BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
PARENT ON BEHALF OF STUDENT,	OAH Case No. 2016090418
v.	ORDER GRANTING ADMISSION OF AUDIO RECORDINGS OF MAY 1, MAY 14, AND SEPTEMBER 5, 2014 IEP TEAM MEETINGS
SAN MATEO FOSTER CITY SCHOOL DISTRICT.	

On March 23, 2017, Student filed a motion seeking to admit audio recordings of the May 1, May 14, and September 5, 2014 IEP team meetings or continue the hearing to allow supplementation of the record. Student based his motion on "inadvertent oversight of the parties and ALJ." The District did not oppose the motion.

During the February 24, 2017 prehearing conference, all parties were informed two copies of all exhibits were required at hearing, not including the party's own copy and the copy provided to opposing counsel. Again, the parties were informed they were required to provide two copies of all exhibits in the February 28, 2017 order following prehearing conference. During the hearing, Student attempted to admit audio recordings of the May 1, May 14, and September 5, 2014 IEP team meetings without providing two copies of the recordings. Student's advocate was reminded for a third time that two copies of all exhibits were required, and he agreed to obtain a second copy of the recordings. Student's request for admission of the audio recordings was denied at that time, but he was permitted to seek admission once he obtained two copies of the recordings. On the last day of hearing, Student's advocate did not properly seek admission of the audio recordings. It was not the responsibility of the ALJ or opposing counsel to remind Student's advocate to seek admission of Student's exhibits.

However, at the time of hearing, the District did not oppose the admission of the audio recordings of the May 1, May 14, and September 5, 2014 IEP team meetings. The transcripts of the IEP team meetings have already been admitted into evidence.

For clarity of the record, the audio recordings of the May 1, May 14, and September 5, 2014 will be admitted into the record, if they are submitted no later than **Thursday, March 30, 2017, by 5:00 p.m.** The audio recordings will be marked as Exhibit 64a. Going forward, no other evidence will be admitted in this matter. Student's request to continue the hearing to supplement the record is denied.

IT IS SO ORDERED.

DATE: March 28, 2017

DocuSigned by:

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DENA COGGINS
Administrative Law Judge
Office of Administrative Hearings