BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED REMANDED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

ESCONDIDO UNION HIGH SCHOOL DISTRICT,

OAH CASE NUMBER 2025120666

ORDER FOLLOWING PREHEARING CONFERENCE ON REMAND BRIEFING SCHEDULE

FEBRUARY 10, 2026

On December 4, 2025, the Office of Administrative Hearings, or OAH, received notice of remand of the June 18, 2024 Decision of the undersigned Administrative Law Judge, or ALJ, in OAH Case Nos. 2024020654 and 2023110872. The remand had been issued by the Unified States District Court for the Southern District of California. The Notice of remand was filed with OAH as part of Escondido Union High School District's Opposition to Student's Notice of Supplemental Representation and Request for Status Conference, which Student filed as part of the District Court proceedings, but had not previously been filed with OAH.

The remand order vacated the June 18, 2024, Decision and remanded for further proceedings consistent with the order.

On December 17, 2025, OAH issued a scheduling order setting a telephonic prehearing conference, known as a PHC, for December 22, 2025. The scheduling order set due process hearing dates for December 30 and 31, 2025.

On December 18, 2025 the parties jointly filed a motion to continue the PHC and hearing dates. On December 18, 2025, OAH granted the parties' request for continuance, setting the PHC for February 6, 2026 and the hearing for February 18 and 19, 2026.

Both Student and District filed PHC Statements asserting among other things that no additions to the Administrative Record, either testimonial or documentary, were necessary. On February 3, 2026, Student filed a Motion to Continue along with a Motion in Limine regarding independent educational evaluation costs. On February 4, 2026, District filed opposition to both Student motions.

On February 6, 2026, ALJ Ted Mann held a PHC using the Zoom platform. Alexis Casillas and Wendy Dumlao, Attorneys at Law, appeared on behalf of Student. Tiffany Santos and Amanda D'Amico, Attorneys at Law, appeared on behalf of Escondido Union High School District. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

HEARING DATES VACATED AND BRIEFING SCHEDULE SET

Consistent with the positions of both Student and District, and in keeping with the District's Court's remand order, no additional information beyond that already in the existing Administrative Record is required on remand. As such, the hearing days

calendared by OAH, beginning February 18, 2026, are vacated, and the matter is continued to the filing date for Reply Briefs, as further discussed below. The absence of any additional hearing dates or other evidentiary submissions renders both Student's motions moot.

The case shall proceed as follows, unless otherwise ordered:

Opening Briefs Due: February 27, 2026, by 5:00 PM
Reply Briefs Due: March 13, 2026, by 5:00 PM

Opening and reply briefs shall be double-spaced using a 12-point font. Opening briefs shall be no more than 50 pages long, exclusive of indices and citations. Reply briefs shall be no more than 25 pages long, also exclusive of indices and citations.

Parties are to address whether:

1. The Administrative Record supports the District Court's concerns regarding the ALJ's "factual findings that are inconsistent with the record" with regard to District's psychoeducational assessment (six items) and District speech and language assessment (two items).

2. Credibility issues of the relevant witnesses as reflected in the District Court's Order and the extent to which that affects the weight of their respective testimony.

3. The effect of the foregoing on Student's issues as reflected in the District Court's Order.

Parties shall cite specific, granular portions of the administrative record in support of their positions and considering the District Court's October 22, 2025 remand Order.

ORDER INCLUDES ALL RULINGS

This Order includes all rulings made at the prehearing conference. Any discussion and conversation not referenced in this Order is not binding on the ALJ conducting the remand and may not be relied upon by the parties.

IT IS SO ORDERED.

Ted Mann

Ted Mann
Administrative Law Judge
Office of Administrative Hearings