BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

CAMPBELL UNION SCHOOL DISTRICT AND MORGAN HILL UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2023100744

OAH CASE NUMBER 2023110723

ORDER GRANTING REQUEST FOR CONTINUANCE AND SETTING MEDIATION, PREHEARING CONFERENCE AND HEARING

DECEMBER 7, 2023

On October 20, 2023, the Office of Administrative Hearings, called OAH, received a Request for Due Process Hearing from Student naming Morgan Hill Unified School District and Campbell Union School District, OAH Case Number 2023100744. Student's Case contained expedited claims against Campbell Union, and non-expedited claims against both Campbell Union and Morgan Hill.

The expedited claims proceeded to hearing on November 14 and 15, 2023. The expedited Decision was issued on November 30, 2023.

The non-expedited claims were originally scheduled for hearing to commence on December 5, 2023. On the record during the November 15, 2023 expedited hearing day, OAH continued the non-expedited matter to the currently scheduled dates, for a prehearing conference to occur on December 11, 2023 at 10:00 AM, and a due process hearing to occur on December 19, 20 and 21, 2023.

On November 22, 2023, Campbell Union filed a Request for Due Process Hearing in OAH case 2023110723, Campbell Union's Case, naming Student. On November 22, 2023, Campbell Union also filed a Motion to Consolidate the cases OAH granted the request on November 30, 2023 and consolidated the cases. Campbell Union also filed a request to continue the consolidated and non-expedited due process hearing, in order to permit the parties to consider the results of the expedited Decision. On November 30, 2023, OAH denied that request without prejudice because the requested hearing dates were not available on the OAH calendar.

On December 7, 2023, the parties jointly filed a new request for a continuance seeking available dates and a mediation. The request is granted. All previously scheduled dates are vacated. The new dates are:

MEDIATION will be held on December 19, 2023, at 9:00 AM to 4:30 PM.

PREHEARING CONFERENCE will be held on December 29, 2023, at 10:00 AM.

DUE PROCESS HEARING will be held on January 9, 10 and 11, 2024.

The mediation, prehearing conference, and due process hearing will be held by videoconference or telephone, unless otherwise ordered. The due process hearing will

begin at 9:30 AM on all days, and generally end at 3:30 PM, unless otherwise ordered. The hearing will continue day to day, as needed, Mondays and Fridays included, at the discretion of the Administrative Law Judge. Prehearing conference statements and motions are due to OAH no later than three business days before the prehearing conference. Late motions will only be considered if good cause is established for the late filing.

The parties must immediately give potential witnesses the hearing dates, and must subpoena witnesses, if necessary, so they are available to testify. Failing to properly notify or subpoena a witness is not good cause to delay the hearing.

IT IS SO ORDERED.

June Lehrman

June Lehrman
Administrative Law Judge
Office of Administrative Hearings