BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SOUTH BAY UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2020030418

# ORDER REOPENING CASE

JUNE 24, 2020

On June 22, 2020, the Office of Administrative Hearings issued a dismissal vacating all hearing dates, and closing the file.

On June 23, 2020, Student filed a request to reopen the case because the parties did not reach a final settlement agreement. No response was received from South Bay Union School District.

Student established that the parties have not resolved the dispute and that the matter should therefore be reopened, as to date, the parties have not reached a final, written settlement agreement after the May 22, 2020 mediation.

## ORDER

The request to reopen the case is granted. This matter is now scheduled:

- Prehearing Conference: July 6, 2020, at 1:00 PM.
- Due Process Hearing: July 14, 15, and 16, 2020. The hearing starts at 9:30 AM on all days unless the ALJ orders otherwise.

All prehearing conference statements and motions shall be filed no later than three business days before the prehearing conference unless the party establishes good cause for the delay.

The parties shall immediately give witnesses the hearing dates. If necessary, they can subpoena witnesses to ensure the witnesses is available to testify. A witness will not be considered unavailable if the party did not properly notify or subpoena a witness.

The parties are encouraged to continue working together to reach an agreement before the due process hearing. The parties shall inform OAH in writing immediately if they reach a settlement or otherwise resolve the dispute before the scheduled prehearing conference. At the same time, the parties should send the signature page of the signed agreement or a letter withdrawing the case to OAH at https://www.applications.dgs.ca.gov/oah/oahsftweb.

If a full and final written settlement agreement is reached after 5:00 PM the day prior to prehearing conference, the parties shall leave a voicemail message regarding the settlement at (916) 274-6035. The parties should also leave contact information such as cellular phone numbers of each party or counsel for each party.

The prehearing conference will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received and processed by OAH. If

an agreement in principle is reached, the parties should plan to attend the scheduled prehearing conference unless different arrangements have been agreed upon by the assigned ALJ. The assigned ALJ will check for messages before the prehearing conference.

If the matter settles subject to board approval, in addition to a signed copy of the signature page of the settlement agreement, the parties shall provide the date of the next board meeting. The prehearing conference will not be cancelled without this information.

IT IS SO ORDERED.

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Cararea Lucier
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Cararea Lucier

Administrative Law Judge

Office of Administrative Hearings