BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

MENIFEE UNITED SCHOOL DISTRICT,

OAH CASE NUMBER 2020020214.

# ORDER DENYING WITHOUT PREJUDICE STUDENT'S MOTION TO ADD HEARING DAY

FEBRUARY 21, 2020

On February 6, 2020, Parent on behalf of Student filed a due process complaint naming Menifee United School District. OAH determined that the complaint included issues that required an expedited hearing under title 20 United States Code section 1415(k). On February 6, OAH issued a scheduling order setting dual hearing dates. The expedited telephonic prehearing conference is scheduled for March 2, 2020, and the expedited due process hearing is scheduled for March 10 through 12, 2020.

On February 13, 2020, Parent on behalf of Student filed with the Office of Administrative Hearings a request to add an additional hearing day to this expedited

due process proceeding on the basis that a material witness is unavailable on the scheduled hearing days. No response was filed by Menifee United School District.

Here, Parent on behalf of Student argues that a material expert witness is unavailable to attend the expedited hearing, and requests that one hearing day be added on March 19, 2020 for the purpose of examining this witness. This issue is within the sound discretion of the administrative law judge hearing this matter. Accordingly, Parent's motion is denied without prejudice to Parent renewing their request in the Prehearing Conference Statement and at the Prehearing Conference scheduled for March 2, 2020, at 1:00 PM.

IT IS SO ORDERED.

DocuSigned by:
Jennifer Kelly
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Jennifer Kelly

Administrative Law Judge

Office of Administrative Hearings