final date to file the request for a mediation date, and continuance if requested, is the date the prehearing conference statements are due in your case. Requests filed after the due date of the prehearing conference statement will require a showing of why the request could not have been filed earlier.

Mediations are generally held on Tuesdays, Wednesdays and Thursdays. Requests for mediations on Mondays or Fridays will be approved on a space-available basis. 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.

Canceling a mediation without good cause may result in a denial of a request to reschedule the mediation. The parties should notify OAH of any mediation cancelation by noon on Friday the week prior the scheduled date or as soon as the need for cancellation arises. If asking to reschedule a mediation, the parties should explain why they canceled the mediation they previously requested.

When the parties' requested date for mediation is after the calendared hearing date the parties should provide OAH with proposed prehearing conference and hearing



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dates as part of their request for continuance. Parties may use the form below to request to set Mediation and for Continuance of Initial Due Process Hearing. Parties should include the location of the local education agency or school district where the mediation and hearing will be held. Please note that the request **should** be filed with OAH by the due date indicated on the scheduling order.

If you agree to continue the case, to allow the parties to participate in mediation, the federally mandated timelines to issue a decision will be extended. The parties should choose three days for hearing beginning on a Tuesday. The number of hearing days may be decreased or increased at the prehearing conference at the discretion of the Administrative Law Judge. Hearings begin at 9:30 a.m. in the first day and 9:00 a.m. on each additional day, unless ordered otherwise. Hearing dates must be chosen that are no later than 60 days from the mediation date requested.

Prehearing Conference: You must also select a date and time for a prehearing conference on a Monday or a Friday within 5 to 10 business 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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Student Name (Required): []
Case Number (Required): []

REQUEST TO SET MEDIATION DATE

Requested Mediation Date: []

Alternate Mediation Date: []

Location: []

REQUEST FOR CONTINUANCE OF DUE PROCESS HEARING DATE

This section may ONLY be used to request continuance of the hearing date if the requested mutually agreed on mediation date is after the currently scheduled hearing. The parties requested hearing dates must be within 60 days of the newly requested mediation date. All other continuance requests must be submitted separately and show good cause.

Requested Hearing Dates: [] [] []

Prehearing Conference Date and Time: []

[Please refer to the instruction page when selecting dates]

All parties must 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. The hearing shall begin at 9:30 a.m. the first day and at 9:00 a.m. on all other days unless otherwise ordered. 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