

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

DOWNTOWN COLLEGE PREP AND
SAN JOSE UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2014050871

ORDER DENYING REQUEST TO
ADVANCE MEDIATION DATE

On June 6, 2014, the parties filed a request to advance the mediation in this matter from July 2, 2014, to June 19, 2014. The parties did not ask to advance or continue the due process hearing date. While the parties' checked the box that this was an initial continuance request, they neither propose new hearing dates, nor ask the Office of Administrative Hearings to set dates within 90 days of the original hearing date. Accordingly, this request is treated only as a request to advance the mediation date.

On May 28, 2014, Student's amended complaint in this matter was deemed to have been filed and the July 2, 2014 mediation date was set based upon the May 28, 2014 date of filing of the complaint document. As this is a student filed matter, it is subject to the 30-day resolution session period, which does not expire until June 27, 2014. The Office of Administrative Hearings will not convene a mediation within the resolution session time period without a written waiver of the resolution session and intent to use mediation from the parties.

Accordingly, the request to advance the mediation to June 19, 2014 is denied.

IT IS SO ORDERED.

DATE: June 6, 2014

/s/

BOB N. VARMA
Presiding Administrative Law Judge
Office of Administrative Hearings