

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

UPLAND UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2014070454

ORDER FOLLOWING PRE-HEARING
CONFERENCE AND ORDER
GRANTING SECOND REQUEST FOR
CONTINUANCE

On October 27, 2014, a telephonic prehearing conference (PHC) was held before Administrative Law Judge Clifford H. Woosley, Office of Administrative Hearings. Tania L. Whiteleather, Attorney at Law, appeared on behalf of Student. Christopher J. Fernandes, Attorney at Law, appeared on behalf of Upland Unified School District (District). The PHC was recorded.

Parties Request for Second Continuance

This matter was filed on July 7, 2014. On August 22, 2014, the parties' stipulated joint request for a continuance was granted and the hearing was set for November 4, 5, and 6, 2014, with a prehearing conference of October 27, 2014. On October 23, 2014, the parties filed a stipulated joint request for a second continuance, which requested hearing dates when the Office of Administrative Hearings would be closed for training. The parties did not specify the conflicts on their respective calendars and were seeking a hearing date more than six months after the initial filing. The request for a second continuance was denied.

The parties renewed their continuance request at the prehearing conference. Counsel apologized for requesting dates during the administrative law judges' training week and provided specific information regarding the calendar conflicts. Judge Woosley informed counsel that there is good cause, but that the hearing would not be continued beyond the first week of February 2015. Mr. Fernandes requested that the hearing not be set on February 3, 2014, because the SELPA representative and the special education director would be in training that day. However, since the matter requires three days of hearing, and the delay would push the hearing into the following week, the request was denied.

Good cause appearing, the joint request for a second continuance is granted and the matter is continued as follows:

Prehearing Conference: 10:00 a.m., January 16, 2015 (telephonic)

Due Process Hearing: February 3, 4, and 5, 2015, beginning at 9:00 a.m., except for the first day, which will begin

at 10:00 a.m., in the West End SELPA offices,
located at 8265 Aspen Ave., Suite 200, Rancho
Cucamonga, CA 91730.

No further continuances are contemplated for any reason, as the parties will have had more than ample time to negotiate settlement or prepare.

IT IS SO ORDERED.

DATE: October 27, 2014

/s/

CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings