

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

BERKELEY UNIFIED SCHOOL  
DISTRICT.

OAH Case No. 2015060188

ORDER DENYING REQUEST FOR  
SECOND MEDIATION

On July 9, 2015, Berkeley Union High School District filed a request to have a second mediation held on July 15, 2015. Although, Berkeley represents that this is a joint request of the parties, Student did not sign the submitted request. Additionally, Berkeley did not include a proof of services showing that this new request was served on Student.

As part of Berkeley's request for a second mediation, it provided a copy of a prior joint request for continuance, which also contained a request to set a second mediation date of July 15, 2015. Berkeley provided the prior request in an effort to show that Student's parent agrees with the request for a second mediation. However, that joint request for a second mediation, which was filed on June 30, 2015, was denied by Presiding Administrative Law Judge Margaret Broussard. In her order, ALJ Broussard indicated that since mediation had already been held that no further mediations would be scheduled unless the parties submit a new request that specified the reasons a second mediation was being requested.

Although Berkeley's new request for a second mediation contains the reasons that a second mediation is being requested, it was not a joint request because it was not signed by Student and it was not served on Student. Therefore, Berkeley's request for a second mediation is denied without prejudice. In the event that parties submit another request for a

second mediation, that request should contain the reasons for the request and should be signed by both parties.

IT IS SO ORDERED.

DATE: July 9, 2015

/s/

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B. ANDREA MILES  
Administrative Law Judge  
Office of Administrative Hearings