

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

POWAY UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2014051080

ORDER FOLLOWING PRE-HEARING
CONFERENCE AND NOTICE OF
CONTINUANCE

On September 12, 2014, a telephonic prehearing conference was held before Administrative Law Judge Judith L. Pasewark, Office of Administrative Hearings. Justin R. Shinnfiled, Attorney at Law, appeared on behalf of Poway Unified School District. Father, appeared on behalf of Student. The PHC was not recorded.

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

1. Hearing Dates, Times, and Location. The hearing is continued on the joint motion of the parties, and shall take place on December 2 and 3, 2014, and continuing day to day, Monday through Thursday as needed at the discretion of the ALJ. The hearing shall begin each day at 9:30 a.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 shall take place at District's offices located at 12520 Avenue of Science, San Diego, California 92128.

A telephonic Prehearing Conference shall take place on November 17, 2014, at 1:00 p.m. OAH shall initiate the telephone call.

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. Settlement. The parties are encouraged to continue working together to reach an agreement before the due process hearing. The parties are ordered to meet and confer to discuss the possibility of additional mediation on this matter. Father is further advised that any communication or document sent to OAH on behalf of Student must also be served on District's attorney by mail. 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.

Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received by OAH.

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

IT IS SO ORDERED.

DATE: September 12, 2014

/s/
JUDITH PASEWARK
Administrative Law Judge
Office of Administrative Hearings