

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

IRVINE UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011080879

ORDER DENYING MOTION TO
STRIKE

On August 22, 2011, District filed a Due Process Hearing Request (complaint) naming Student as the respondent. The complaint sought a declaration that District offered Student appropriate occupational and physical therapy services. A telephonic prehearing conference (PHC) was initially scheduled for September 12, 2011. On September 6, 2011, Student filed a PHC Statement. On September 7, 2011, District filed a PHC Statement that contained a “motion to strike” certain portions of Student’s PHC Statement. Specifically, District’s motion contends that Student’s PHC Statement contained an inappropriate statement of the issues, and sought inappropriate resolutions. On September 9, 2011, the telephonic PHC was continued until November.

District’s Motion to Strike is denied. The prehearing conference is held for the purpose of discussing and resolving the issue raised by District’s “motion to strike.” Any dispute regarding the proper delineation of hearing issues and resolutions may be argued before the Administrative Law Judge who conducts the PHC and hearing.

IT IS SO ORDERED.

Dated: September 19, 2011

/s/

JUNE R. LEHRMAN
Administrative Law Judge
Office of Administrative Hearings