BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: EDUCATIONAL RIGHTS HOLDER ON BEHALF OF STUDENT, v. LOS ANGELES UNIFIED SCHOOL DISTRICT,	OAH Case No. 2014120059
LOS ANGELES UNIFIED SCHOOL DISTRICT, v. EDUCATIONAL RIGHTS HOLDER ON BEHALF OF STUDENT.	OAH Case No. 2014120530 ORDER FOLLOWING TRIAL SETTING CONFERENCE AFTER REMAND

On October 31, 2016, a telephonic trial setting conference was held before Administrative Law Judge Elsa H. Jones, Office of Administrative Hearings. Janeen Steel, Shawna Parks, Devon Hein, and Renee van Beever, Attorneys at Law, appeared on behalf of Educational Rights Holder and Student (collectively, Student). Diane M. Willis, Attorney at Law, appeared on behalf of Los Angeles Unified School District. There was no appearance on behalf of Simi Valley Unified School District. The trial setting conference was recorded.

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

1. Hearing Dates, Times, and Location. The hearing shall take place on February 21-22, 2017, and shall continue day to day, Monday through Thursday as needed, at the discretion of the ALJ. The hearing shall take place at the offices of OAH, located at 15350 Sherman Way, Suite 300, Van Nuys, California 91406. Unless otherwise ordered, the hearing shall begin at 9:30 a.m. on February 21, and at 9:00 a.m. on all other days.

2. Prehearing Conference. A prehearing conference shall be held on February 13, 2017, at 10:00 a.m. OAH will initiate the conference call. Each party shall file and serve a PHC statement in conformity with the provisions of the Scheduling Order issued in this matter on December 2, 2014.

2. Issues. The issues at the hearing shall be whether Student is entitled to the following remedies:

A. An order that Los Angeles Unified amend Student's February 26, 2014 and October 21, 2014 individualized education programs to offer Student a residential placement for educational purposes;

B. Compensatory education due to the failure of Student's IEP's of February 26, 2014 and October 21, 2014 to offer Student a residential placement for educational purposes; and

C. An order that Los Angeles Unified train its instructors and staff regarding their legal obligations to consider and offer residential placement for educational purposes to foster children who are eligible for special education from Los Angeles Unified.

3. By no later than 3:00 p.m. on January 6, 2017, the parties shall submit briefs on the following issues: (a) Whether an evidentiary hearing regarding the remedies to be awarded should be held, or whether the ALJ should decide the issue of remedies based only on the evidence received at the due process hearing held in this matter in February and March 2015; (b) If an evidentiary hearing is held, the time period during which evidence as to remedies is relevant.

IT IS SO ORDERED.

DATE: November 15, 2016

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Elsa H. Jones
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ELSA H. JONES
Administrative Law Judge
Office of Administrative Hearings