

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

RIVERSIDE UNIFIED SCHOOL
DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT

OAH CASE NO. 2011020676

ORDER RE: POTENTIALLY
INAUDIBLE TESTIMONY AT
HEARING

The hearing in this matter took place on May 3, 4, and 5, 2011. On May 4, among others, the Riverside Unified School District called as witnesses Catherine Miranda and James Scott. During the District's direct examination of Mr. Scott, the Administrative Law Judge (ALJ) determined that his microphone was malfunctioning. The ALJ adjusted the microphone and corrected the problem. After reviewing the recorded testimony, the ALJ determined that the malfunction in the witnesses' microphone began during the cross-examination of Ms. Miranda by Student's parent at approximately 1:04 p.m. on May 4. After discussion with the parties during the hearing, the ALJ determined that she was unsure if the testimony in question was audible. She therefore determined that she would prepare a proposed stipulation as to the inaudible testimony for the parties based upon her notes.

The ALJ has listened to the testimony in question of Ms. Miranda and Mr. Scott. Although the testimony is faint since it was being recorded through the other microphones used during the hearing, it is audible to the ALJ. Therefore, the ALJ will not prepare a stipulation as to testimony at this time.

IT IS SO ORDERED.

Dated: May 9, 2011

/s/

DARRELL LEPKOWSKY
Administrative Law Judge
Office of Administrative Hearings