

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

RIALTO UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2014090573

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

On November 3, 2014, a telephonic prehearing conference (PHC) was commenced before Administrative Law Judge (ALJ) Robert G. Martin, Office of Administrative Hearings (OAH). Candice Yang, Esq. appeared on behalf of Student. Vivian E. Billups, Esq. appeared on behalf of respondent Rialto Unified School District (District). The PHC was recorded.

District filed a PHC Statement in this matter on November 3, 2014. Student did not file a PHC Statement. District also on November 3, 2014, filed a request to continue the hearing of this matter to January 12-14, 2015. District also requested that OAH reschedule mediation in this matter, with District having cancelled mediation previously set for October 21, 2014. Student on November 3, 2014 filed a non-opposition to District's request for continuance.

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 to allow the parties to mediate this matter. The matter was filed recently on September 15, 2014, and the parties have not previously requested any continuances. Based on discussion of the parties, the ALJ issues the following order:

ORDER

On joint motion of the parties, the PHC is continued for completion, and the Due Process Hearing continued, as follows:

Mediation: December 18, 2014 from 9:30 a.m. to 4:30 p.m. at Rialto Unified School District, 182 E. Walnut Avenue, Rialto, CA 92376.

Completion of Telephonic PHC: January 5, 2015 at 1:00 p.m.

Due Process Hearing: January 12 – 14, 2015 at Rialto Unified School District, 182 E. Walnut Avenue, Rialto, CA 92376 from 1:30 p.m. to 5:00 p.m. on January 12, 2015, and from 9:00 a.m. to 4:30 p.m. on January 13 and 14, 2015, and continuing day to day thereafter, Monday through Thursday, as needed at the discretion of the ALJ.

Each party shall file and serve a PHC Statement no later than three business days prior to the continued PHC.

Dated: November 3, 2014

/s/

ROBERT MARTIN
Administrative Law Judge
Office of Administrative Hearings