

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

TORRANCE UNIFIED SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2014120036

ORDER GRANTING JOINT REQUEST  
FOR CONTINUANCE AND SETTING  
PREHEARING CONFERENCE AND  
DUE PROCESS HEARING

On December 9, 2014, the parties filed a request to continue the dates in this matter. The initial hearing date is December 17, 2014.

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 in part. Please see changes to the dates requested based on conflicts with OAH's calendar. The parties are encouraged to check the OAH online calendar before requesting dates in the future.

This matter will be set as follows:

- Mediation: The date the parties requested, January 29, 2015, a day on which OAH is dark for training. Those dates have been posted on OAH website for several months. The parties may submit a request to OAH for a new mediation date after the second week of February once they agree on a mutually convenient date.
- Prehearing Conference: March 20, 2015 at 10:00 a.m. The date requested by the parties, February 20, 2015, is six weeks before the requested hearing date and the request is denied. OAH does not schedule PHCs that far in advance of the hearing date.
- Due Process Hearing: April 1, 2015 at 1:30 p.m., April 2, and April 6, 2015 at 9:00 a.m., unless otherwise ordered, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. Please note the change in the first day of hearing. The parties requested the first day of hearing for March 31, 2015, a day on which OAH is dark because it is a state holiday. OAH begins hearings on the day after a holiday at 1:30 p.m.

IT IS SO ORDERED.

DATE: December 9, 2014

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ADRIENNE L. KRIKORIAN  
Administrative Law Judge  
Office of Administrative Hearings