

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014110543

ORDER DENYING, WITHOUT
PREJUDICE, REQUEST TO RESET
TIMELINES

On November 18, 2014, the Oakland Unified School District filed a request to reset the timelines in this case on the basis that Oakland did not receive a complete copy of Student's due process hearing request until November 18, 2014. The request attaches copies of some email messages, but does not include any declarations signed under penalty of perjury.

On November 19, 2014, Student filed an opposition to the request. Student's counsel contends that the due process hearing request was properly served on Oakland's office, and that it was only Oakland's counsel that did not receive a full copy.

Oakland has not provided sufficient information by way of declarations to support its motion. There is no evidence to show what was served by Student on Oakland and whether that document was complete. If Student failed to serve Oakland properly with the complete document, that might be cause to reset the timelines. However, at this point there is insufficient information to make that determination.

The motion is denied without prejudice. Oakland may file a new motion with proper declarations and more complete information.

IT IS SO ORDERED.

DATE: November 20, 2014

/s/

SUSAN RUFF
Administrative Law Judge
Office of Administrative Hearings