BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. LOS ANGELES UNIFIED SCHOOL DISTRICT.	OAH Case No. 2018070123 ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED; CONTINUING PREHEARING CONFERENCE AND DUE PROCESS HEARING

On June 25, 2018, Parent on behalf of Student filed a request for due process hearing with the Office of Administrative Hearings, naming Los Angeles Unified School District. On October 5, 2018, OAH granted Student's request for a continuance and set the prehearing conference for 10:00 a.m., on November 9, 2018.

On November 9, 2018, OAH attempted to convene the prehearing conference but was unable to contact Parent, as Parent's telephone number of record was invalid. Based upon Student's failure to appear at the prehearing conference, the prehearing conference and due process hearing dates for this matter are vacated.

If the parent and local education agency have not resolved the due process complaint within 30 days of the receipt of the complaint, OAH is required to issue a decision within the next 45 days, unless a continuance is granted for good cause. (20 U.S.C. § 1415(f)(1)(B)(ii); 34 C.F.R. § 300.51; Ed. Code, § 56502, subd. (f).)

Here, Student has not diligently pursued this matter and failed to appear at the prehearing conference. **Student is ordered to show cause in writing no later than 5:00 p.m. on November 14, 2018, as to why this matter should not be dismissed. Student shall address why he failed to inform OAH of his correct contact information and why OAH should not dismiss this matter.**

The order to show cause hearing shall take place telephonically on November 16, 2018, at 10:00 a.m., unless otherwise ordered. Failure by Student to submit a written response on November 14, 2018, or to appear telephonically on November 16, 2018, may result in this matter being dismissed or other sanctions.

If Student demonstrates that the matter should not be dismissed, the prehearing conference shall take place immediately following the order to show cause hearing and the due process hearing for this matter shall be reset as follows:

Due Process Hearing:	November 27, 28, and 29, 2018, and continuing day by day thereafter, Monday through Thursday, at the discretion of the Administrative Law Judge. The hearing shall begin at 9:30 a.m. the first day and at 9:00 a.m. each subsequent day, unless otherwise ordered.

IT IS SO ORDERED.

DATE: November 9, 2018

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Paul H. Kamoroff
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PAUL H. KAMOROFF
Administrative Law Judge
Office of Administrative Hearings