

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. 2014120688

ORDER GRANTING REQUEST FOR
CONTINUANCE OF MEDIATION
DATE AND DENYING REQUEST FOR
CONTINUANCE OF PREHEARING
CONFERENCE

On April 3, 2015, the parties filed a joint request to continue the mediation and prehearing conference dates in this matter.

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 as to Mediation. Mediation Date of April 15, 2015 is vacated and reset as follows:

New Mediation Date: April 30, 2015 at 1:00 p.m.

Denied as to Prehearing Conference. All prehearing conference and hearing dates are confirmed and shall proceed as calendared. Here, the parties have requested a continuance of the prehearing conference to May 1, 2015, two business days prior to the scheduled May 5, 2015 due process hearing. Generally, prehearing conferences are scheduled by OAH seven to ten business days prior to the due process hearing to permit the orderly management of prehearing matters. Accordingly, the prehearing conference shall proceed as scheduled on April 27, 2015 at 3:00 p.m.

IT IS SO ORDERED.

DATE: April 03, 2015

/s/

LAURIE GORSLINE
Administrative Law Judge
Office of Administrative Hearings