

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:	
PARENT ON BEHALF OF STUDENT,	OAH Case No. 2015020671 (Primary)
v.	
LOS ANGELES UNIFIED SCHOOL DISTRICT,	
PARENT ON BEHALF OF STUDENT,	OAH Case No. 2014100174
v.	
LOS ANGELES UNIFIED SCHOOL DISTRICT.	ORDER FOLLOWING PRE-HEARING CONFERENCE AND GRANTING JOINT REQUEST FOR CONTINUANCE

On March 30, 2015, Administrative Law Judge Adrienne L. Krikorian, Office of Administrative Hearings held a telephonic prehearing conference. Attorney Tania Whiteleather appeared on Student's behalf. Attorney Patrick Balucan and Sharon Robertson, Director of Litigation Research, appeared on behalf of Los Angeles Unified School District. The PHC was recorded.

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

1. Joint Request for Continuance. On March 25, 2015, OAH issued an Order denying the parties' joint request for continuance of the consolidated matters without prejudice to the parties' right to renew their request for a continuance upon a showing of good cause. The Order also granted the parties' request to continue the mediation to May 20, 2015 at 9:00 a.m. The parties jointly renewed their request for a continuance at the PHC on the ground that they wanted to mediate the consolidated cases before hearing.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.)

OAH has considered the parties' request and has determined that good cause exists to continue the hearing in the consolidated matters to allow the parties the opportunity to mediate the matter. The current dates for the prehearing conference and due process hearing in the consolidated matters are vacated. The mediation date of May 20, 2015 is confirmed. The hearing dates shall be:

Prehearing Conference:	May 29, 2015 at 10:00 a.m.
Due Process Hearing:	June 9, 2015 at 9:30 a.m., June 10 and 11, 2015 at 9:00 a.m., and continuing day to day Monday through Thursday as determined by the Administrative Law Judge.

The parties are not required to file new prehearing conference statements unless circumstances have changed, in which case they may file amended prehearing conference statements not later than three business days before the prehearing conference.

2. 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.

IT IS SO ORDERED.

DATE: March 30, 2015

/s/
ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings