BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2017120789 ORDER FOLLOWING PREHEARING CONFERENCE CONTINUING PREHEARING CONFERENCE AND DUE PROCESS HEARING DATES

On February 26, 2018, a telephonic prehearing conference was held before Administrative Law Judge Ted Mann, Office of Administrative Hearings. Ricardo Silva, Attorney at Law, appeared on behalf of Norwalk-La Mirada Unified School District. Student's mother, appeared on behalf of Student. Interpreter Rudy Carrasco provided English to Spanish and Spanish to English interpreting for the PHC. The PHC was recorded.

Based upon discussion with the parties, the ALJ issues the following order:

1. New Dates for Prehearing Conference and Due Process Hearing.

A continuance is granted for good cause shown on the record during the PHC. All dates are vacated. This matter will be set as follows:

Prehearing Conference:	April 9, 2018, at 3:00 p.m.
Due Process Hearing:	April 17 - 19, 2018, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. The hearing shall begin at 9:30 a.m., the first day and at 9:00 a.m. all other days unless otherwise ordered.

The parties shall immediately notify all potential witnesses of the new hearing dates, and shall subpoena witnesses if necessary, to ensure that the witnesses will be available to testify. A witness will not be regarded as unavailable for purposes of showing "good cause" to continue the hearing if the witness is not properly notified of the hearing date or properly subpoenaed, as applicable.

2. Certification of Accessibility.

As ordered in the scheduling order, the named local educational agency shall provide a facility for the hearing that fully complies with the Americans with Disabilities Act of 1990 (42 U.S.C.A. § 12101 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.), the Unruh

Civil Rights Act (Civ. Code, § 51 et seq.), and all laws governing accessibility of government facilities to persons with disabilities. The named local educational agency has yet to certify that the facilities to be used for this case comply with the law. The local educational agency shall provide certification of accessibility to OAH within two days of the date of this order.

3. Settlement. The parties are encouraged to continue working together 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. In addition, if a settlement is reached within five days of the scheduled start of the due process hearing, the parties shall also inform OAH of the settlement by telephone at (916) 263-0880.

IF A FULL AND FINAL WRITTEN SETTLEMENT AGREEMENT IS REACHED AFTER 5:00 P.M. THE DAY PRIOR TO HEARING, THE PARTIES SHALL LEAVE A VOICEMAIL MESSAGE REGARDING THE SETTLEMENT AT (916) 274-6035. THE PARTIES SHOULD ALSO LEAVE CONTACT INFORMATION SUCH AS CELLULAR PHONE NUMBERS OF EACH PARTY OR COUNSEL FOR EACH PARTY. THE PARTIES SHOULD SIMULTANEOUSLY **EMAIL THE SIGNATURE PAGE OF THE SIGNED AGREEMENT OR A LETTER WITHDRAWING THE CASE TO OAH AT** https://www.dgsapps.dgs.ca.gov/oah/oahsftweb **.**

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 assigned ALJ will check for messages the evening prior to the hearing or the morning of the hearing.

If the matter settles subject to board approval, in addition to a signed copy of the signature page of the settlement agreement as noted above, the parties shall submit a request for a status conference and provide the date of the next board meeting. The hearing dates will not be cancelled without this information.

4. All other PHC matters will be addressed at the PHC on April 9, 2018. The parties shall serve prehearing conference statements, witness lists, and exhibit lists for the April 9, 2018 PHC in accordance with the Scheduling Order in this case.

IT IS SO ORDERED.

DATE: February 26, 2018

DocuSigned by:
Ted Mann
E2B8AEC30B604EC...

TED MANN
Administrative Law Judge
Office of Administrative Hearings