

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. 2015060612

ORDER TO SHOW CAUSE WHY THE
STUDENT'S COMPLAINT SHOULD
NOT BE DISMISSED, AND
CONTINUING PREHEARING
CONFERENCE

On May 20, 2015, Student's mother on behalf of Student filed a due process hearing request (complaint) naming Los Angeles Unified School District as respondent. On June 15, 2015, the Office of Administrative Hearings issued a scheduling order, setting this matter for prehearing conference on July 3, 2015 and for due process hearing on July 14, 2015. On June 29, 2015, pursuant to a joint request for continuance and based on good cause, OAH issued an order rescheduling the PHC for October 5, 2015, at 1:00 p.m., and the due process hearing for October 13 – 14, 2015.

On September 30, 2015, District filed a PHC statement in this matter. On October 2, 2015, OAH staff left a voicemail message for parent to file a PHC statement on behalf of Student for the October 5, 2015 PHC. No PHC statement was filed on behalf of Student.

On October 5, 2015 at 1:00 p.m., Administrative Law Judge Cole Dalton attempted to convene the PHC with all parties. The ALJ left a voice mail message for parent, indicating a return call would be made in 10 minutes, and asking that parent be prepared to proceed with the PHC. A second call was made to parent and another voice mail message was left indicating that the PHC would be continued and an Order to Show Cause regarding dismissal would be set for October 9, 2015 at 3:00 p.m. ALJ Dalton contacted counsel for District Christine Wood, Esq., and advised her of the OSC and PHC date and time.

Student is ordered to show cause, at a telephonic hearing on Friday, October 9, 2015 at 3:00 p.m., as to why this matter should not be dismissed for failure to participate, prosecute or advance the matter. Should Student provide adequate justification at the hearing on the order to show cause, the PHC will proceed at that time. Student is further ordered to file a PHC statement by 5:00 p.m. on October 6, 2015. The parties are reminded that each party must also serve on the opposing party, by 5:00 p.m. on Tuesday, October 6, 2015, final witness lists, and copies of all exhibits to be used at hearing, pursuant to Evidence Code section 56505, subdivision (e)(7).

If the parties have reached a final agreement in writing signed by all parties before October 9, 2015, OAH will not vacate hearing dates unless Student files a Notice of Withdrawal. All hearing dates are confirmed.

IT IS SO ORDERED.

DATE: October 05, 2015

/s/

COLE DALTON
Administrative Law Judge
Office of Administrative Hearings