

# WE'RE HERE TO PROVIDE FAIR AND NEUTRAL RESOLUTIONS FOR SPECIAL EDUCATION DISPUTES



## Questions? Contact the Office of Administrative Hearings Special Education Division

If you have any questions about our due process hearings or mediation system, please call us at (916) 263-0880. Our staff will answer any procedural questions a parent or district may have. You may also visit our comprehensive website that has answers to frequently asked questions at <http://www.dgs.ca.gov/oah/SpecialEducation/Resources.aspx>.

You can send us a fax as well at  
(916) 376-6319

Our after hours cancellation/settlement line is  
(916) 274-6035

## Mission Statement for the Office of Administrative Hearings

To provide a neutral forum for fair and independent resolution of matters in a professional, efficient and innovative way, ensuring due process and respecting the dignity of all.

OAH is dedicated to ensuring that all qualified individuals with disabilities have equal access to our facilities and legal proceedings. More information about accessibility can be found on our website at [www.dgs.ca.gov/oah](http://www.dgs.ca.gov/oah).



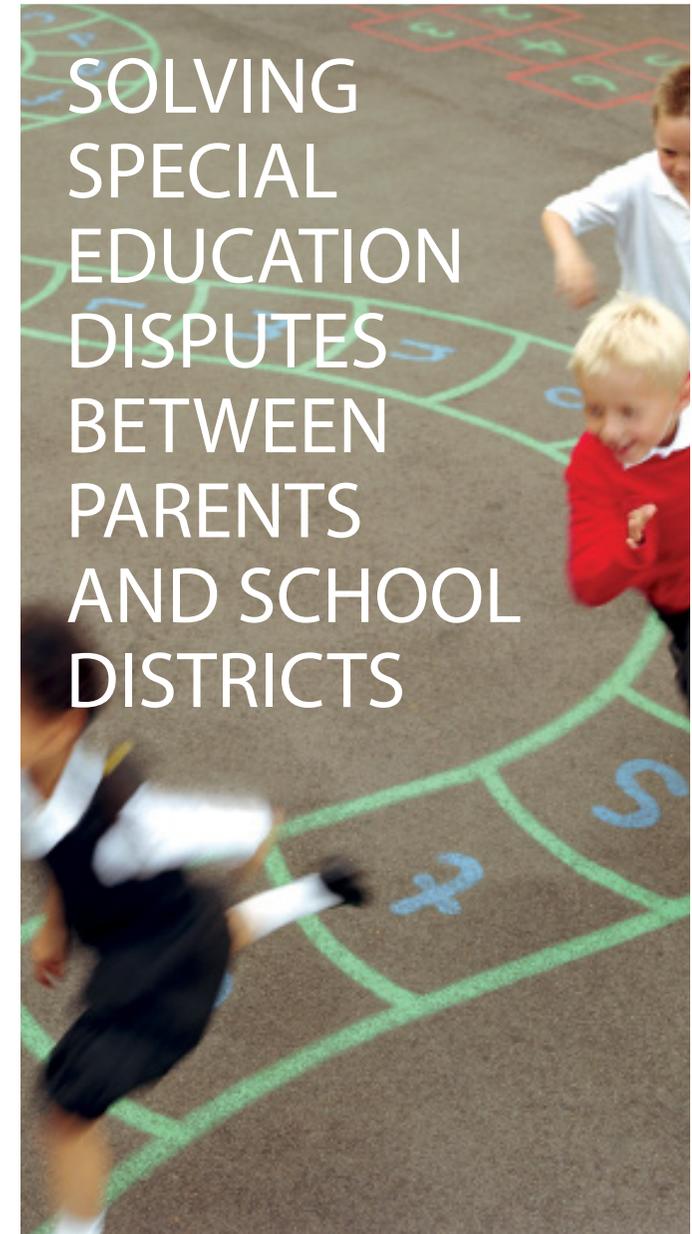
OFFICE OF  
**ADMINISTRATIVE HEARINGS**  
CA DEPARTMENT OF GENERAL SERVICES

# OAH

OFFICE OF ADMINISTRATIVE HEARINGS



# SOLVING SPECIAL EDUCATION DISPUTES BETWEEN PARENTS AND SCHOOL DISTRICTS



# MEET THE OFFICE OF ADMINISTRATIVE HEARINGS

## Fair and Neutral

Under the law, students who have disabilities have specific, guaranteed rights to a free appropriate public education (known as "FAPE"). When a disagreement develops between parents and school districts regarding the education of a student with a disability, a neutral third party is often needed to help resolve the disagreement.

In California, the Special Education Division of the Office of Administrative Hearings fills that role.

Our administrative law judges are highly trained, experienced legal professionals, with extensive training to supplement their understanding of the complex issues surrounding special education matters.

Our goal is to help resolve the disagreement between you and the school district as quickly and easily as possible.

Once a hearing request has been filed, the first step is mediation. Our skilled mediators, who are also administrative law judges, get everyone together and attempt to reach a resolution that is acceptable for everyone.

In the small percentage of cases in which a solution is not found, a full hearing is held before a different administrative law judge, who decides the case and issues a final written decision.

## Addressing a Full Range of Issues

The Special Education Division of the Office of Administrative Hearings handles the full range of special education disputes between school districts and families who have children with disabilities.

These hearings include:

- Special Education Eligibility
- School District Right to Assess
- Independent Educational Evaluations
- Discipline of Students Who Have Disabilities
- The Right of a Student With a Disability to a Free Appropriate Public Education

## What You Should Do Next If You Have a Special Education Dispute You Cannot Resolve

If you are involved in a special education dispute with your school district, you may get detailed information about the process in our user manual entitled: Understanding Special Education Due Process Hearings provided by the Office of Administrative Hearings. You can access it online at <http://www.dgs.ca.gov/oah/SpecialEducation/Resources.aspx>.

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# SIMPLIFYING THE PROCESS

Here are some things that help make the process of handling a dispute easier:

## An Assigned Staff Member

At the start of your case, your case will be assigned to one of our knowledgeable staff to answer your questions. While our staff can't provide legal advice, they can give you general advice on successfully going through the process.

## Local Meeting Locations

All meetings and hearings are held at a location reasonably convenient to the parents. This speeds the process and eliminates the time and expense of traveling.

## Use Your Native Language

You may submit your request for due process hearing to our office in your native language. We will translate your information and process your information. If needed at your hearing, an interpreter will be provided for you.

## Representation

Many people represent themselves through the mediation and hearing process. Others employ an attorney or a non-attorney advocate. A list of advocates and low-cost attorneys with experience in the area is available on the website listed above or you can call our office and ask that a copy be mailed to you.

## Compliance Complaints

If you believe there are issues regarding how the school district has handled your concerns, you may also want to learn more about filing a compliance complaint with the California Department of Education. For information call (800) 926-0648, or visit <http://www.cde.ca.gov/sp/se/qa/cmplntproc.asp>.