

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LAS VIRGENES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2023100725

ORDER DENYING REQUEST TO RESCHEDULE MEDIATION

JANUARY 29, 2024

On October 23, 2023, Student filed a due process hearing request with the Office of Administrative Hearing, called OAH, naming Las Virgenes Unified School District. On November 21, 2023, OAH granted the parties request to schedule a mediation for January 30, 2024, and continue the due process hearing to March 2024.

On January 29, 2023, the parties filed a joint request to reschedule the mediation to February 1, 2024. However, the parties failed to comply with the scheduling procedures by using the incorrect form. This is not merely form over substance, as no cause to schedule a second mediation date was provided. Good cause would have to be provided, considering the request was made less than 24 hours before the mediation date. Further, the request was made over four months after the case was filed.

Accordingly, the parties' request to reschedule the mediation is denied without prejudice. The request, however, served as cancellation of the January 30, 2024, mediation. The parties can refile the request with an explanation as to why the mediation date, chosen by the parties, is no longer viable, and why the parties waited until the day before the mediation to make the request.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Cynthia Fritz". The script is cursive and fluid.

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings