



OFFICE OF ADMINISTRATIVE HEARINGS

State of California

SPECIAL EDUCATION DIVISION

2349 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833-4231  
(916) 263-0880 phone / (916) 376-6319 fax  
www.oah.dgs.ca.gov

Department of General Services

**SPECIAL EDUCATION DIVISION  
QUARTERLY DATA REPORT  
SECOND QUARTER 2009- 2010 FISCAL YEAR  
October 1, 2009 - December 31, 2009**

---

**Regional Offices**

---

**Los Angeles**  
320 West Fourth Street  
Suite 630  
Los Angeles, CA 90013  
(213) 576-7200  
Fax (213) 576-7244

**Oakland**  
1515 Clay Street  
Suite 206  
Oakland, CA 94612  
(510) 622-2722  
Fax (510) 622-2743

**San Diego**  
1350 Front Street.  
Suite 6022  
San Diego, CA 92101  
(619) 525-4475  
Fax (619) 525-4419

**Laguna Hills**  
23046 Avenida De La  
Carlota, Suite 750  
Laguna Hills, CA 92653  
(949) 598-5850  
Fax (916) 376-6319

**Van Nuys**  
15350 Sherman Way  
Suite 300  
Van Nuys, CA 91406  
(818) 904-2383  
Fax (916) 376-6319

The Interagency Agreement (IA) between the California Department of Education (CDE) and the Office of Administrative Hearings (OAH) requires the OAH to report on a quarterly basis certain information related to mediations, due process and expedited hearings, as well as information required to be maintained according to state and federal law and regulations.<sup>1</sup> The following report addresses those IA reporting requirements.

### CASE FILINGS<sup>2</sup>

During the second quarter for fiscal year 2009-2010, the OAH received 598 new case filings.<sup>3</sup>

<b>Fiscal Year 2009- 2010</b>	<b>Filings</b>	<b>Fiscal Year 2008- 2009</b>	<b>Filings</b>
July 2009	257	July 2008	260
August 2009	201	August 2008	225
September 2009	224	September 2008	219
October 2009	208	October 2008	216
November 2009	180	November 2008	174
December 2009	210	December 2008	174
January 2010		January 2009	177
February 2010		February 2009	206
March 2010		March 2009	237
April 2010		April 2009	250
May 2010		May 2009	284
June 2010		June 2009	298
<b>Total Filings</b>	<b>1280</b>	<b>Total Filings</b>	<b>2720</b>

<sup>1</sup> See Scope of Work, Exhibit A.1, Section G.

<sup>2</sup> The information contained in this report reflects data for the second quarter of fiscal year 2009-2010, based upon OAH reports generated between January 1, 2010 and January 28, 2010.

<sup>3</sup> Beginning in fiscal year 2009-2010, OAH began reporting the number of case filings on the date the case was opened in the Practice Manager system. Prior to this fiscal year, the number of case filings was reported based upon the date the staff showed the case received by OAH.

### Cases by Filing Party

Overall, there were 598 total cases filed this quarter, which consisted of 478 student filed cases, 71 district filed cases, one student filed case involving expedited issues and four student filed cases involving both expedited and non-expedited issues (dual hearings).<sup>4</sup> The 598 cases filed this quarter also included 22 student filed and 13 district filed mediation only requests. The nine remaining cases were filed by students requesting a due process hearing only. A detailed list of all student filed cases this quarter broken down by district appears in Attachment B beginning on page 22.

In summary, OAH received 589 requests for mediation related to due process hearing or mediation-only this quarter.<sup>5</sup> Of the 589 requests for mediation, 35 were requests for mediation only.<sup>6</sup> The remaining 554 requests for mediation were related to due process hearing requests.<sup>7</sup> Of the total requests for due process hearing, four student filed cases involved both expedited and non-expedited issues(dual hearings).<sup>8</sup>

Case Type	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
District DPH	67	71			138
District Dual	0	0			0
District Expedited	0	0			0
District Med Only	25	13			38
Student DPH	549	478			1027
Student DPH Only	3	9			12
Student Dual	3	4			7
Student Expedited	0	1			1
Student Med Only	35	22			57
Total	682	598	0	0	1280

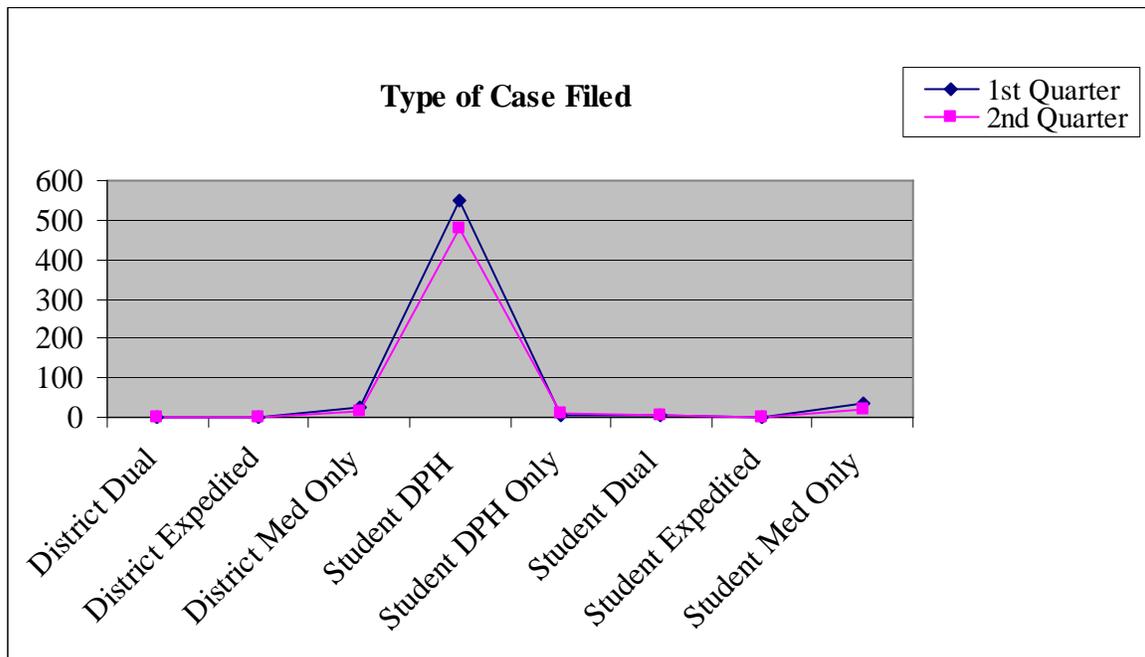
<sup>4</sup> This section reports item G.3.d.(12) and G.3.d (13) of the scope of work.

<sup>5</sup> This section reports item G.3.a.(1) of the scope of work.

<sup>6</sup> This section reports item G.3.a (2) of the scope of work.

<sup>7</sup> This section reports item G.3.a.(3) and G.3.b.(1) of the scope of work.

<sup>8</sup> This section reports item G.3.c.(1) of the scope of work.



### Legal Representation

During the second quarter, 598 requests for due process were filed, which consisted of 514 student filed requests and 84 requests filed by districts. Of the 514 cases filed by students requesting due process, 376 cases (73 percent) were filed by attorneys. Of the 84 district filed cases, 69 cases (82 percent) were filed by attorneys.<sup>9</sup> Of the 598 cases filed this quarter, 445 cases (74 percent) were filed by attorneys.

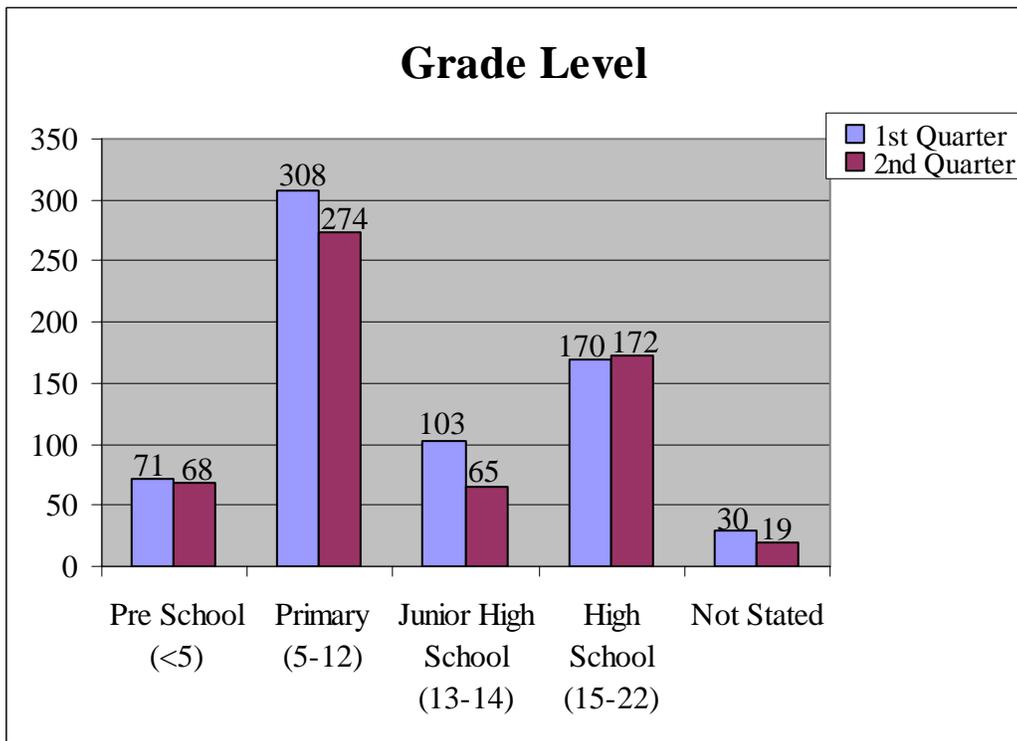
Legal Representation	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
% of Student Requests filed with Representation	68%	73%			71%
% of District Requests filed with Representation	65%	82%			74%

<sup>9</sup> This section reports item G.3.d.(3) of the scope of work.

### Grade Level

The majority of the 598 cases filed this quarter originated from students in the primary grades (274 cases), followed by those in high school (172 cases), junior high school (65 cases) and preschool (68 cases). The grade level of the student was not specified in 19 of the case filings.<sup>10</sup>

Grade Level	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
Pre School (<5)	71	68			139
Primary (5-12)	308	274			582
Junior High School (13-14)	103	65			168
High School (15-22)	170	172			342
Not Stated	30	19			49
Total	682	598	0	0	1280



<sup>10</sup> This section reports item G.3.d.(19) of the scope of work.

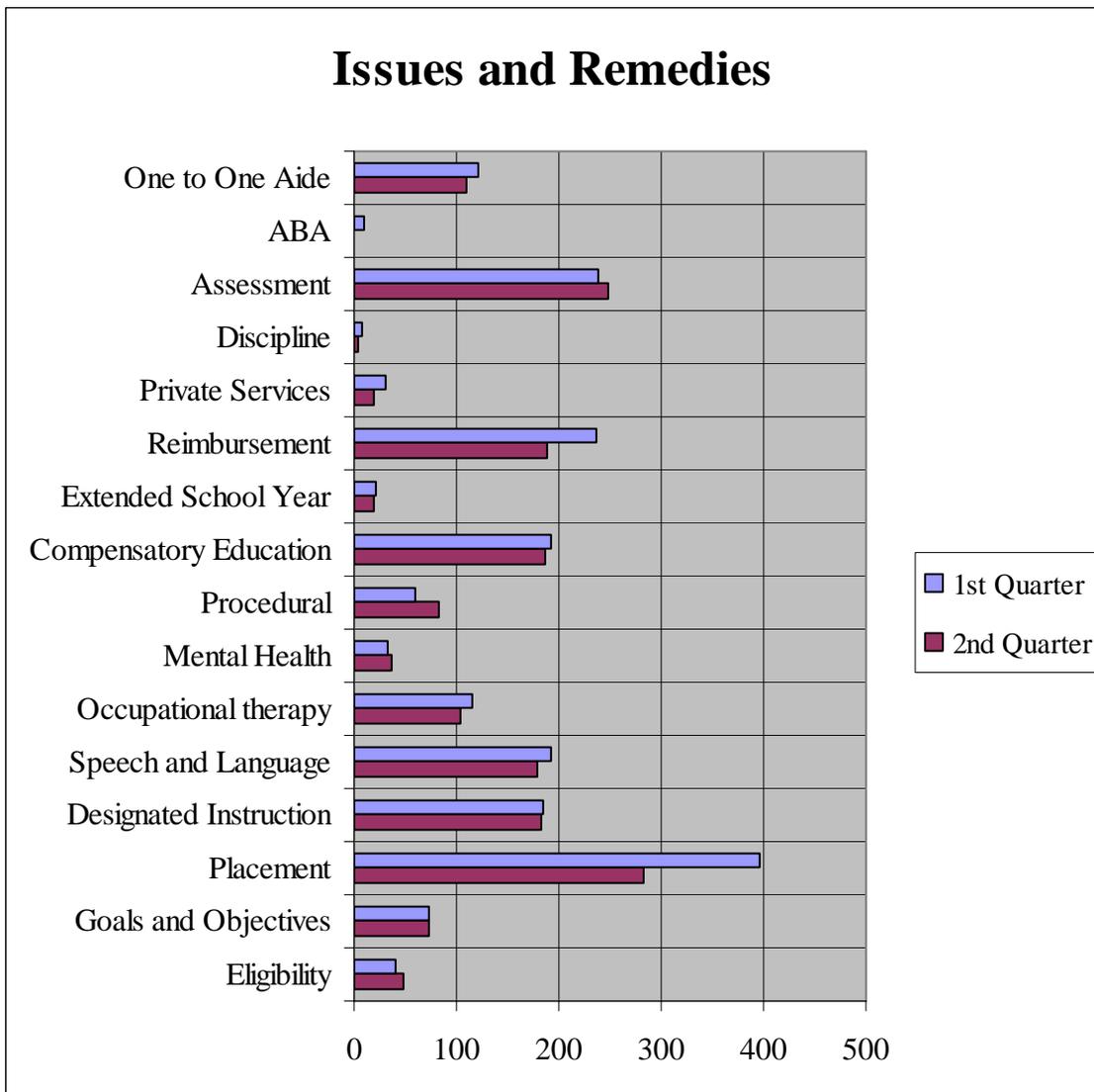
### Issues and Remedies

Cases filed this quarter raised a variety of issues and requested remedies. The number of issues raised varied per case, with some cases raising only one issue, and others raising several issues. The most common issues raised in the 598 cases filed this quarter, were placement (282 cases) and assessment (249 cases). Other issues included: speech and language services (178 cases), designated instruction and services (182 cases), one-to-one aide services (110 cases), goals and objectives (73 cases), occupational therapy services (104 cases), eligibility (49 cases), extended school year services (19 cases), mental health services (36 cases), procedural violations (82 cases), discipline (four cases), and private services (20 cases). Compensatory education was requested as a remedy in 186 cases and reimbursement was requested as a remedy in 188 cases.<sup>11</sup>

<b>Issues and Remedies</b>	<b>1st Quarter</b>	<b>2nd Quarter</b>	<b>3rd Quarter</b>	<b>4th Quarter</b>	<b>Year to Date</b>
Eligibility	41	49			90
Goals and Objectives	74	73			147
Placement	396	282			678
Designated Instruction	184	182			366
Speech and Language	192	178			370
Occupational therapy	116	104			220
Mental Health	32	36			68
Procedural	60	82			142
Compensatory Education	193	186			379
Extended School Year	21	19			40
Reimbursement	236	188			424
Private Services	30	20			50
Discipline	8	4			12
Assessment	238	249			487
ABA	9	0			9
One to One Aide	122	110			232

---

<sup>11</sup> This section reports item G.3.d.(17) of the scope of work.



#### Eligibility Category <sup>12</sup>

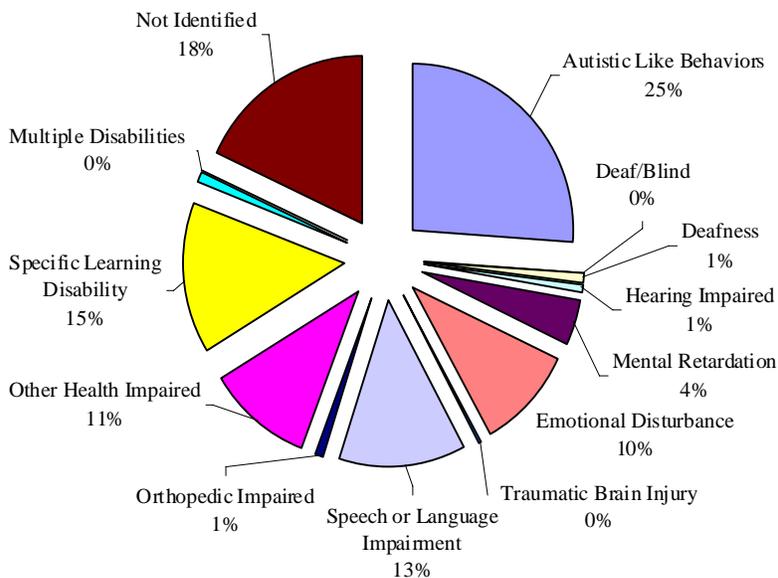
The majority of cases filed this quarter involved students identified under the eligibility category of autistic-like behaviors (189 cases). Other identified areas of eligibility included: Speech or Language Impairment (91 cases), Specific Learning Disability (105 cases), Other Health Impaired (76 cases), Emotional Disturbance (70 cases), Mental Retardation (32 cases), Hearing Impairment (five cases), Visually Impaired (eight cases), Orthopedic Impairment (seven cases), Deafness (six cases), and Traumatic Brain Injury (two cases). The student’s area of eligibility was not identified in 131 cases.<sup>13</sup>

<sup>12</sup> In some cases, the parties identified more than one area of disability. Therefore, the number of cases filed may not necessarily match the number of disabilities reported.

<sup>13</sup> This section reports item G.3.d.(18) of the scope of work.

Eligibility Area	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
Autistic Like Behaviors	212	189			401
Deaf/Blind	2	0			2
Deafness	12	6			18
Hearing Impaired	19	5			24
Mental Retardation	39	32			71
Emotional Disturbance	69	70			139
Traumatic Brain Injury	2	2			4
Speech or Language Impairment	130	91			221
Orthopedic Impaired	15	7			22
Other Health Impaired	108	76			184
Specific Learning Disability	114	105			219
Visual Impairment	15	8			23
Multiple Disabilities	0	0			0
Not Identified	158	131			289

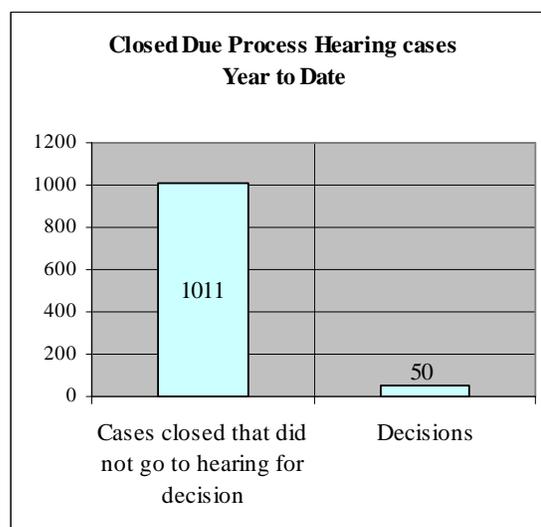
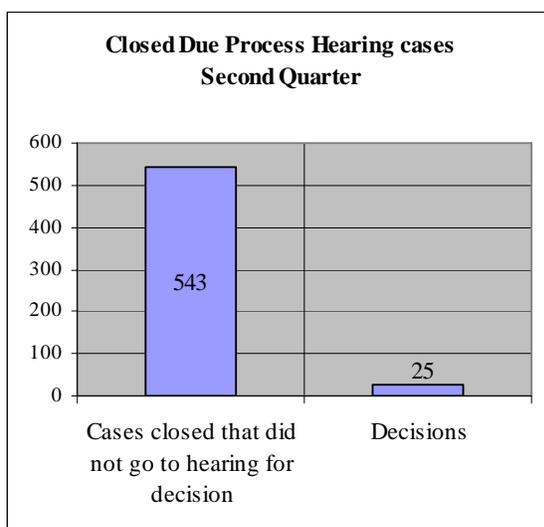
**2nd Quarter Eligibility Categories**



### CLOSED CASES

During this Quarter, 568 cases were closed. Currently, 564 matters remain pending.<sup>14</sup> Of the 564 matters pending, 535 are related to due process hearing requests and 29 are related to mediation only requests. Of the 568 cases closed, 536 were related to due process hearing requests and 32 were related to mediation only requests.

Overall this quarter, 536 due process cases and 32 mediation only cases were closed, for a total of 568 cases closed. Of the 536 due process cases closed, 511 (95%) were resolved in some manner without need for a due process hearing.<sup>15</sup> For the fiscal year to date, 95 percent of cases have resolved without need for a due process hearing.

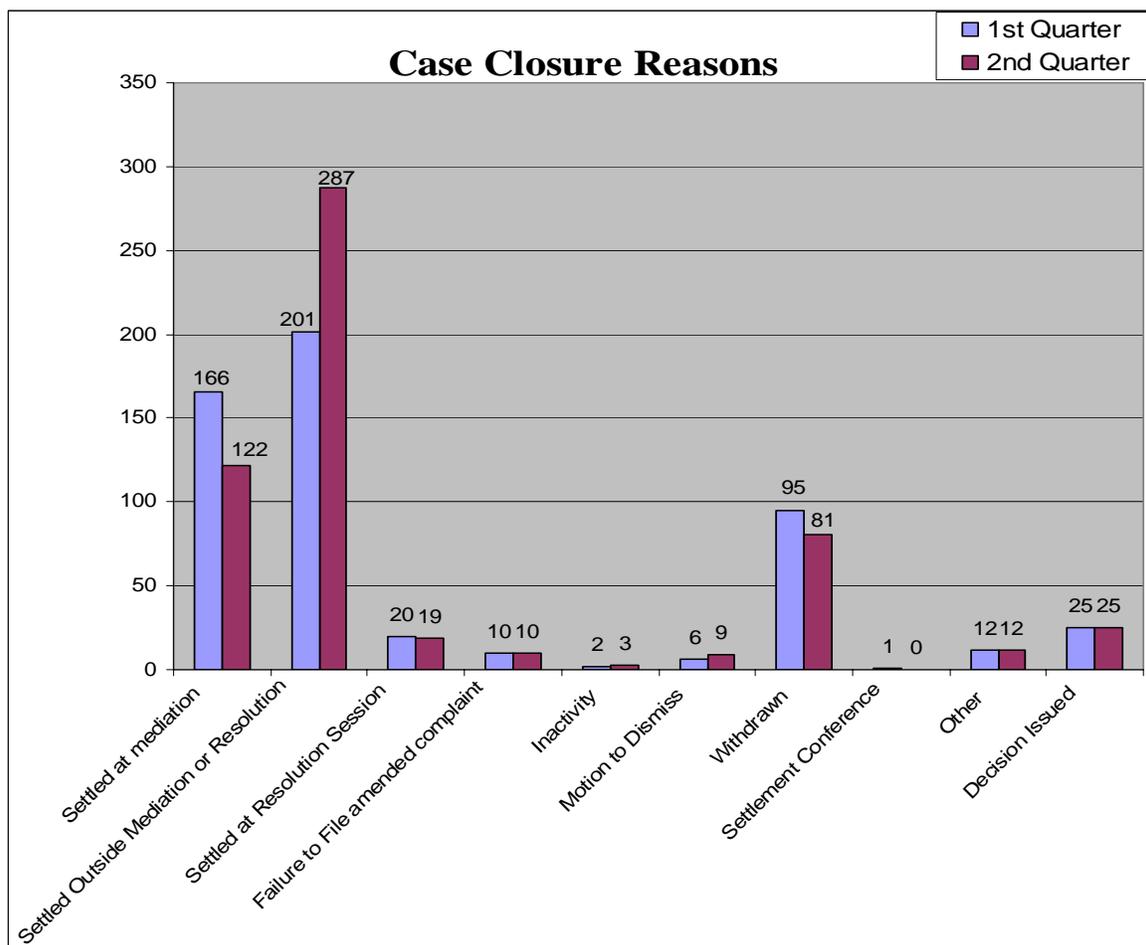


The majority of cases closed this quarter were settled outside the mediation or resolution session process (287 cases), followed by those that resolved during mediation (122 cases), and those cases withdrawn by the filing party without explanation (81 cases). Additionally this quarter, 19 cases resolved during the resolution session, 10 cases were dismissed after failing to amend following a notice of insufficiency, nine cases were dismissed via a motion to dismiss, three cases were dismissed due to inactivity, and 12 cases were closed for other reasons. Out of the 568 cases closed this quarter, 25 were closed following a full hearing and decision on the merits.

<sup>14</sup> The number of cases closed and matter pending number may include the cases opened this quarter.

<sup>15</sup> This section reports item G.3.b.(10) of the scope of work.

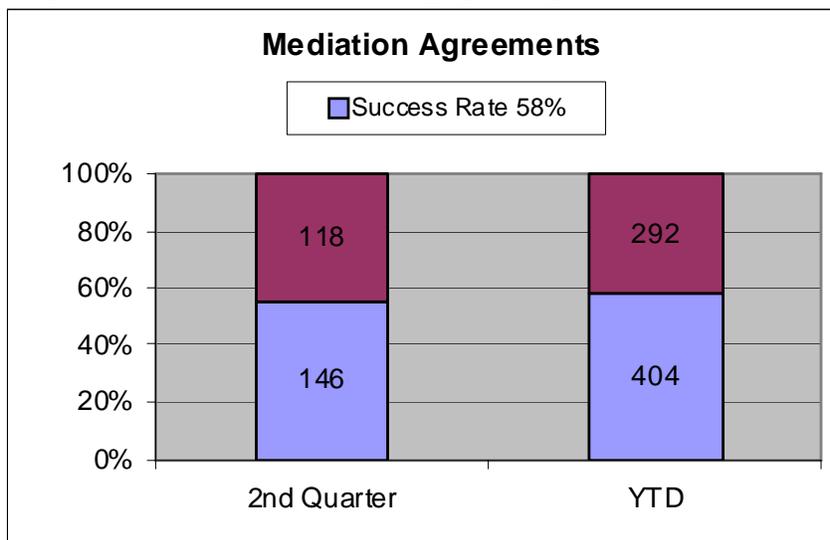
Reason for Closure	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
Settled at mediation	166	122			288
Settled Outside Mediation or Resolution	201	287			488
Settled at Resolution Session	20	19			39
Failure to File amended complaint	10	10			20
Inactivity	2	3			5
Motion to Dismiss	6	9			15
Withdrawn	95	81			176
Settlement Conference	1	0			1
Other	12	12			24
Decision Issued	25	25			50
<b>Total</b>	<b>538</b>	<b>568</b>	<b>0</b>	<b>0</b>	<b>1106</b>



### Mediations

This quarter, 264 mediations were held. The mediations were held in matters opened this quarter and in matters that were pending from prior quarters. Of the 264 mediations held this quarter, 20 were continued for an additional mediation date. Of the 264 mediations held, 239 were related to due process hearing requests, one case was related to a dual hearing request (which involve expedited and non-expedited issues) and 24 were related to mediation only requests. For mediation requests related to due process hearing, 130 cases reached an agreement at mediation,<sup>16</sup> and 16 mediation only cases reached an agreement. In the one case involving expedited issues that went to mediation, the parties reached an agreement.<sup>17</sup>

Out of the 264 mediations held this quarter, mediation was successful in 146<sup>18</sup> cases (55 percent), with 118 mediations resulting in impasse. At the end of this quarter, 261 cases have mediations pending<sup>19</sup> and 535 cases have hearings pending.<sup>20</sup>



<sup>16</sup> This section reports item G.3.a.(4) of the scope of work.

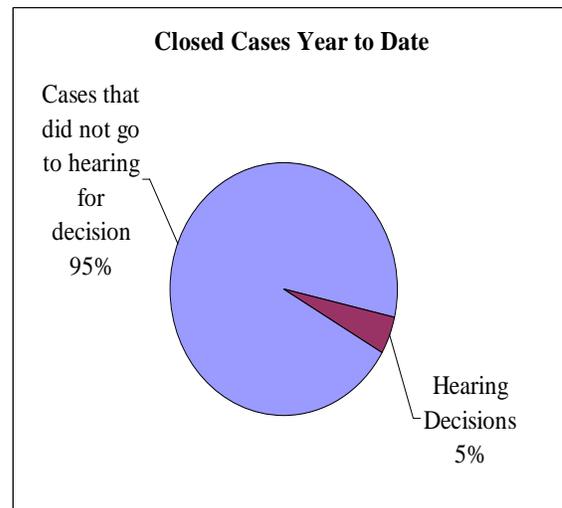
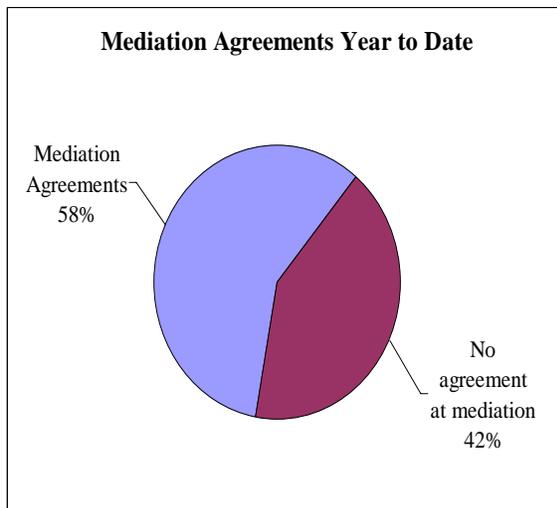
<sup>17</sup> This section reports item G.3.c.(3) of the scope of work.

<sup>18</sup> In the quarterly reports from prior fiscal year, the number of successful mediations included mediations that were continued for an additional mediation date.

<sup>19</sup> This section reports item G.3.a.(5) of the scope of work.

<sup>20</sup> This section reports item G.3.b.(8) of the scope of work.

For the 2009-2010 fiscal year, OAH has conducted 696 mediations, with 404 resulting in an agreement and 292 resulting in impasse. The overall mediation success rate for fiscal year 2009-2010 is 58 percent. Overall for the 2009-2010 fiscal year, 95 percent of cases have resolved without need for a due process hearing decision.



### Due Process Hearings

During the second quarter, out of the 568 cases closed, 25 final decisions were issued. Of the 25 decisions issued, 10 decisions were issued within the 45 day timeline, 15 were issued within the 45 day timeline plus extension and no decisions were issued late.<sup>21</sup> No decisions were issued on a case with expedited issues and no changes of placement were ordered for this quarter.<sup>22</sup> Overall, this quarter, 100 percent of decisions were issued within the requisite timeline. For the 2009-2010 fiscal year, OAH has issued 50 decisions and 100 percent of decisions have been issued within the requisite timelines.

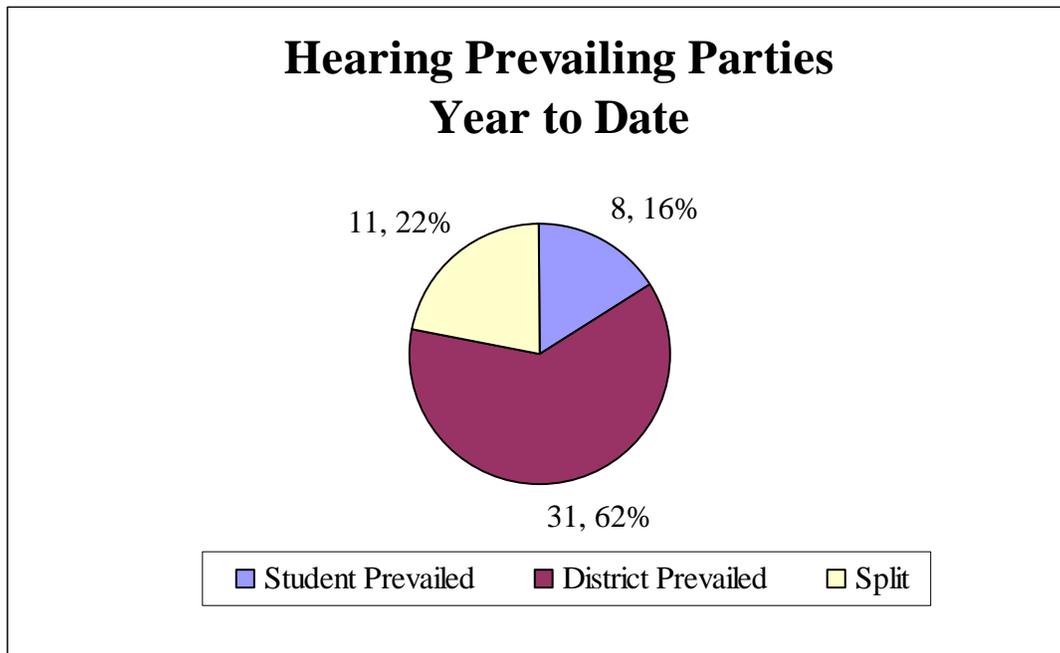
Decisions Issued	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
Within 45 Days	4	10			14
45 days + Ext	19	15			34
Outside 45 Days	0	0			0
Expedited (20 days)	2	0			2

<sup>21</sup> This section reports item G.3.b.(5), (6), (7) of the scope of work.

<sup>22</sup> This section reports item G.3.b.(9), G.3.c(4) and G.3.c(5) of the scope of work.

Based upon the issues for hearing identified by the parties, students prevailed on all issues in six hearings (24 percent) and districts prevailed on all issues in 14 hearings (56 percent). In five of the 25 decisions issued (20 percent), the issues in the decision were split between student and district, with students prevailing on 18 issues and districts prevailing on 27 issues.<sup>23</sup> For the current fiscal year, students have prevailed on all issues in eight hearings (16 percent), districts have prevailed on all issues in 31 hearings (62 percent), and 11 cases (22 percent) resulted in a split decision of the issues. Copies of all decisions have been provided to CDE and have been posted on the OAH website.

Hearing Prevailing Parties	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
Student Prevailed	2	6			8
District Prevailed	17	14			31
Split	6	5			11



Of the 25 decisions issued this quarter, two cases involved a preschool student, 11 cases involved elementary school students, six cases involved middle school students, and six cases involved high school students.

<sup>23</sup> This section reports item G.3.d.(1) and G.3.d(2) of the scope of work.

On average, the due process hearings lasted three days, with students using 55 percent of the hearing time to present their case and districts using 45 percent of hearing time for case presentation.<sup>24</sup> During case presentation, each side called an average of five witnesses per case.<sup>25</sup>

Hearing Category	1st Quarter	2nd Quarter	3rd quarter	4th Quarter	Year to Date Average
Average # days	4	3			4
% Time for Student	48	55			52
% Time for District	52	45			49
Average # of student witnesses	5	5			5
Average # of district witnesses	5	5			5

The hearings involved multiple areas of disability. The greatest number of cases involved students identified with Autistic-Like Behaviors (ten cases). The other cases involved Other Health Impairments (three cases), Mental Retardation (three cases), Emotional Disturbance (three cases), Specific Learning Disability (three cases), Speech or Language Impairment (one case), Hearing Impaired (one case), Multiple Disabilities (one case) and Visual Impairment (one case).

Disability Area	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
Autistic Like Behaviors	8	10			18
Deaf/Blind	0	0			0
Deafness	0	0			0
Emotional Disturbance	1	3			4
Hearing Impaired	0	1			1
Mental Retardation	2	3			5
Multiple Disabilities	0	1			1
Orthopedic Impaired	0	1			1
Other Health Impaired	4	3			7
Specific Learning Disabilities	8	2			10
Speech or Language Impairment	1	1			2
Traumatic Brain Injury	0	0			0
Visual Impairment	1	0			1
Not identified	0	0			0
Total	25	25	0	0	50

<sup>24</sup> This section reports item G.3.d.(10) and G.3.d(11) of the scope of work.

<sup>25</sup> This section reports item G.3.d.(14) and G.3.d(15) of the scope of work.

### Resolution Sessions

The IDEA requires school districts to hold resolution sessions within 15 days of receipt of a student’s complaint. While there is no legal requirement to report this data to the OAH, CDE requests that the OAH track this information. Accordingly, the OAH sends letters to school districts asking if they held a resolution session and the outcome of that session. This quarter, based on the information the OAH received, 111 resolution sessions were reported as held and 120 were reported as not held. Of the 111 resolutions sessions reported as held, no cases were regarding expedited matters.<sup>26</sup>

### Motions

Prehearing motions and Notices of Insufficiency (NOI) comprise a substantial amount of the work completed by administrative law judges. For this quarter, 212 prehearing motions and 51 NOIs were filed by the parties and considered and ruled upon by OAH. Of the 212 prehearing motions that were ruled on by OAH, 51 were filed by parents, 48 were filed by districts and 113 motions were stipulated or ruled moot.<sup>27</sup> Of the 51 NOIs filed, 20 were found insufficient, 9 were partially sufficient, and 22 were sufficient. No cases were dismissed for insufficiency.<sup>28</sup>

There were 212 prehearing motions filed this quarter. Of the 48 motions filed by districts, 29 were granted, two were granted in part and 17 were denied. Of the 51 motions filed by students, 26 were granted, three were granted in part and 22 were denied. The remaining 113 motions filed by either students or districts were resolved by stipulation, determined to be moot, or withdrawn by the parties.<sup>29</sup>

The prehearing motions encompassed a variety of issues, with the largest number involving motions to continue (130 motions).

Motion Type	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
Add Party	3	4			7
Amend Complaint	10	5			15
Compel	0	2			2
Consolidate	8	10			18
Continue	256	130			386
Dismiss Case	13	18			31
Dismiss Issue	7	5			12

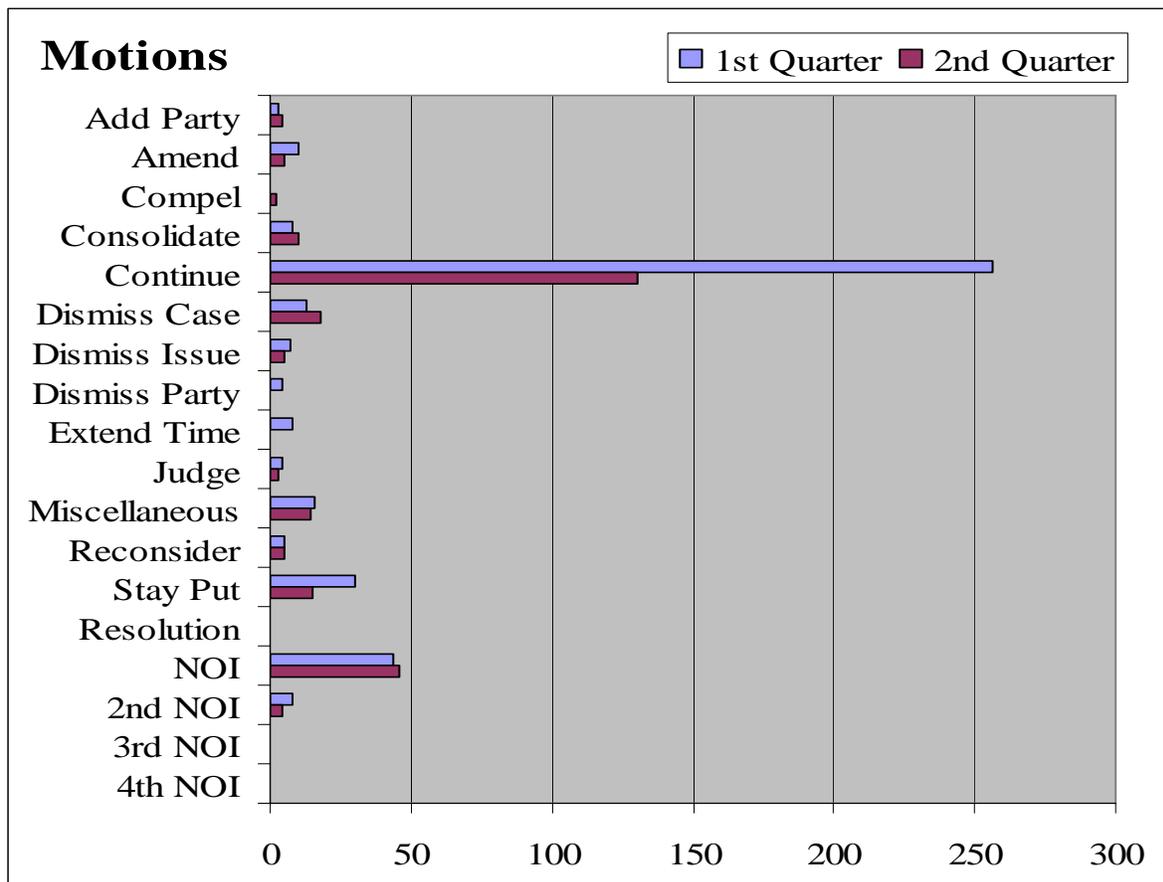
<sup>26</sup> This section reports items G.3.b.(2) and G.3.c(2) of the scope of work.

<sup>27</sup> This section reports items G.3.d.(4) of the scope of work.

<sup>28</sup> This section reports items G.3.d.(6) of the scope of work.

<sup>29</sup> This section reports items G.3.d.(5) of the scope of work.

Motion Type	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
Dismiss Party	4	0			4
Extend Time	8	1			9
Judge Challenge	4	3			7
Miscellaneous	16	14			30
Reconsider	5	5			10
Stay Put	30	15			45
Resolution Session	0	0			0
NOI	44	46			90
2nd NOI	8	4			12
3rd NOI	1	1			2
4th NOI	0	0			0
Total	417	263			680



### NON-ENGLISH SPEAKING STUDENTS AND INTERPRETERS

During this quarter, 93 non-English speaking students were identified through the due process hearing request forms.<sup>30</sup> Of the 93 non-English speaking students, 75 were Spanish speaking, 7 students used American Sign Language, three spoke Arabic, two spoke Armenian, two spoke Hindi and two were Vietnamese speaking. Additionally, one student was identified in each category for speaking Korean and Cantonese. OAH received 40 requests for the assistance of an interpreter.

<b>Languages</b>	<b>1st Quarter</b>	<b>2nd Quarter</b>	<b>3rd Quarter</b>	<b>4th Quarter</b>	<b>Year to Date</b>
Spanish	98	75			173
Vietnamese	3	2			5
Farsi	0	0			0
Mandarin	0	0			0
Hebrew	0	0			0
Korean	4	1			5
Russian	2	0			2
Cantonese	0	1			1
Chinese	0	0			0
American Sign Language	2	7			9
Japanese	2	0			2
Fookien	0	0			0
Arabic	4	3			7
Armenian	0	2			2
Tagalog	0	0			0
Tongan	0	0			0
Turkish	0	0			0
Indonesian	0	0			0
Portuguese	0	0			0
Hindi	0	2			2
<b>Total</b>	<b>115</b>	<b>93</b>			<b>208</b>

<sup>30</sup> This section reports items G.3.d.(8) of the scope of work.

### STUDENTS OF COLOR

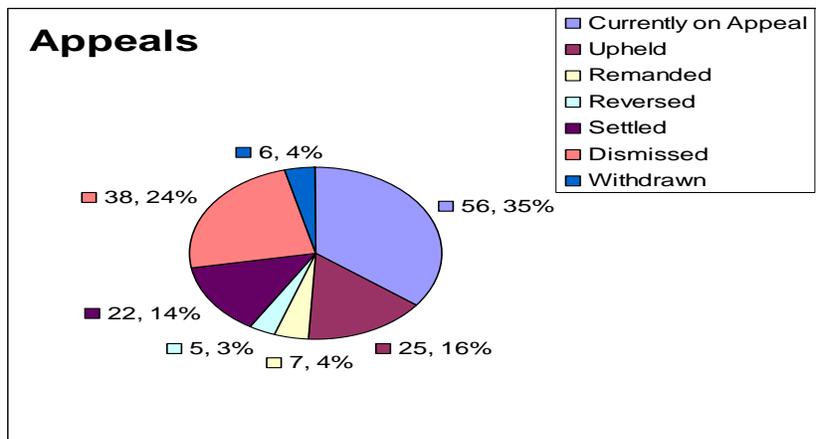
CDE has requested that the OAH collect data on the number of “students of color accessing the system.” To facilitate this request, the OAH amended its due process hearing request form to ask the parties to voluntarily provide this information. However, not all hearing requests are made using the OAH form. This quarter, 24 students self reported as being a “student of color” and 29 students self reported as not being a “student of color.”<sup>31</sup> The remaining students did not state whether they were a “student of color.”

Students Accessing the System	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year to Date
"Student of Color"	13	24			37
Not a “Student of Color”	35	29			64

### TRANSCRIPT REQUESTS AND APPEALS

Data on the number of appeals and appellate outcomes is collected on an ongoing basis. It includes all cases that OAH was notified were appealed since July 2005. This quarter, OAH received 14 requests for transcripts, and was notified of six new appeals filed on Special Education cases.<sup>32</sup>

Based on correspondence with the parties and filings that have been provided to OAH, 159 cases have been appealed since July 2005. Currently, of the 159 cases that have been appealed, 56 OAH decisions are pending, 25 decisions issued by OAH have been upheld, seven decisions issued by OAH have been remanded, five decisions issued by OAH were reversed, 22 cases settled, 38 were dismissed, and six cases were withdrawn by the filing party without explanation.



<sup>31</sup> This section reports items G.3.d.(7) of the scope of work.

<sup>32</sup> This section reports items G.3.d.(20) of the scope of work.

A detailed list of cases on appeal and the outcomes after appeal is listed in Attachment C beginning at page 43. Due to the difficulty in identifying which cases are appealed and the appellate outcomes, parties are invited to notify OAH of any case on appeal or any outcome on appeal that is not included in Attachment C.

### **MEDIATION AND HEARING EVALUATIONS**

Under its contract with CDE, OAH is required to send evaluations to all parties attending mediations and hearings. The evaluations contain a 1 through 5 rating scale, with 1 being Poor/Very dissatisfied and 5 being Excellent/Extremely satisfied. The evaluations ask the parties to evaluate the mediation, the administrative law judge and OAH in general.

This quarter, 107 mediation evaluations were returned to OAH. Evaluations were completed by parents (36 cases), legal counsel for parents (five cases), school district representatives (28 cases), and legal counsel for district (five cases). In 33 cases, the evaluator did not indicate their role in the mediation.

#### **OVERALL AVERAGE MEDIATION RATING – 4.49**

<b>Mediation Evaluations</b>	Q1	Q2	Q3	Q4	Year to Date Average
Started mediation on time	4.43	4.35			4.39
Explained satisfactorily the mediation process	4.60	4.45			4.53
Was well prepared for mediation	4.58	4.47			4.53
Directed the mediation process effectively	4.49	4.47			4.48
Facilitated discussions between the parties	4.34	4.20			4.27
Remained neutral through the mediation	4.48	4.41			4.45
Maintained the confidentiality of the parties	4.53	4.49			4.51
Acted in a courteous and respectful manner	4.71	4.80			4.76
Exhibited knowledge of special education law	4.45	4.52			4.49
<b>Average</b>	4.51	4.46			<b>4.49</b>

This quarter, 34 hearing evaluations were returned to OAH. Evaluations were completed by parents (four cases), legal counsel for parents (four cases), school district representatives (12 cases), and legal counsel for district (six cases). In eight cases, the evaluator did not indicate their role in the hearing.

#### **OVERALL AVERAGE HEARING RATING – 4.24**

<b>Hearing Evaluations</b>	Q1	Q2	Q3	Q4	Year to Date Average
Punctual in starting the hearing	4.36	4.21			4.29

<b>Hearing Evaluations</b>	Q1	Q2	Q3	Q4	Year to Date Average
Well-prepared for the hearing	4.55	4.30			4.43
Courteous to the participants	4.55	4.39			4.47
Attentive to testimony and arguments	4.64	4.30			4.47
Careful in making the record	4.55	4.33			4.44
Allowed parties to explain their case	4.45	4.30			4.38
Efficient in the use of hearing time	4.45	4.18			4.32
Avoided apparent bias based upon gender, race or ethnicity	4.45	4.45			4.45
Treated all participants professionally and fairly	4.45	4.27			4.36
Avoided over-familiarity with the school district	4.45	4.33			4.39
Avoided over-familiarity with the parents	4.45	4.45			4.45
Did not pre-judge the case	4.36	3.91			4.14
Did not allow personal beliefs to influence outcome	3.36	3.82			3.59
Did not permit ex parte contacts	4.00	4.25			4.13
Exerted control during the hearing	4.27	4.21			4.24
Exhibited knowledge of special education law	4.18	4.21			4.20
Applied rules of procedure appropriately	4.36	4.00			4.18
Applied rules of evidence appropriately	4.45	3.85			4.15
Decided the case based upon the evidence	3.91	3.79			3.85
Prepared a decision that resolved each issue presented	4.09	4.00			4.05
Prepared a decision that was clear and concise	4.27	3.97			4.12
<b>Average</b>	4.31	4.17			<b>4.24</b>

**ATTACHMENT A**

Cases filed with the OAH for the previous fiscal years since 2005:

<b>Fiscal Year 2005-2006<sup>33</sup></b>	<b>Filings</b>	<b>Fiscal Year 2006-2007</b>	<b>Filings</b>	<b>Fiscal Year 2007-2008</b>	<b>Filings</b>	<b>Fiscal Year 2008-2009</b>	<b>Filings</b>
Jul, 2005	600	Jul, 2006	247	Jul, 2007	277	Jul, 2008	260
Aug, 2005	335	Aug, 2006	251	Aug, 2007	279	Aug, 2008	225
Sep, 2005	329	Sep, 2006	212	Sep, 2007	176	Sep, 2008	219
Oct, 2005	274	Oct, 2006	322	Oct, 2007	219	Oct, 2008	216
Nov, 2005	289	Nov, 2006	166	Nov, 2007	205	Nov, 2008	174
Dec, 2005	492	Dec, 2006	192	Dec, 2007	163	Dec, 2008	174
Jan, 2006	401	Jan, 2007	194	Jan, 2008	186	Jan, 2009	177
Feb, 2006	266	Feb, 2007	188	Feb, 2008	180	Feb, 2009	206
Mar, 2006	251	Mar, 2007	220	Mar, 2008	159	Mar, 2009	237
Apr, 2006	200	Apr, 2007	206	April, 2008	229	April, 2009	250
May, 2006	284	May, 2007	258	May, 2008	254	May, 2009	284
Jun, 2006	291	Jun, 2007	292	June, 2008	299	June, 2009	298
<b>Total Filings</b>	<b>4012</b>	<b>Total Filings</b>	<b>2748</b>	<b>Total Filings</b>	<b>2626</b>	<b>Total Filings</b>	<b>2720</b>

---

<sup>33</sup> The case filings for fiscal year 2005-2006 are inflated due to the number of active case files transferred to OAH in “off-calendar” status from the Special Education Hearing Office (SEHO), who held the contract with CDE until July 1, 2005.

## ATTACHMENT B

The chart below reflects a breakdown by district of student-filed cases this quarter.<sup>34</sup>

### School District

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Acalanes Union High S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Alameda City U.S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Alhambra Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Anaheim City S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Antelope Valley Union H.S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Antioch Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
Student DPH without Mediation	1
TOTAL MATTER TYPES BY DISTRICT	3
Auburn Union Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

---

<sup>34</sup> This section reports items G.3.d.(16) of the scope of work.

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 23

TOTAL MATTER TYPES BY DISTRICT	1
Audeo Charter School	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Azusa Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student Dual	1
TOTAL MATTER TYPES BY DISTRICT	1
Bakersfield City S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Baldwin Park Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Bassett Unified SD	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Belmont-Redwood Shores Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Berkeley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Beverly Hills Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Birmingham Community Charter High School	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Bonita Unified S.D.	

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 24

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
TOTAL MATTER TYPES BY DISTRICT	4
Brea-Olinda Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Brentwood Union Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Burbank Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Burlingame Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Cabrillo Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
California Department of Education	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Campbell Union Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Capistrano Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	8
TOTAL MATTER TYPES BY DISTRICT	8
Central Elementary S.D. RANCHO CUCAMONGA	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 25

TOTAL MATTER TYPES BY DISTRICT	1
Chaffey Joint Union High S.D.	
<b>Description</b>	<b>Matters</b>
Student Dual	1
TOTAL MATTER TYPES BY DISTRICT	1
CHIME Charter Elementary School	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Chino Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Chula Vista Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Claremont Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Compton Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Conejo Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Corona-Norco Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Coronado Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Cotati-Rohnert Park Unified S.D.	

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 26

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
County of Ventura Behavioral Health Department	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Culver City Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Cupertino Union S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Davis Joint Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Desert Mountain SELPA	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Desert Sands Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Duarte Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
East Side Union High S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
East Whittier City E.S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 27

TOTAL MATTER TYPES BY DISTRICT	1
El Rancho Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Elk Grove Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Encinitas Union S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Eureka City Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Evergreen School District	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Fairfield-Suisun Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Fillmore Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Folsom Cordova Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Franklin-McKinley S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Fremont Unified S.D.	



Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 29

Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Grossmont Union High S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Hanford Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Hawthorne S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Hayward Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Hemet Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Hesperia Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Inglewood Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Irvine Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
TOTAL MATTER TYPES BY DISTRICT	4
James Jordan Middle School (Charter School)	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 30

Jefferson Elementary SD (Daly City)

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

TOTAL MATTER TYPES BY DISTRICT	1
--------------------------------	---

Kern High School District

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

TOTAL MATTER TYPES BY DISTRICT	1
--------------------------------	---

La Habra City Elementary S.D.

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2

TOTAL MATTER TYPES BY DISTRICT	2
--------------------------------	---

La Mesa-Spring Valley S.D.

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

TOTAL MATTER TYPES BY DISTRICT	1
--------------------------------	---

Lafayette Elementary S.D.

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

TOTAL MATTER TYPES BY DISTRICT	1
--------------------------------	---

Lake County Mental Health

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

TOTAL MATTER TYPES BY DISTRICT	1
--------------------------------	---

Lake Elsinore Unified S.D.

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

TOTAL MATTER TYPES BY DISTRICT	1
--------------------------------	---

Lakeside Joint ESD

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

TOTAL MATTER TYPES BY DISTRICT	1
--------------------------------	---

Lancaster Elementary S.D.

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3

TOTAL MATTER TYPES BY DISTRICT	3
--------------------------------	---

Lawndale Elementary S.D.

<b>Description</b>	<b>Matters</b>
--------------------	----------------

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 31

Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	
Lincoln Unified S.D.	1
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	
Loma Prieta Joint Union Elementary S.D.	1
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	
Long Beach Unified School District	1
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	5
TOTAL MATTER TYPES BY DISTRICT	
Los Angeles County Mental Health	5
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
TOTAL MATTER TYPES BY DISTRICT	
Los Angeles County Office of Education	4
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
TOTAL MATTER TYPES BY DISTRICT	
Los Angeles Unified S.D.	4
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	184
Student DPH without Mediation	6
TOTAL MATTER TYPES BY DISTRICT	
Los Gatos Union Elementary S.D.	190
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	
Lou Dantzler Preparatory Charter High School	1
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	
Lowell Joint S.D.	1
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 32

TOTAL MATTER TYPES BY DISTRICT	1
Lynwood Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Manhattan Beach Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Mare Island Technology Academy Charter School	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Marin County Mental Health	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Menlo Park City S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Milpitas Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Monte Rio Union Elementary SD	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Montebello Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Moorpark Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Moreno Valley Unified S.D.	

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 33

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Morgan Hill Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Mt. Diablo Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Murrieta Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Natomas Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
New Haven Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Newport-Mesa Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Norwalk-La Mirada Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Novato Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Oak Grove Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 34

TOTAL MATTER TYPES BY DISTRICT	2
Oak Park Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Oakland Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
TOTAL MATTER TYPES BY DISTRICT	4
Orange County Department of Education	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Orange County Health Care Agency	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Orange Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
TOTAL MATTER TYPES BY DISTRICT	4
Palmdale Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Palo Alto Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Palos Verdes Peninsula Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Pasadena Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	7
TOTAL MATTER TYPES BY DISTRICT	7
Patterson Joint Unified School District	

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 35

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Petaluma Joint Union High S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Pittsburg Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Placentia-Yorba Linda Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Placer County Mental Health	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Placer Hills Union Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Pleasanton Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Plumas Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Pomona Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Poway U.S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 36

TOTAL MATTER TYPES BY DISTRICT	3
Redlands Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Redondo Beach Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
TOTAL MATTER TYPES BY DISTRICT	4
Redwood City Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Rialto Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Richland School District	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Ripon Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Riverside Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
TOTAL MATTER TYPES BY DISTRICT	4
Rocklin Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Rosemead Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Roseville Joint Union High S. D.	

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 37

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	5
TOTAL MATTER TYPES BY DISTRICT	5
Sacramento City Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Sacramento County Children's Case Management Services	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Sacramento County Office of Education	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Saddleback Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	4
Student DPH without Mediation	1
TOTAL MATTER TYPES BY DISTRICT	5
San Bernardino City Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
San Diego Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	16
Student DPH without Mediation	1
Student Dual	1
Student Expedited	1
TOTAL MATTER TYPES BY DISTRICT	19
San Francisco Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
San Jose Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 38

TOTAL MATTER TYPES BY DISTRICT	3
San Luis Coastal Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
San Marino Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
San Ramon Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Santa Ana Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Santa Barbara High S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Santa Clara County Mental Health	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Santa Clara County Office of Education	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Santa Clara Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Santa Cruz City Schools	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Santa Monica-Malibu Unified S.D.	

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 39

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Scotts Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Simi Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Sonoma County Office of Education	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
South Whittier E.S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Southwest SELPA	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Stockton Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Sunnyvale S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Sutter-Yuba County Mental Health	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Sweetwater Union High S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 40

TOTAL MATTER TYPES BY DISTRICT	1
Tehachapi Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Temecula Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Temple City Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Torrance Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	5
TOTAL MATTER TYPES BY DISTRICT	5
Tustin Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Twin Rivers Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Upland Unified .S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Vallejo City Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	3
TOTAL MATTER TYPES BY DISTRICT	3
Ventura County Office of Education	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Victor Valley Union High S.D.	

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 41

<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Visalia Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Walnut Valley Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Washington Union High School District	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
West Contra Costa Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
West San Gabriel Valley SELPA	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
West Sonoma County Union H.S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Western Placer Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Westside Union S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Whittier City Elementary S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1

Quarterly Report – 2<sup>nd</sup> Quarter Fiscal Year 2009-2010

January 28, 2010

Page 42

TOTAL MATTER TYPES BY DISTRICT	1
Whittier Union High S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
William S. Hart Union High S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	2
TOTAL MATTER TYPES BY DISTRICT	2
Windsor Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Yolo County Department of Alcohol, Drug, and Mental Health Services	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1
Yuba City Unified S.D.	
<b>Description</b>	<b>Matters</b>
Student DPH with Mediation	1
TOTAL MATTER TYPES BY DISTRICT	1

**ATTACHMENT C**

<b>District:</b>	<b>Case Number:</b>	<b>Appeal Outcome:</b>
Acalanes UHSD	2005110113	Dismissed
Alameda City USD	2006090010, 2006100365, 2006100740	Pending
Alameda USD	2007100793	Pending
Alhambra USD	2006020312	Dismissed
Alvord USD	2005070955	Upheld
Antelope Valley UHSD	2005070756	Upheld
Baldwin Park USD	2008040542	Pending
Bellflower USD	2007020519	Remanded
Berkeley USD	2007080099	Pending
Bonita USD	2006020528	Settled
Burlingame SD	2008030820	Dismissed
Byron Union HSD	2006030866	Settled
CA School Deaf	2005090646	Settled
Capistrano USD	2005070135	Reversed in part <sup>35</sup>
Capistrano USD	2005090873	Settled
Capistrano USD	2006120443	Withdrawn
Capistrano USD	2006100267	Pending
Capistrano USD	2006100267	Pending
Capistrano USD	2006100469	Pending
Carlsbad USD	2008030631	Dismissed
Chula Vista ESD	2005060656, 2006010691	Dismissed
Clovis USD	2005110662	Dismissed
Clovis USD	2006030082	Settled
Clovis USD	2007060634	Pending
Colton Joint USD	2006070438	Upheld
Compton USD	2005070151, 2005070129	Dismissed
Compton USD	2006010083	Remanded
Compton USD	2005110837	Upheld
Compton USD	2005071091	Withdrawn

<sup>35</sup> OAH's decision was reversed in part and remanded to OAH to determine the appropriate reimbursement for educational services.

<b>District:</b>	<b>Case Number:</b>	<b>Appeal Outcome:</b>
Compton USD	2006011030	Withdrawn
Covina-Valley USD	2005060599	Dismissed
Covina-Valley USD	2005080655, 2005070205	Upheld in Part <sup>36</sup>
Downey USD	2005070481	Settled
Downey USD	2005070522	Settled
Dublin USD	2006060896	Dismissed
East Whittier City SD	2005090275	Pending
East Whittier USD	2005120635	Dismissed
Encinitas USD	2007060731	Pending
Escondido HSD	2009030297	Pending
Escondido UESD	2006051042, 2006070791	Dismissed
Fallbrook Union HSD	2007090067, 2007090141	Dismissed
Fremont USD	2006050433	Remanded
Fremont USD	2007010545	Pending
Fremont USD	2007090800	Pending
Fresno USD	2006090026	Pending
Garden Grove USD	2005070363	Settled
Garden Grove USD	2005090691	Pending
Garden Grove USD	2007080547	Upheld in Part
Garvey ESD	2007080433	Pending
Garvey ESD	2007100989	Pending
Gateway USD	2005080397	Settled
Glendora USD	2006110090	Dismissed
Hacienda La Puente USD	2007050041	Settled
Hayward USD	2007080062	Dismissed
Hemet USD	2007090175	Pending
High Tech Middle Media Arts	2006090461	Dismissed
Huntington Beach	2005080264	Pending
Kern HSD	2005070832	Dismissed
Lake Elsinore USD	2007030019	Dismissed

<sup>36</sup> The court found that two goals in an IEP contained inadequate present levels and ordered the district to reimburse student for costs to obtain private services to meet the goals.

<b>District:</b>	<b>Case Number:</b>	<b>Appeal Outcome:</b>
Lancaster ESD	2007120356	Settled
Lancaster ESD	2008010456	Pending
Lancaster ESD	2007120356	Pending
Long Beach USD	2005070425	Upheld
Long Beach USD	2005080935	Settled
Long Beach USD	2005070442	Pending
Long Beach USD	2005070128	Pending
Long Beach USD	2006100156	Pending
Long Beach USD	2007040442	Pending
Long Beach USD	2007060040	Pending
Long Beach USD	2008090863	Pending
Los Altos ESD	2005070166	Dismissed
Los Angeles USD	2005070253	Dismissed
Los Angeles USD	2005070266	Dismissed
Los Angeles USD	2006070443	Dismissed
Los Angeles USD	2005090882	Reversed In Part <sup>37</sup>
Los Angeles USD	2006050447	Settled
Los Angeles USD	2006010962	Upheld
Los Angeles USD	2005070427	Pending
Manhattan Beach USD	2007030412	Upheld
Menlo Park City	2005090654	Upheld
Merced CMH	2005080918	Dismissed
Monrovia USD	2006030450	Pending
Mt. Diablo USD	2006011039	Dismissed
Mt. Diablo USD	2005090266	Pending
Newport-Mesa USD	2007060082	Dismissed
Newport-Mesa USD	2005100636	Settled
Newport-Mesa USD	2007020786	Pending
Oak Grove ESD	2007100353	Pending
Oakley Union ESD	2006100061	Pending
Orange County	2006100050	Pending

<sup>37</sup> Reversed OAH's decision only as to prospective relief and awarded Student approximately three weeks' reimbursement for behavior support services from a specific provider.

<b>District:</b>	<b>Case Number:</b>	<b>Appeal Outcome:</b>
Orange USD	2005070130	Upheld
Orange USD	2006080125	Pending
Pajaro Valley USD	2005120162	Remanded
Pajaro Valley USD	2005080792	Upheld
Palm Springs USD	2006010564	Dismissed
Placentia-Yorba Linda	2005071105	Upheld
Placentia-Yorba Linda USD	2006010306	Upheld
Pleasanton USD	2007030300	Pending
Pomona USD	2005070523	Reversed
Pomona USD	2006010049	Reversed in Part <sup>38</sup>
Poway USD	2005120568, 2005120386, 2005090003, 2005090004	Upheld
Poway USD	2006090433, 2006120311	Pending
Poway USD	2005080077	Pending
Poway USD	2009020454	Pending
Redlands USD	2006100159	Pending
Reed Union SD	2006020660	Settled
Rialto USD	2006080715	Pending
Ripon USD	2007020741	Pending
Riverside USD	2005110775	Upheld
Riverside USD	2007090403	Pending
Rocklin USD	2006110278	Upheld
Saddleback Valley USD	2005070193	Dismissed
San Diego	2007010848	Pending
San Diego USD	2006020294, 2006040313	Dismissed
San Diego USD	2005100882	Upheld
San Diego USD	2007110823	Pending
San Dieguito Union	2006020562	Settled
San Francisco USD	2006070837	Settled
San Francisco USD	2006100345	Settled
San Luis Coastal USD	2007010836	Dismissed

<sup>38</sup> The court reversed only as to reimbursement and ordered the District to pay the costs of an independent evaluation and private therapy program.

<b>District:</b>	<b>Case Number:</b>	<b>Appeal Outcome:</b>
San Mateo UHSD	2006070550	Upheld <sup>39</sup>
San Rafael City HSD	2007050679	Dismissed
San Ramon Valley	2005071031	Upheld
San Ramon Valley	2005071032	Withdrawn
San Ramon Valley	2006050839	Withdrawn
San Ramon Valley USD	2005110307	Dismissed
San Ramon Valley USD	2005071023	Settled
San Ramon Valley USD	2005070815	Settled
Santa Ana USD	2005090037	Upheld
Santa Ana USD	2005090037	Upheld
Santa Barbara COE	2005071043	Dismissed
Santa Maria JUHSD	2006070104	Pending
Santa Monica-Malibu	2006060902	Reversed
Santa Monica-Malibu	2007050008	Pending
Sequoia Union HSD	2006120087	Dismissed
Simi Valley USD	2006090233	Upheld
Simi Valley USD	2007030879	Pending
Snowline JUSD	2005100716	Settled
Solana Beach	2007070255	Pending
Sylvan UESD	2006030058	Remanded
Temecula Valley USD	2005070197	Dismissed
Temecula Valley USD	2008060431	Dismissed
Temecula Valley USD	2007050302	Pending
Torrance USD	2005110591	Upheld
Torrance USD	2007010830	Remanded
Torrance USD	2006030068	Settled
Tustin Unified	2005090544	Upheld
Tustin USD	2006010451	Dismissed
Upland USD	2005110360	Dismissed
Valley Center-Pauma USD	2007020349	Dismissed
Yuba City USD	2006100776	Pending
Yucaipa-Calimesa	2005070042	Remanded

<sup>39</sup> This decision is currently on appeal with the 9th Circuit Court of Appeals.

<b>District:</b>	<b>Case Number:</b>	<b>Appeal Outcome:</b>
Yucaipa-Calimesa JUSD	2005070683	Dismissed