

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
OCEAN VIEW SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2021090129

ORDER DENYING REQUEST FOR SECOND
VIDEOCONFERENCE MEDIATION DATE

OCTOBER 28, 2021

On September 3, 2021, Ocean View School District filed with the Office of Administrative Hearings a due process hearing request naming Parents on behalf of Student as respondent. On September 15, 2021, the undersigned granted the parties' joint request for an October 26, 2021 mediation and a continuance of the due process hearing to December 14, 2021.

On October 22, 2021, Student cancelled the mediation without explanation. On October 27, 2021, the parties requested a second mediation date of November 16, 2021.

The undersigned reviewed the parties' request for a second mediation date and considered all relevant facts and circumstances. OAH strongly encourages dispute

resolution before a due process hearing. One mediation is scheduled for the parties at public expense. Here, Student cancelled mediation with little notice, no explanation, and after a mediator was assigned. Thus, the parties did not establish good cause for setting a new mediation date after it was set on the date requested by the parties. Accordingly, the parties' request for a second mediation date is denied.

The parties may resubmit the request with an explanation as to why the Office of Administrative Hearings should grant a new request for a mediation date in this matter.

IT IS SO ORDERED.

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

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings