BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT,	OAH CASE NO. 2013031004
WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH CASE NO. 2013040364, also consolidated with OAH CASE NO. 2013060755 ORDER FOLLOWING PREHEARING CONFERENCE AND CONTINUING PREHEARING CONFERENCE AND DUE PROCESS HEARING

On August 12, 2013, a telephonic prehearing conference (PHC) was held before Administrative Law Judge (ALJ) Elsa H. Jones, Office of Administrative Hearings (OAH). Hagit Habash, Mother, appeared on behalf of herself and Student. (Student and Mother are collectively referred to herein as Student.). Shawn Olson Brown, Attorney at Law, appeared on behalf of the West Contra Costa Unified School District (District). The PHC was recorded.

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

1. Hearing Dates, Times, and Location. The hearing is continued on the unopposed motion of Student, for good cause shown, as Student wishes to obtain counsel. Further, no party in these consolidated cases has requested a continuance of the hearing since the matter was rescheduled after OAH granted Student's motion to amend his due process hearing complaint, and the matter was then re-scheduled for hearing on a single hearing date when additional hearing dates are necessary. The hearing shall take place on **September 30, 2013, October 1-3, 2013, October 7-10, 2013, and October 14-15, 2013,** and continuing day to day thereafter, Monday through Thursday, as needed, at the discretion of the ALJ. Unless otherwise ordered, the hearing shall begin at 1:30 p.m. on September 30, October 7, and October 14, and at 9:30 a.m. on all other days. The hearing shall take place at the District's offices located at 2465 Dolan Way, San Pablo, California 94806.

The parties shall immediately notify all potential witnesses of the 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 has not been properly notified of the hearing date or properly subpoenaed, as applicable.

The parties have been advised that any new counsel should be prepared to proceed with the hearing on the dates stated above. The parties should not anticipate that any further continuances will be granted based on new counsel's availability, since Student will have had ample time to retain new counsel and new counsel will have notice of the current hearing dates upon being retained.

2. Continued PHC. The telephonic PHC is continued to **September 23, 2013, at 1:00 p.m.** OAH will initiate the conference call.

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.

IT IS SO ORDERED.

Dated: August 16, 2013

/s/

ELSA H. JONES
Administrative Law Judge
Office of Administrative Hearings