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. 2016060728 ORDER FOLLOWING PREHEARING CONFERENCE

On July 29, 2016, a telephonic prehearing conference was held before Administrative Law Judge Robert G. Martin, Office of Administrative Hearings. Parent appeared on behalf of Student. Patrick Balucan, Attorney at Law, appeared on behalf of Los Angeles Unified School District. Spanish language interpreter Johana Vega interpreted from English to Spanish and Spanish to English. The PHC was recorded.

District filed a PHC statement. Student did not file a PHC statement.

Based on discussion of the parties, the ALJ issues the following order:

1. Student's Request for First Continuance Student filed his due process hearing request on June 13, 2016. The matter was set for hearing on August 4, 2016, and has not been continued previously. On July 28, 2016, Parent on behalf of Student filed a request to continue the hearing in this matter on grounds that Parent lacked the financial resources to hire an attorney to present Student's case and needed additional time to prepare. District did not oppose the request for continuance.

A due process hearing must be held, and a decision rendered, within 45 days of receipt of the complaint, unless a continuance is granted for good cause. (Ed. Code, §§ 56502, subd. (f) & 56505, subd. (f)(1)(C)(3).) Here, good cause was shown for an initial continuance. Based on discussion of the parties, the ALJ continued the matter to dates agreed upon by the parties at the July 29, 2016 PHC.

ORDER

Student's unopposed request is granted. This matter will be set as follows:

PHC: August 22, 2016 at 10:00 a.m.

Due Process Hearing: September 6, 7 and 8, 2016, at the Office of Administrative Hearings, 15350 Sherman Way, Suite 300, Van Nuys, CA 91406. The hearing shall start at 1:30 p.m. on September 6, 2016, and at 9:00 a.m. all other days, and shall continue day to day thereafter, Monday through Thursday, as needed at the discretion of the ALJ.

Student shall file and serve a PHC statement no later than 5:00 p.m. on August 17, 2016. The PHC statement shall comply with the requirements set forth in the Spanish language scheduling order issued in this matter on June 17, 2016. District may amend its previous PHC statement if it wishes, but is not required to do so.

Dated: July 29, 2016

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ROBERT MARTIN
Administrative Law Judge
Office of Administrative Hearings