

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT

v.

BEVERLY HILLS UNIFIED SCHOOL DISTRICT
OAH CASE NUMBER 2021080395

ORDER GRANTING REQUEST FOR VIDEOCONFERENCE
MEDIATION AND DENYING REQUEST FOR CONTINUANCE
OF DUE PROCESS HEARING

SEPTEMBER 1, 2021

On August 12, 2021, Parents on behalf of Student filed a due process hearing request with the Office of Administrative Hearing naming Beverly Hills Unified School District. On August 31, 2021, the parties requested a September 24, 2021 mediation date and a due process hearing continuance to November 2021. The prehearing conference is set for September 27, 2021, and the due process hearing begins October 5, 2021.

A due process hearing must be conducted, and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted. (34 C.F.R. § 300.515(a); Ed.Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the

due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, OAH is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

The parties' request for mediation is granted.

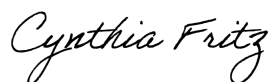
MEDIATION DATE is September 24, 2021, 9:00 am to 4:30 pm.

MEDIATION will occur via telephone or video.

MEDIATION AND PREHEARING CONFERENCE PARTICIPANT INFORMATION SHEETS MUST BE FILED TWO BUSINESS DAYS BEFORE THE EVENT.

OAH reviewed the parties' request for a continuance and considered all relevant facts and circumstances. The parties failed to comply with the scheduling procedures. The requested mediation date precedes the prehearing conference and due process hearing dates and the parties failed to provide any explanation for a continuance of this matter. Thus, the parties failed to establish good cause for a continuance. Accordingly, the parties' request for a continuance is denied.

IT IS SO ORDERED

A handwritten signature in cursive script that reads "Cynthia Fritz".

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings