BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:	
PARENT ON BEHALF OF STUDENT,	OAH Case No. 2016041016
v.	ORDER FOR SUPPLEMENTAL BRIEFING ON MOTION FOR STAY PUT
BENICIA UNIFIED SCHOOL DISTRICT.	

On April 18, 2016, Student filed a motion for stay put, asserting that his stay put placement should be a certificate of completion/adult transition program. On April 21, 2016, District filed an opposition to the motion for stay put, asserting that Student and parent, through educational consultant Linda Geller, had rescinded parent's prior written consent to a certificate of completion track program, and that Student was no longer entitled to special education, because he had satisfied the requirements for a regular high school diploma. Student's due process complaint alleges that District unilaterally and unlawfully changed Student's program from a certificate of completion track to a diploma track without Student's or Parent's valid, written consent.

The undersigned has reviewed the parties' arguments and supporting materials and seeks supplemental information and briefing as set forth below.

ORDER

No later than 5:00 p.m. on May 13, 2016, each party shall provide:

1) The beginning and ending dates for when Student participated in the Solano County Office of Education's adult transition program, also referred to as the Benicia Bridge Program;

2) A legible copy of Student's official high school transcript, and information regarding the meaning of the notation "(R/D)" next to certain courses on the transcript, dated February 2016;

3) Information on whether District has, in fact, awarded Student a regular high school diploma and, if so, the date that District provided Student with the diploma, and how it was awarded to him; and

4) Briefing on the legal authority for a non-attorney advocate, such as Ms. Geller, to provide or rescind valid, informed written consent regarding a student's free appropriate

public education on behalf of a student or parent, including discussion of the applicability of the May 4, 2012 decision of the United States District Court for the Central District of California in *A.T. v. East Whittier City School District*, case number CV 10-10030-GHK(Ex), and a ruling in *J.L. v. Downey Unified School District*, case number CV 12-2285-GW(SSx) to Student's motion for stay put and District's opposition.

5) Each party shall include sworn declarations supporting any factual assertions included in its briefing.

IT IS SO ORDERED.

DATE: May 06, 2016

DocuSigned by:
Caroline Zuk
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CAROLINE A. ZUK
Administrative Law Judge
Office of Administrative Hearings