

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL
DISTRICT AND BERKELEY UNIFIED
SCHOOL DISTRICT.

OAH Case No. 2014080302

ORDER DENYING REQUEST TO
RESET MEDIATION IN EXPEDITED
PORTION OF MATTER

On August 15, 2014, the Oakland Unified School District filed, on behalf of all parties, a request to reset the mediation in the expedited portion of this case. This matter has a dual calendar with dates both for an expedited due process hearing and for a non-expedited due process hearing, along with corresponding dates for mediations and prehearing conferences. The mediation for the expedited portion of this matter is set for August 26, 2014, and the expedited due process hearing is set to commence on September 9, 2014. The parties request that the expedited mediation be reset for August 22, 2014, a Friday.

The Office of Administrative Hearings conducts mediations on Tuesdays, Wednesdays and Thursdays. Mondays and Fridays are reserved for prehearing conferences and due process hearings. The parties acknowledge that they are aware of OAH's calendaring guidelines; however, they request an exception be made in this matter.

If extraordinary circumstances were present, OAH would consider an exception to the calendaring of a date in a matter that contradicts the general calendaring guide. Here, the only information provided is that the parties are only available to mediate on a Friday, August 22, 2014. The parties fail to provide any details as to why the necessary individuals are unavailable for a Tuesday, Wednesday or Thursday in the two weeks between the currently set mediation and expedited hearing. Insufficient information is provided to establish extraordinary circumstances and the request is denied.

IT IS SO ORDERED.

DATE: August 19, 2014

/s/

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