

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. 2015030745

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PREHEARING CONFERENCE AND  
HEARING

On April 2, 2015, the parties filed a request with the Office of Administrative Hearings to continue the initially set dates in this matter due to the end of August 2015. On April 3, 2015, OAH denied the continuance as they dates requested were more than 90 days from the initially set hearing dates, with no explanation for the delay.

On April 9, 2015, the parties filed a second joint request to continue the initially set dates in this matter, which requested hearing dates within 90 days from the initially set hearing dates.

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. All dates are vacated. This matter will be set as follows:

Prehearing Conference: June 29, 2015, at 1:00 PM<sup>1</sup>  
Due Process Hearing: July 7, 2015, at 9:30 AM, July 8 and 9, 2015, at  
9:00 AM, and continuing day to day, Monday  
through Thursday, as needed at the discretion of the  
Administrative Law Judge.

IT IS SO ORDERED.

DATE: April 9, 2015

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PETER PAUL CASTILLO  
Presiding Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> The parties need not file additional PHC statements. Any amendments by either party are due to OAH and the opposing party by 5:00 p.m., on June 24, 2015.