BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: CAMPBELL UNION HIGH SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2018061181 ORDER GRANTING CAMPBELL'S MOTION TO STRIKE

On September 17, 2018, at 5:06 p.m., Student filed additional exhibits in this matter. On September 20, 2018, Campbell opposed Student's additional exhibits arguing that they were untimely and not appropriate articles per the ALJ's order. Campbell requested that both documents be stricken from the record.

DISCUSSION

On September 13, 2018, Campbell requested that two separate research articles discussing remote assessment testing be admitted into evidence as rebuttal to Dr. Ambler's hearing testimony. Both articles were admitted but Student requested an equal opportunity to submit countervailing articles addressing the efficacy of remote assessment testing. Campbell did not oppose the request, and the ALJ allowed both parties to submit articles regarding remote assessment testing no later than the end of business on September 17, 2018.

On September 17, 2018, at 5:06 p.m., Student filed two documents with OAH. Although the documents were six minutes late, there is no prejudice in the lateness of the filing. The documents, however, do not conform to the ALJ's order. The documents submitted do not address the validity of remote assessment testing. The second document is not a research article, rather a portion of CTOPP administration instructions. Neither submission is an article regarding remote assessment testing. Thus, both articles will be stricken from the record.

IT IS SO ORDERED.

DATE: October 1, 2018

DocuSigned by:
Cynthia Fritz
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CYNTHIA FRITZ
Administrative Law Judge
Office of Administrative Hearings