BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: TUOLUMNE COUNTY SUPERINTENDENT OF SCHOOLS, CURTIS CREEK SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT,	OAH Case No. 2019020281
PARENT ON BEHALF OF STUDENT, v. TUOLUMNE COUNTY SUPERINTENDENT OF SCHOOLS, CURTIS CREEK SCHOOL DISTRICT.	OAH Case No. 2019010105 ORDER GRANTING STUDENT'S REQUEST TO ADMIT SUPPLEMENTAL EVIDENCE REGARDING EX PARTE MEMORANDUM

On March 12, 2019, the undersigned issued an Order Clarifying Ex Parte Memorandum; Order Granting Respondent's Request for Fees, in part; and Order Denying Student's Request for Fees. On March 15, 2019, Student filed a Request to Admit Corrected Evidence as Part of the Record Following OAH's March 12, 2019, order identified above. Student requested that a supplemental copy of its Exhibit "A", an email, be included in the record. The supplemental email includes a time stamp where the original did not. Student provided a copy of the date and time stamped email and declarations from counsel specifying Student was not seeking reconsideration of the original order. Student also provided a declaration from counsel's assistant indicating a clerical error occurred when converting the email to a .pdf document which removed the original time. Respondents did not respond to the request.

No legal authority accompanied the request to admit supplemental evidence. There is no current motion pending as Student is not seeking reconsideration. However, the administrative record in this matter is currently open as the hearing has not concluded and a final decision on the merits of the consolidated case has not been issued. Student's request to admit the supplemental evidence regarding the Ex Parte Memorandum is granted. The original email was identified as Student's Exhibit "A" and this new email will be designated Exhibit "A-1" to Student's motion.

No finding is made regarding the authenticity of the newly admitted evidence. Exhibit A-1 is supplemental and does not supplant the original Exhibit A which remains part of the record. As reconsideration has not been sought, the original order issued on March 12, 2019, remains in effect.

IT IS SO ORDERED.

DATE: March 28, 2019

DocuSigned by:
Joy Redmon
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JOY REDMON
Presiding Administrative Law Judge
Office of Administrative Hearings