

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PALOS VERDES PENINSULA UNIFIED
SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2014041197

ORDER FOLLOWING PREHEARING
CONFERENCE AND GRANTING
CONTINUANCE

On May 12, 2014, a telephonic prehearing conference (PHC) was held before Administrative Law Judge (ALJ) Kara Hatfield, Office of Administrative Hearings (OAH). Debra Ferdman, Attorney at Law, appeared on behalf of Palos Verdes Unified School District (District). Julie He, Student's mother, and James Feng, Student's father, appeared on behalf of Student. The PHC was recorded.

Based on discussion with the parties, the ALJ issues the following order:

1. Hearing Dates, Times, and Location. The hearing is continued for good cause at the request of Student and over the written objection of District. Student sought the continuance in order to obtain an attorney. OAH has reviewed the request for good cause and considered all relevant facts and circumstances, including District's preference for continuance dates after the start of the 2014-2015 school year. Accordingly, all dates are continued and this matter is calendared as follows:

Prehearing Conference:

August 22, 2014 at 10:00 AM

Due Process Hearing:

September 2, 3, and 4, 2014, and continuing day to day, Monday through Thursday as needed at the discretion of the ALJ. The hearing shall begin each day at 9:00 a.m. and end at 4:30 p.m. with the exception of September 2, on which day the hearing shall begin at 1:30 p.m. and end at 5:00 p.m., unless otherwise ordered. The hearing shall take place at:
PALOS VERDES PENINSULA USD
3801 VIA LA SELVA
PALOS VERDES ESTATES, CA 90274

The parties shall immediately notify all potential witnesses of the hearing dates, and shall subpoena witnesses if necessary, to ensure that the witnesses will be available to testify. A witness will not be regarded as unavailable for purposes of showing “good cause” to continue the hearing if the witness is not properly notified of the hearing date or properly subpoenaed, as applicable.

2. Issues and Proposed Resolutions. The sole issue at the due process hearing is whether District’s 2014 triennial assessment was appropriate, such that District need not fund an independent educational evaluation at public expense.

3. Mediation. Should either party desire to schedule mediation, a written request should be submitted to OAH with at least one week’s notice before the desired date.

4. Settlement. The parties are encouraged to continue working together to reach an agreement before the due process hearing. The parties shall inform OAH in writing immediately should they reach a settlement or otherwise resolve the dispute before the scheduled hearing. In addition, if a settlement is reached within five days of the scheduled start of the due process hearing, the parties shall also inform OAH of the settlement by telephone at (916) 263-0880.

IT IS SO ORDERED.

DATE: May 12, 2014

/s/

KARA HATFIELD
Administrative Law Judge
Office of Administrative Hearings