BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. HANFORD ELEMENTARY SCHOOL DISTRICT.	OAH Case No. 2018100372 ORDER GRANTING MOTION TO NOT RELY ON EVIDENCE OUTSIDE THE RECORD

On January 23, 2019, at the conclusion of the due process hearing, the undersigned administrative law judge granted the parties' request to continue this matter to February 11, 2019, to afford them the opportunity to file written closing briefs. The parties timely filed their closing briefs on February 11, 2019.

On February 12, 2019, Hanford Elementary School District filed a motion to strike portions of Student's closing brief on the grounds that it refers to documents not admitted into evidence, not relevant, and not officially noticed by the administrative law judge. This motion is deemed a motion to not rely on evidence outside the record. On February 13, 2019, Student filed an opposition to Hanford's motion.

The evidentiary record was closed on January 23, 2019. To the extent Student's closing brief cites to documents for factual assertions that were not admitted into evidence at hearing, these will not be considered in determining the issues. However, to the extent Student refers to legal memorandum and letters from the Office of Civil Rights or Office of Special Education Policy in support of his legal position, these do not constitute evidence and may be properly referred to in a closing argument, and may be relied upon, to the extent they are relevant.

IT IS SO ORDERED.

DATE: March 8, 2019

DocuSigned by:
Theresa Ravandi
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THERESA RAVANDI
Administrative Law Judge
Office of Administrative Hearings