

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PARAMOUNT UNIFIED SCHOOL  
DISTRICT.

OAH Case No. 2015080965

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

On September 29, 2015, the parties filed a joint request to continue the dates in this matter. Although the dates requested for the due process hearing are more than 90 days beyond the dates originally set, attorneys for the parties represent they have extensively searched for mutually agreeable dates and could only agree on dates two weeks beyond 90 days.

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. Due to the lengthy continuance, no further continuances are anticipated and will only be granted upon a showing of extraordinary cause supported by authenticated documentation and declarations under penalty of perjury. This matter will be set as follows:

Mediation:	October 28, 2015 at 9:30 AM
Prehearing Conference:	January 22, 2016 at 3:00 PM
Due Process Hearing:	February 2, 3, and 4, 2016 <sup>1</sup> at 9:00 AM, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge, with the exception of the first day, which shall begin at 9:30 a.m., unless otherwise ordered.

IT IS SO ORDERED.

DATE: September 30, 2015

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KARA HATFIELD  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> The Office of Administrative Hearings is not available for hearing on February 1, 2016, the first date the parties requested.