

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. 2015030892

ORDER FOLLOWING PREHEARING
CONFERENCE AND ORDER
GRANTING CONTINUANCE OF
PREHEARING CONFERENCE

On July 17, 2015, a telephonic prehearing conference was held before Administrative Law Judge Chris Butchko, Office of Administrative Hearings. Mother appeared on behalf of Student. Shari 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. Continuance of Prehearing Conference The parties both reported that they were unprepared to participate in the prehearing conference because a settlement, reached in principle, had collapsed. As a result, Student's counsel had withdrawn from representation. The parties had stipulated on July 14, 2015, to delay filing prehearing conference statements because of the likelihood of settlement. Because of the last-minute failure of the settlement, neither party was able to prepare and file new statements prior to the PHC.

At the request and with the agreement of the parties, the ALJ continued further proceedings in the PHC to Monday, July 20, 2015, at 3:00 p.m., rather than proceed with unprepared principals. Any prehearing statement by either side, including any supplementation of District's prehearing conference statement filed for the then-scheduled April 27, 2015, prehearing conference, must be filed by 4:30 p.m. on July 17, 2015.

NO CONTINUANCE OR OTHER ALTERATION OF THE HEARING DATES OR TIMES IN THIS MATTER HAS BEEN MADE.

2. All other PHC matters shall be addressed at the continued PHC.

3. Settlement. The parties are encouraged to continue their attempts 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. If a settlement is reached five business days or fewer before the due

process hearing is scheduled to begin, the parties shall, in addition, immediately inform OAH of that fact 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. 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 ALJ will check for messages the evening prior to the hearing and the morning of the hearing.

IF A FULL AND FINAL WRITTEN SETTLEMENT IS REACHED AFTER 5:00 P.M. ON THE LAST BUSINESS DAY PRIOR TO HEARING, THE PARTIES SHALL LEAVE A VOICEMAIL MESSAGE REGARDING THE SETTLEMENT AT (916) 274-6035, AND SHALL 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 OAH AT THE FAXINATION LINE at 916-376-6319.

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

IT IS SO ORDERED.

DATE: July 17, 2015

/s/

CHRIS BUTCHKO
Administrative Law Judge
Office of Administrative Hearings