

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. 2012020127

ORDER GRANTING JOINT REQUEST  
TO CONTINUE THE PREHEARING  
CONFERENCE AND TO EXTEND  
THE TIMELINE FOR PREHEARING  
CONFERENCE STATEMENTS

On May 3, 2012, the parties filed a joint request to continue the prehearing conference in this matter from May 14, 2012 to May 21, 2012, as well as extend the timeline in which to file prehearing conference statements from May 9, 2012 to May 16, 2012.

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. The prehearing conference in this matter is continued to May 21, 2012 at 1:30 p.m., and the timeline in which to file prehearing conference statements is extended to May 16, 2012. All other dates shall remain on calendar.

///

///

IT IS SO ORDERED.

Dated: May 04, 2012

/s/

---

CARLA L GARRETT  
Administrative Law Judge  
Office of Administrative Hearings