

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

TORRANCE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2013050386

ORDER GRANTING DISTRICT'S
REQUEST TO RESCHEDULE
MEDIATION AND CONTINUE
PREHEARING CONFERENCE AND
HEARING

On June 11, 2013, Parents on behalf of Student filed an Amended Request for Due Process, naming Torrance Unified School District (District). On June 14, 2013, the Office of Administrative Hearings (OAH) issued a scheduling order, setting the mediation for July 16, 2013, and the hearing for August 6, 2013.

On June 25, 2013, District filed a Request to Reschedule the Mediation and Continue the Due Process Hearing due to its attorney's scheduling conflicts. District states that Student's counsel has agreed to reschedule the mediation to July 9, 2013. District requests that the hearing be continued to September 24, 2013. Student did not file an opposition or response to District's request.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. Good cause may include the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; substitution of an attorney when the substitution is required in the interests of justice; a party's excused inability to obtain essential testimony or other material evidence despite diligent efforts; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (See Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have stipulated to a continuance; whether the interests of justice are served by the continuance; and any other relevant fact or circumstance. (See Cal. Rules of Court, rule 3.1332(d).)

OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is granted and the dates are rescheduled or continued as follows:

Mediation: **July 9, 2013, at 9:30 AM.**

Prehearing Conference: **September 13, 2013, at 10:00 AM**
(telephonic).

Due Process Hearing: **September 24, 25 and 26, 2013, at 9:30 AM,**
and continuing day to day, Monday through
Thursday, as needed at the discretion of the
Administrative Law Judge.

IT IS SO ORDERED.

Dated: July 01, 2013

/s/

CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings