

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. 2014020073

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

On January 31, 2014, Torrance Unified School District (District) filed its request for mediation and due process hearing (complaint) with the Office of Administrative Hearings (OAH). On February 20, 2014, Student filed a notice of representation. Also on February 20, 2014, District and Student jointly filed a request to continue the prehearing date and hearing date in this matter. No prior continuances have been granted.

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. This is a joint and uncontested request for a continuance of the Prehearing Conference and Hearing dates initially set in this matter. The request is:

Granted. The initial prehearing conference date and hearing date are vacated, and the matter is continued as follows:

Prehearing Conference: May 12, 2014 at 1:00 PM
Due Process Hearing: May 19-22, 2014 commencing at 1:30 PM on the first day, 9:00 AM on subsequent days, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge.

IT IS SO ORDERED.

DATE: February 21, 2014

/s/

ROBERT MARTIN
Administrative Law Judge
Office of Administrative Hearings