BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
PARENTS ON BEHALF OF STUDENT,	OAH CASE NO. 2013041189
v.	ORDER FOLLOWING PRE-HEARING CONFERENCE AND ORDER TO SHOW CAUSE RE DISMISSAL OF EXPEDITED PORTION OF DUE PROCESS COMPLAINT
RIVERSIDE COUNTY OFFICE OF EDUCATION.	

On May 20, 2013, an expedited telephonic prehearing conference (PHC) was held before Administrative Law Judge (ALJ) Clifford H. Woosley, Office of Administrative Hearings (OAH). No appearance was made on behalf of Student. Attorney Dina Harris, Best, Best & Krieger LLP, appeared on behalf of Riverside County Office of Education (RCOE). The PHC was recorded.

On April 29, 2013, Student filed a due process complaint. On May 2, 2013, OAH issued a scheduling order, setting a calendar for the expedited portion of the complaint and a calendar for the non-expedited portion of the complaint. The scheduling Order instructed Student to serve and file a prehearing conference statement three days before the May 20, 2013 expedited PHC. Student did not file a PHC statement.

ALJ Woosley telephoned the Student's parents at 1:30 p.m., for purposes of convening the expedited PHC on May 20, 2013. No one answered; ALJ Woosley left a voicemail. He identified himself, explained the reason for the call, and stated he would call back in 10 minutes to again attempt to convene the PHC. ALJ Woosley called again at 1:40 p.m. When no one answered, he left another voicemail message indicating that he was going to proceed and convene the expedited PHC with District's counsel and would issue an order to show cause regarding dismissal of the expedited portion of Student's complaint.

ALJ Woosley convened the PHC, made a record of attempts to contact Student's guardians, and ruled as follows:

1. Student is ordered to show cause at a telephonic conference on May 22, 2013, at 1:30 p.m. as to why the expedited portion of this matter should not be dismissed for failure to participate, prosecute, or advance the expedited portion of this matter. OAH will initiate the telephonic hearing. If Student demonstrates why the expedited portion should not be dismissed, then a PHC on the expedited claim will be held at that time.

2. Should Student fail to appear at the telephonic hearing on May 22, 2013, at 1:30 p.m., the expedited portion of this matter shall be dismissed.

3. The non-expedited portion of the Student's complaint is undisturbed. The non-expedited mediation of June 4, 2013, the non-expedited PHC of June 19, 2013 and the non-expedited hearing date of June 25, 2013, remains as calendared.

IT IS SO ORDERED.

Dated: May 20, 2013

/s/
CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings