

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. 2013110712

ORDER CONFIRMING INITIAL
CONTINUANCE GRANTED AT
PREHEARING CONFERENCE AND
RESETTING MEDIATION

On January 7, 2014, the parties jointly filed an initial request to continue the dates in this matter. However, a prehearing conference was held in this matter on January 6, 2014, during which the prehearing conference and due process hearing dates were continued upon joint request of the parties to the dates requested in the January 7 joint request for continuance. Accordingly, this order confirms the dates set at the January 6, 2014 prehearing conference, and resets the date for mediation, as requested by the parties.

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. The prehearing conference and due process hearing dates set at the January 6, 2014 prehearing conference are confirmed. A date for mediation is added at the request of the parties. The dates are:

Mediation: February 4, 2014 at 1:30 PM
Prehearing Conference: February 14, 2014 at 1:30 PM
Due Process Hearing: February 24-27, 2014, and continuing day to day,
Monday through Thursday, as needed at the
discretion of the Administrative Law Judge. The
first day of hearing will begin at 1:30 p.m. The
other hearing dates will begin at 9:00 a.m. unless
otherwise ordered.

IT IS SO ORDERED.

Dated: January 7, 2014

/s/

ADRIENNE L. KRIKORIAN
Acting Presiding Administrative Law Judge
Office of Administrative Hearings