

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

FAIRFIELD SUISUN UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2013100894

ORDER FOLLOWING PRE-HEARING
CONFERENCE AND CONTINUING
MEDIATION, PRE-HEARING
CONFERENCE AND DUE PROCESS
HEARING

On November 18, 2013, a telephonic prehearing conference (PHC) was commenced before Administrative Law Judge (ALJ) Robert G. Martin, Office of Administrative Hearings (OAH). Andrew Ownby, Executive Director, Pupil Services, appeared on behalf of petitioner Fairfield Suisun Unified School District (District). Parent's father (Parent) appeared on behalf of Student. The PHC was recorded.

District filed a PHC Statement in this matter. On November 18, 2013, the parties filed a joint request to continue the December 21, 2013 due process hearing in this matter on grounds of health issues of Student's mother (Mother) requiring medical appointments and a hospital visit. At the prehearing conference, the parties requested that a mediation date be set and the PHC also be continued.

A due process hearing must be held, and a decision rendered, within 45 days of receipt of the complaint, unless a continuance is granted for good cause. (Ed. Code, §§ 56502, subd. (f) & 56505, subd. (f)(1)(C)(3).) Here, good cause was shown for a continuance based on Mother's health issues. The matter was filed recently on October 22, 2013, and the parties have not previously requested any continuances.

On joint motion of the parties, Mediation is set, the PHC is continued for completion, and the Due Process Hearing continued, as follows: Mediation: December 12, 2013 at 9:30 a.m. at the District's offices at Fairfield-Suisun Unified School District, 2490 Hilborn Road, Fairfield, CA 94534; Completion of Telephonic PHC: January 10, 2013 at 1:00 p.m.; Due Process Hearing: January 21-23, 2014 at the District's offices, at 1:30 p.m. first day, 9:30 a.m. other days, and continuing day to day, Monday through Thursday, as needed at the discretion of the ALJ.

Student shall file and serve a PHC Statement no later than three business days prior to the continued PHC. District may file an amended PHC statement, but is not required to do so.

Dated: November 18, 2013

/s/

ROBERT MARTIN

Administrative Law Judge

Office of Administrative Hearings