

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2012100140

ORDER FOR SUPPLEMENTAL
BRIEFING ON STUDENT'S REQUEST
TO COMPEL PRODUCTION

On October 17, 2012, Student filed a Request for Order Compelling Production of Student Record. In the request, Student claims that an "incident report" exists regarding abuse perpetrated upon [Student] on September 7 and 12, 2012 by his special education teachers. The Request further claims that this document is related to Student and maintained by District and, as such, constitutes an educational record that must be produced pursuant to Federal and state law.

OAH has received no opposition from District.

In the Request, Student states that District has refused to produce the document on the grounds of attorney-client privilege. The Request then states factual and legal arguments in opposition, namely that the document in question did not contain legal advice or opinion, did not involve attorneys, and was communicated only between District personnel.

Additional information is required before a ruling may be made on the pleadings. Therefore, within three days of this order, District shall provide written Opposition to Student's Request for Order Compelling Production of Student Record. The Opposition shall clarify the factual and legal basis for District's position with regard to the document in question, and shall include sworn declarations supporting any factual assertions included in the brief.

IT IS SO ORDERED.

Dated: October 23, 2012

/s/

JUNE R. LEHRMAN
Administrative Law Judge
Office of Administrative Hearings