

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

BRENTWOOD UNION SCHOOL
DISTRICT.

OAH Case No. 2015040291

ORDER FOR SUPPLEMENTAL
BRIEFING

The evidentiary portion of the due process hearing in this case concluded on June 18, 2015. The matter was continued to July 9, 2015 to allow the parties to file closing briefs. Both Student's and Brentwood's closing briefs have been received. Supplemental briefing is necessary regarding two of the issues that have been pled by Student.

The two issues are:

1. Did Brentwood deny Student a free appropriate public education during the 2013-2014 school year by failing to conduct the following assessments:

- a. a functional analysis assessment; and
- b. a social behavioral assessment?

2. Did Brentwood deny Student a FAPE during the 2014-2015 school year by failing to conduct the following assessments:

- a. a functional analysis assessment; and
- b. a social behavioral assessment/functional behavior assessment?¹

Student is directed to provide supplemental briefing differentiating the terms functional analysis, social behavior assessment, and functional behavior assessment by citing, if applicable, statutes, regulations, code sections, case law, and the evidence presented

¹ These issues were number as Issue 4 and Issue 5 in the Order Following Prehearing conference and Granting Continuance of Hearing Date that was issued on May 26, 2015. The issues were renumbered after Issues 1, 2, and 3 were dismissed on Student's motion.

during the hearing. Additionally, Student shall provide supplemental briefing on the legal requirements of a local education agency to provide such assessments.

ORDER

1. By the close of business on July 27, 2014, Student shall file his supplemental brief differentiating the terms functional analysis, social behavior assessment, and functional behavior assessment by citing, if applicable, statutes, regulations, code sections, and the evidence presented during the hearing and the legal requirements of a local education agency to provide such assessments.

2. Brentwood shall file a response to Student's supplement brief by the close of business on August 10, 2015. No other responsive briefing will be accepted.

3. This matter is continued until August 10, 2015 in order to allow the parties to submit their supplemental briefs in compliance with the briefing schedule.

IT IS SO ORDERED.

DATE: July 10, 2015

/s/

B. ANDREA MILES
Administrative Law Judge
Office of Administrative Hearings