BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

BELMONT-REDWOOD SHORES SCHOOL DISTRICT.

OAH CASE NUMBER 2024110856

ORDER REQUESTING CLARIFICATION OF PARTIES' STIPULATION ON THE RECORD TO STUDENT'S SPECIALIZED PHYSICAL HEALTH CARE SERVICES

MARCH 6, 2025

On November 26, 2024, the Office of Administrative Hearings, called OAH, received a due process hearing request from Parents on behalf of Student naming Belmont-Redwood Shores School District, called Belmont-Redwood Shores. Administrative Law Judge Jennifer Kelly heard the matter via videoconference on February 11, 12, 13, 14, 25, 26, and 27, 2025. The Administrative Law Judge is called an ALJ.

Attorneys Mark Wojciechowski and Sarah Fairchild represented Student. Parents attended all hearing days. Attorneys Kathryn Meola and Michael Sellers represented

Belmont-Redwood Shores. Jennifer Payne, Director of Special Program for Belmont-Redwood Shores, attended all hearing days on Belmont-Redwood Shores' behalf.

At the start of the due process hearing on February 25, 2025, attorney Meola advised the ALJ that Student notified Belmont-Redwood Shores in writing on February 24, 2025, of Parents' agreement to accept the conditions for specialized physical health care services proposed as Option 1 in Belmont-Redwood Shores' prior written notice dated January 27, 2025. Belmont-Redwood Shores' January 27, 2025, prior written notice was admitted into the record as Exhibit D29.

Attorney Wojciechowski confirmed on the record that Parents agreed to Option 1 in Belmont-Redwood Shores' January 24, 2025, prior written notice, with certain modifications. Student's written response to Belmont-Redwood Shores' January 24, 2025, prior written notice was entered into the record as S49. The parties stipulated to Parents' agreement to Option 1 in the January 24, 2025, prior written notice, and to Student's proposed modifications as outlined in Parents' February 24, 2025, written response.

In the interests of maintaining a clear and accurate record, the parties are hereby ordered to confirm and clarify, in writing, their stipulation for Student's specialized physical health care as stated in Belmont-Redwood Shores' prior written notice dated January 24, 2025, and Parents' written response dated February 24, 2025. The stipulation shall:

- state the terms of Option 1 contained in Belmont-Redwood Shores' January 24, 2025, prior written notice;
- clarify how Parents may switch to Option 3 in the event Student tests positive for an infection or shows signs of physical complications;

- confirm an individualized health care plan will be developed collaboratively through the individualized education program process; and

- clarify Mother can perform Student's catheterization services in the event the licensed vocational nurse assigned to Student or the district nurse are unavailable.

The stipulation shall state the terms of Option 3. The stipulation shall be signed by the parties' attorneys of record.

The parties shall file their written stipulation with the Office of Administrative Hearings by 5:00 p.m. on March 14, 2025. In the event the parties fail to timely file a written stipulation, the parties' stipulation on the record shall be stricken.

IT IS SO ORDERED.

Jennifer Kelly

Jennifer Kelly
Administrative Law Judge
Office of Administrative Hearings