

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

CONEJO VALLEY UNIFIED SCHOOL
DISTRICT AND VENTURA COUNTY
BEHAVIORAL HEALTH DEPARTMENT.

OAH CASE NO. 2010100644

ORDER CONTINUING
PREHEARING CONFERENCE AND
DUE PROCESS HEARING DATES

On March 7, 2011, a telephonic conference was held before Administrative Law Judge (ALJ) Elsa H. Jones, Office of Administrative Hearings, at the time of the duly scheduled and noticed prehearing conference in this matter. Valerie J. Gilpeer, Attorney at Law, of Newman.Aaronson.Vanaman appeared on behalf of Student and Parents (collectively, Student). Wesley B. Parsons, Attorney at Law, of Fagen, xxxxxx, appeared on behalf of Conejo Valley Unified School District. There was no appearance by the Ventura County Behavioral Health Department (VCBHD). The ALJ called (VCBHD) prior to the start of the conference, but no person answered the phone. The ALJ left a voice mail message, but nobody called in response to the message.

The conference was not recorded.

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

PHC and Hearing Dates. The PHC and due process hearing are continued on joint motion of the Student and the District. Good cause exists for the continuance, as all of the parties have signed a contingent settlement agreement, but the parties need time for the contingencies to be performed. Therefore, the matter is continued as follows:

Telephonic PHC: May 2, 2011, at 10:00 a.m. OAH shall initiate the conference call.

Due Process Hearing: May 9, 2011, through May 12, 2011. The first day of hearing shall commence at 1:00 p.m.

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 is not properly notified of the hearing date or properly subpoenaed, as applicable.

The parties shall inform OAH in writing immediately upon the fulfillment of the contingencies in their settlement agreement. Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received by OAH.

IT IS SO ORDERED.

Dated: March 07, 2011

/s/

ELSA H. JONES
Administrative Law Judge
Office of Administrative Hearings