BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. LOS ALAMITOS UNIFIED SCHOOL DISTRICT.	OAH Case No. 2015050300 ORDER DENYING STUDENT'S MOTION TO PERMIT TELEVISING AND/OR RECORDING OF THE DUE PROCESS HEARING

On May 1, 2015, Parents on behalf of Student filed with the Office of Administrative Hearings a Request for Due Process Hearing naming the Los Alamitos Unified School District.

On May 1, 2015, Student filed with OAH a motion to allow television and media to attend the due processing hearing. Student seeks to have the hearing open to the public, permit televising of the hearing itself, permit video and audio taping of the hearing, and to permit members of the media to be attendance throughout the hearing.

On May 6, 2015, Los Alamitos filed with OAH a partial opposition to Student's motion. Los Alamitos does not oppose the opening of the hearing to the public including media. It does oppose the televising and taping of the hearing. Additionally, Los Alamitos contends that the Student does not have standing to bring the motion.

California Rule of Court 1.150 permits a court to permit photographing, recording or broadcasting of court proceedings in the discretion of the trial judge. The rule does not create a presumption for or against granting such permission. The judge has discretion to "permit, refuse, limit or terminate media coverage."

Student has failed to demonstrate that anyone desires to broadcast, photograph or record the hearing. Thus, the motion is moot. Should any media desire to broadcast, photograph, or record the hearing or any portion of the hearing, then that entity may file with OAH a motion to that effect.

Student has exercised her right to open the hearing to the public. Because the hearing will be open to the public, members of the media are free to attend the hearing in the same manner as any other member of the public.

Accordingly, Student's motion to permit televising and/or recording of the hearing is DENIED.

DATE: May 18, 2015

/s/
ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings