

ADVISORY COMMITTEE MEETING

10/17/25

OFFICE OF ADMINISTRATIVE HEARINGS' RESPONSE TO COMMITTEE RECOMMENDATIONS

AGENDA ITEM 4A:

Recommendation:

That the Office of Administrative Hearings, known as OAH, follow the Inter-Agency Agreement with the California Department of Education, known as CDE, specifically, by obtaining CDE approval of policies and procedures per Task 1 of the interagency agreement.

OAH Response:

OAH complies with the Interagency Agreement with CDE by providing CDE with 20 business days to review "all newly created or revised definitions, policies, procedures, and materials developed by [OAH] pursuant to this agreement".

AGENDA ITEM 4B:

Recommendation:

That OAH follow the Inter-Agency Agreement with the CDE and the Individuals with Disabilities Education Act, known as the IDEA, by ensuring that OAH is a neutral entity.

OAH Response:

OAH complies with the Interagency Agreement with CDE and the IDEA, and is a neutral entity.

AGENDA ITEM 5:

Recommendation:

OAH will honor a parent's request for an in person hearing pursuant to the IDEA, which does not require a justification.

OAH Response:

Task 10.9 of the Interagency Agreement with CDE permits OAH to conduct mediations and hearings by telephone or videoconference pursuant to California Code of Regulations, title 5, section 3082, subdivision (g). The IDEA does not require due process mediations nor hearing to be conducted in person. (34 C.F.R. § 300.506 (mediations) and 34 C.F.R. § 300.515 (hearings).) On a case-by-case basis OAH will continue to consider the request of any party to hold a proceeding in person.

AGENDA ITEM 6:

Recommendation:

That OAH hold a special meeting, open to the public, to discuss and solicit input on the special education handbook in accordance with the Bagley Keene act; after the draft is posted, that it be posted online.

OAH Response:

Members of the Special Education Advisory Committee and the public can provide feedback to OAH regarding the special education handbook without the need for a special meeting. Input can be provided via email to: dgsoahfeedback@dgs.ca.gov.