

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

OCEANSIDE UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014090955

ORDER FOLLOWING PREHEARING
CONFERENCE

On February 2, 2015, a telephonic prehearing conference was held before Administrative Law Judge Judith L. Pasewark, Office of Administrative Hearings. Phillip W. VanAllsburg, Attorney at Law, appeared on behalf of Student. Susan Winkleman, Attorney at Law, appeared on behalf of Oceanside Unified School District. The PHC was recorded.

Based on discussion of the parties, the ALJ issues the following order:

1. Hearing Dates, Times, and Location. The hearing is continued on the joint motion of the parties and shall take place on March 16, 17, 18, and 19, 2015, and continue day to day, Monday through Thursday as needed at the discretion of the ALJ. The hearing shall begin each day at 9:00 a.m. with the exception of the first day on which the hearing shall begin at 1:30p.m.

A telephonic prehearing conference shall take place on March 9, 2015 at 1:00 p.m. OAH shall initiate the telephone call.

The parties are responsible for contacting OAH with mutually agreeable mediation dates. District is unavailable February 9 through 12, 2015. Failure to mediate this matter shall not constitute good cause for any further continuance or delay of this matter. **NO FURTHER CONTINUANCES SHALL BE GRANTED.**

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.

2. 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.

Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received by OAH. If an agreement in principle is reached, the parties should plan to attend the scheduled hearing unless different arrangements have been agreed upon by the assigned ALJ. The assigned ALJ will check for messages the evening prior to the hearing or the morning of the hearing.

3. Failure to comply with this order may result in the exclusion of evidence or other sanctions.

IT IS SO ORDERED.

DATE: February 2, 2015

/s/

JUDITH PASEWARK
Administrative Law Judge
Office of Administrative Hearings