

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2014070488

ORDER FOLLOWING PRE-HEARING
CONFERENCE, CONTINUING PRE-
HEARING CONFERENCE AND DUE
PROCESS HEARING, AND DENYING
MOTION TO CHANGE VENUE
WITHOUT PREJUDICE

On August 18, 2014, a telephonic prehearing conference was held before Administrative Law Judge Laurie Gorsline, Office of Administrative Hearings. Parent appeared on behalf of Student. Diana Massaria, Director of Litigation Research with the Office of General Counsel, appeared on behalf of Los Angeles Unified School District (District). Spanish interpreter Isabel Keossian translated the proceedings for Parent. The PHC was recorded.

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

1. Motion to Continue Hearing, Hearing Dates, Times, and Location. At the PHC, Parent moved to continue the due process hearing scheduled to begin on August 27, 2014, on the ground that Parent was in the process of finding legal counsel. District did not oppose Parent's motion. The parties agreed to a continuance to November 17, 18, 19 and 20, 2014.

Good cause having been shown, the hearing was continued and shall take place on November 17, 18, 19 and 20, 2014, and continue 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 5:00 p.m. with the exception of the first day of hearing, on which day the hearing shall begin at 1:30 p.m., unless otherwise ordered.

The hearing is scheduled to take place at the Office of Administrative Hearings located at 15350 Sherman Way, Suite 300, Van Nuys, CA 91406. At the PHC, Parent requested that the hearing be moved to a downtown location, either OAH's downtown office or District's headquarters. District requested that the hearing be held at OAH. Parent's request to change the location of the hearing is denied without prejudice. Parent may renew her request to change the hearing location by filing a motion to change venue or making her request to change venue at the next prehearing conference.

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. Prehearing Conference. The telephonic PHC was continued to November 7, 2014 at 10:00 a.m. OAH will initiate the conference call. PHC statements shall be filed with OAH and served by the parties no later than three business days prior to November 7, 2014.

3. 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.

IF A FULL AND FINAL WRITTEN SETTLEMENT AGREEMENT IS REACHED AFTER 5:00 P.M. THE DAY PRIOR TO HEARING, THE PARTIES SHALL LEAVE A VOICEMAIL MESSAGE REGARDING THE SETTLEMENT AT (916) 274-6035. THE PARTIES SHOULD ALSO LEAVE CONTACT INFORMATION SUCH AS CELLULAR PHONE NUMBERS OF EACH PARTY OR COUNSEL FOR EACH PARTY. THE PARTIES SHOULD SIMULTANEOUSLY FAX THE SIGNATURE PAGE OF THE SIGNED AGREEMENT OR A LETTER WITHDRAWING THE CASE TO THE OAH AT THE FAXINATION LINE at 916-376-6319.

Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received by OAH. If an agreement in principle is reached, the parties should plan to attend the scheduled hearing unless different arrangements have been agreed upon by the assigned ALJ. The assigned ALJ will check for messages the evening prior to the hearing or the morning of the hearing.

4. Failure to comply with this order may result in the exclusion of evidence or other sanctions.

IT IS SO ORDERED.

DATE: August 18, 2014

/s/

LAURIE GORSLINE
Administrative Law Judge
Office of Administrative Hearings