

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ACTON-AGUA DULCE UNIFIED
SCHOOL DISTRICT.

OAH Case No. 2015120613

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

On December 14, 2015, Student's Parent filed a request for due process hearing on behalf of Student, naming Acton-Agua Dulce Unified School District as respondent. On December 17, 2015, the Office of Administrative Hearings issued a scheduling order, setting this matter for prehearing conference on February 1, 2016, at 1:00 p.m., and for due process hearing on February 9, 2016, at 9:30 a.m.

On February 1, 2016, OAH staff left a voicemail message for both parties regarding the PHC, as neither party filed a PHC statement.

On February 1, 2016, at 1:00 p.m., Administrative Law Judge Cole Dalton attempted to convene the PHC with all parties. Voicemail messages were left for both parties indicating a second call to convene the PHC would be made at or about 1:15 p.m. At approximately 1:15 p.m., the ALJ left voice mail messages for both parties trailing the PHC to 2:00 p.m. At 2:00 p.m., the ALJ left voice mail messages for both parties setting an Order to Show Cause regarding dismissal/PHC would be set for February 5, 2016, at 1:00 p.m. The ALJ also advised the parties to contact the OAH immediately regarding the status of the case.

Student is ordered to show cause, at a telephonic hearing on Friday, February 5, 2016, at 1:00 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. Both parties are further ordered to file a PHC statement by 5:00 p.m. on February 2, 2016. The parties are reminded that each party must also serve on the opposing party, by 5:00 p.m. on Tuesday, February 2, 2016, 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 February 5, 2016, OAH will not vacate hearing dates unless Student files a Notice of Withdrawal. All hearing dates are confirmed.

IT IS SO ORDERED.

DATE: February 01, 2016

DocuSigned by:


COLE DALTON
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Administrative Law Judge
Office of Administrative Hearings