

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

WESTSIDE INNOVATIVE SCHOOL
HOUSE AND LOS ANGELES UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2013100957

ORDER FOLLOWING PRE-HEARING
CONFERENCE AND CONTINUING
PRE-HEARING CONFERENCE AND
DUE PROCESS HEARING

On December 13, 2013, a prehearing conference (PHC) was held telephonically before Administrative Law Judge (ALJ) Robert G. Martin, Office of Administrative Hearings (OAH). Keith E. Davis, Esq. appeared on behalf of Student. Suzanne Goldstein, Esq., appeared on behalf of Westside Innovative School House charter school (WISH). Patrick Balucan, Esq. appeared on behalf of the Los Angeles Unified School District (District). District representative Diana Massaria was present with Mr. Balucan. The PHC was recorded. Student and District filed PHC statements; WISH did not file a PHC statement.

At the commencement of the PHC, all three parties jointly requested that OAH continue the PHC and due process hearing dates in this matter to give the parties time to complete the drafting of a settlement agreement negotiated by the parties. A due process hearing must be held, and a decision rendered, within 45 days of receipt of the complaint, unless a continuance is granted for good cause. (Ed. Code, §§ 56502, subd. (f) & 56505, subd. (f)(1)(C)(3).) Here, good cause was shown for a continuance to allow the parties to complete a settlement of this matter. The matter was filed recently on October 24, 2013, and the parties have not previously requested any continuances of the hearing date.

On joint motion of all parties, the PHC is continued for completion, and the Due Process Hearing continued, as follows: Completion of Telephonic PHC: February 3, 2014 at 1:00 p.m.; Due Process Hearing: February 10-13, 2014 at the Office of Administrative Hearings, 15350 Sherman Way, Van Nuys, CA 91406, and continuing day to day, Monday through Thursday, as needed at the discretion of the ALJ. The Hearing shall commence at 1:30 p.m. on February 10, 2014, and at 9:00 a.m. each day thereafter, and shall conclude each day at 4:30 p.m.

WISH shall file and serve a PHC statement no later than three business days prior to the continued PHC.

Dated: December 16, 2013

/s/

ROBERT MARTIN
Administrative Law Judge
Office of Administrative Hearings