

OFFICE OF ADMINISTRATIVE HEARINGS (OAH) SPECIAL EDUCATION DIVISION

FAIR AND NEUTRAL RESOLUTIONS FOR 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 parties may request a 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 on our website under the Self-Help section. Please visit our website at <https://www.dgs.ca.gov/OAH/Case-Types/Special-Education>. 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.