BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

ANAHEIM ELEMENTARY SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2020090678

ORDER GRANTING REQUEST TO RESCHEDULE PREHEARING CONFERENCE

OCTOBER 2, 2020

On October 2, 2020, Parents on behalf of Student filed with the Office of Administrative Hearings a request for an accommodation under the Americans with Disabilities Act (42 U.S.C. §§ 1201, et seq.) and a continuance of the prehearing conference. Student explains that Parent and Student are suffering from sinus and chest infections, are taking antibiotics and steroids, and are unable to participate in the prehearing conference. Student requests that the prehearing conference be rescheduled.

Student requests to continue the prehearing conference based on a need for an accommodation under the Americans with Disabilities Act. However, Parent's illness as

described in the request consist of a sinus and chest infection, which are temporary conditions that do not qualify Parent as an individual with a disability as defined by the Americans with Disabilities Act. In addition, Student's "respiratory condition" is not a permanent, disabling condition, nor is there an indication that it is related to his autism. There is also no indication that Student's autistic-like behaviors are increased by his sinus and chest infection. Accordingly, a continuance of this matter based on a need for an accommodation under the Americans with Disabilities Act is denied.

However, due to Parent's temporary illness, the request to reschedule the prehearing conference is granted. The prehearing conference scheduled for October 2, 2020, is vacated. The prehearing conference is rescheduled to October 5, 2020, at 3:00 PM. The dates for hearing remain as scheduled.

IT IS SO ORDERED.

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Rommel P. Cruz
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Rommel P. Cruz

Administrative Law Judge

Office of Administrative Hearings