

**OFFICE OF ADMINISTRATIVE HEARINGS
DEPARTMENT OF GENERAL SERVICES – STATE OF CALIFORNIA**

SPECIAL EDUCATION DIVISION

QUARTERLY DATA REPORT

FOURTH QUARTER 2018 – 2019 FISCAL YEAR

APRIL 1, 2019 THROUGH JUNE 30, 2019

The Interagency Agreement, referred to as the IA, between the California Department of Education and the Office of Administrative Hearings, referred to as "OAH," requires OAH to report on a quarterly basis, certain information. The information included in this report is related to mediations and hearings, as well as information required by state and federal law. Where specific information in this report is identified by reference to a "task", the "task" refers to a section of the IA by section, paragraph, and subdivision of exhibit A of the IA. The information contained in this report for the relative quarter of fiscal year 2018-2019 reflects the current data as of August 2019.

This report organizes the information in the following categories:

- Case Filings
- Closed Cases
- Due Process Hearings
- Resolution Sessions
- Mediations
- Expedited Hearings

CASE FILINGS

The data in these tables is required under Task 4.3 (b)(1). Additional detail and breakdown is provided to aid in understanding the case filing activity during the relevant quarter.

TYPES OF CASES FILED BY DISTRICTS

Type of Case Filed by District	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Request for Due Process Hearing with Mediation	120	90	140	131	481
Request for Due Process Hearing Only	3	0	0	1	4
Request for Due Process Hearing with Dual Issues	0	4	0	2	6
Request for Due Process Hearing with Expedited Issues	1	1	5	2	9
Request for Mediation Only	21	20	19	36	96
Total Filings by Districts	145	115	164	172	596

In the “Type of Case Filed by District” table shown above, the numbers in the “Total Filings by Districts” row are the sum the numbers in the column above it. The numbers in the “Year to Date” column are the sum of the numbers in the row next to it.

TYPES OF CASES FILED ON BEHALF OF STUDENTS

Type of Case Filed on Behalf of Students	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Request for Due Process Hearing with Mediation	1,049	984	992	1,188	4,213
Request for Due Process Hearing Only	10	3	2	13	28
Request for Due Process Hearing with Dual Issues	15	27	29	33	104
Request for Due Process Hearing with Expedited Issues	3	2	3	3	11
Request for Mediation Only	24	22	11	37	94
Total Filings on Behalf of Students	1,101	1,038	1,037	1,274	4,450

In the “Type of Case Filed on Behalf of Students” table shown above, the numbers in the “Total Filings on Behalf of Students” row are the sum of the numbers in the

column above it and the numbers in the “Year to Date” column are the sum of the numbers in the row next to it.

TOTAL FILINGS

Total Filings	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Total Number of Cases Filed by District	145	115	164	172	596
Total Number of Cases Filed on Behalf of Students	1,101	1,038	1,037	1,274	4,450
Total Filings	1,246	1,153	1,201	1,446	5,046

In the “Total Filings” table shown above, the numbers in the “Total Filings” row are the sum of the numbers in the column above it and the numbers in the “Year to Date” column are the sum of the numbers in the row next to it.

CLOSED CASES

The data in these tables is required by Task 4.3(b)(3 and 10). There are times when a decision is issued on expedited issues and a hearing on the remaining issues may not occur during the quarter. This may happen if the parties may reach an agreement on the remaining issues, the party that filed the case may decide to withdraw the case, the hearing may be scheduled for a date after the quarter ends, or they may be another reason. When this happens the number of cases closed because a decision was issued may not be the same as the number of hearings held, which is reported later in this report. An explanation for the difference, when there is one, will be added to explain the difference.

REASON CASE WAS CLOSED

Reason Case Was Closed	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Decision Issued	21	34	29	26	110
Chose not to Participate in Mediation for a Mediation Only Case	12	12	3	17	44
Filing Party Failed to Amend a Complaint When Required	2	3	4	2	11
Inactivity	2	2	3	1	8
Motion to Dismiss was Granted	3	6	2	5	16
Parties Did Not Settle In a Mediation-Only Case	14	16	8	24	62
Parties Fully Settled at Mediation	469	413	377	524	1,783
Parties Settled During Resolution Session	58	48	34	38	178
Parties Settled But Not At Mediation or Resolution Session	494	463	465	520	1,942
Filing Party Withdrew Their Case	177	164	149	184	674
Other	0	0	0	0	0
Total Cases Closed	1,252	1,161	1,074	1,341	4,828

In the table above, the numbers shown in the "Total Cases Closed" row are the sum of the numbers in each column above and the numbers in the "Year to Date" column are the sum of the numbers in the rows next to it.

DUE PROCESS HEARINGS

The data in these tables is required by Task 4.3(b)(4-9). This data includes expedited hearings in the figures provided. For information specific to only the expedited hearing requests, refer to the Expedited Hearing Requests section of this report. At the time of this report, there are 500 due process hearings pending.

DUE PROCESS HEARING DECISIONS

Decisions Issued Timelines	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Issued within Timeline, including within Expedited Timeline	2	8	10	13	33
Issued within Extended Timeline	19	26	20	13	78
Issued after Timeline and Extension Expired	0	0	0	0	0
Total Number Decisions Issued	21	34	30	26	111

In the above table called "Due Process Hearing Decisions" the numbers in the row "Total Number of Decisions Issued" are the sum of the numbers in the column above each number and the numbers in the column "Year to Date" are the sum of the numbers in the row next to it.

RESOLUTION SESSIONS

The data in these tables is required by Task 4.3(b)(2).

RESOLUTIONS SESSIONS OUTCOMES AS REPORTED

Resolution Sessions Statuses	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Number of Resolution Sessions Reported as Held	175	166	245	226	812
Number of Resolution Sessions Reported as Waived with Intent to Use Mediation in Lieu Of	33	38	63	53	187
Number of Resolution Sessions Reported as Not Held or No Data was Reported	993	907	863	1,094	3,857

In the above table called "Resolution Sessions Outcomes as Reported" the numbers in the column "Year to Date" are the sum of the numbers in the row next to it.

MEDIATIONS

The data in these tables is required by Task 4.3(a)(1-7).

MEDIATION REQUESTS

Number of Mediation Requests	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Number of Mediation Requests Not Related to Hearings	45	42	30	73	190
Number of Mediation Requests Related to Hearings	1,188	1,108	1,169	1,359	4,824
Total Number of Mediation Requests	1,233	1,150	1,199	1,432	5,014

In the above table called "Mediation Requests" the numbers in the row "Total Number of Mediation Requests" are the sum of the numbers in the column above each number and the numbers in the column "Year to Date" are the sum of the numbers in the row next to it.

MEDIATIONS HELD

Mediations Held	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Mediations Held Not Related to Hearing Requests	26	26	21	48	121
Mediations Held Related to Hearing Requests	715	600	583	723	2,621
Total Number of Mediations Held	741	626	604	771	2,742

In the above table called "Mediations Held" the numbers in the row "Total Number of Mediations Held" are the sum of the numbers in the column above each number and the numbers in the column "Year to Date" are the sum of the numbers in the row next to each number.

MEDIATIONS NOT HELD

Mediation Not Held	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Mediations Requested (from prior table)	1,233	1,150	1,199	1,432	5,014
Mediations Held (from prior table)	741	626	604	771	2,742
Total Number of Mediations Not Held	492	524	595	661	2,272

The number of mediations not held within any quarter include mediations which were canceled by one or both of the parties, continued to a different date, or canceled due to a case being closed.

In the above table called "Mediations Not Held" the numbers in the row "Total Number of Mediations Not Held" are calculated by subtracting the number in the second row from the number in the second in the column above each number and the numbers in the column "Year to Date" are the sum of the numbers in the row next to each number.

MEDIATION AGREEMENTS

Mediation Agreements	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Mediation Agreements Not Related to Hearing Requests	9	9	11	24	53
Mediation Agreements Related to Hearing Requests	441	384	348	478	1,651
Total Number of Mediation Agreements	450	393	359	502	1,704

In the above table called "Mediation Agreements" the numbers in the row "Total Number of Mediation Agreements" are the sum of the numbers in the column above each number and the numbers in the column "Year to Date" are the sum of the numbers in the row next to each number.

MEDIATIONS HELD NOT RESULTING IN AGREEMENT

Mediations without Agreements	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Mediations Held (from prior table)	741	626	604	771	2,742
Mediations Resulting in Agreements (from prior table)	450	393	359	502	1,704
Total Number of Mediations without Agreement	291	233	245	269	1,038

In the above table called "Mediations Held Not Resulting in Agreement" the numbers in the row "Total Number of Mediations without Agreement" are calculated by subtracting the number in the second row from the number in the first row, and the numbers in the column "Year to Date" are the sum of the numbers in the row next to each number.

EXPEDITED HEARINGS

The data in these tables is required by Task 4.3(c)(1-5).

EXPEDITED HEARING REQUESTS

Number of Expedited Hearing Requests	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Number of Expedited Hearings Requested by Districts	1	5	5	4	15
Number of Expedited Hearings Requested by Students	18	29	32	36	115
Total Number of Expedited Hearing Requests	19	34	37	40	130

In the above table called "Number of Expedited Hearing Requests" the numbers in the row "Total Number of Expedited Hearing Requests" are the sum of the numbers in the column above each number and the numbers in the column "Year to Date" are the sum of the numbers in the row next to each number.

REASONS FOR CLOSURE FOR EXPEDITED HEARING REQUESTS

Reason Expedited Case was Closed	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Decision Issued	1	0	1	0	2
Parties Settled at Mediation	6	9	13	15	43
Parties Settled at Resolution Session	1	0	0	0	1
Parties Settled Outside Mediation or Resolution Session	5	12	14	13	44
Parties Withdrew Expedited Hearing Request	5	7	6	7	25
Total Expedited Cases Closed	18	28	34	35	115

In the above table called "Reasons for Closure for Expedited Hearing Requests" the numbers in the row "Total Expedited Cases Closed" are the sum of the numbers in the column above each number and the numbers in the column "Year to Date" are the sum of the numbers in the row next to each number.

In the relevant quarter there were no changes of placement ordered in the decisions issued following an expedited hearing. For Fiscal Year 2018-2019, there have been no changes of placement ordered following expedited hearings.

QUARTERLY REPORT CONTENT

Beginning with the fourth quarter of fiscal year 2018-2019, the content of the OAH Special Education Division's Quarterly Data Report was updated to conform with the information statutorily required by Ed Code 56504.5 (d) and CCR Title 5, 3092 (b).