

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2014051230

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
MEDIATION AND DUE PROCESS
HEARING

On July 17, 2014, the parties jointly filed a request to continue the dates in this matter. The initial hearing date is July 22, 2014.

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. The requested dates, which parties offered in the alternative, are reasonable because they are within 90 days of the original hearing date. The prehearing conference in this matter has already been held.

This matter will be set as follows:

Mediation:	August 7, 2014 at 1:30 p.m.
Prehearing Conference:	n/a
Due Process Hearing:	September 2, 2014 at 1:30 p.m., September 3 and 4, 2014 at 9 a.m., and September 8, 2014 at 1:30 p.m. unless otherwise ordered, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge.

Please note: Parties requested September 5, 2014 which is a Friday. OAH does not conduct hearings on Friday. Therefore, the matter was set for Monday, September 8, 2014.

IT IS SO ORDERED.

DATE: July 17, 2014

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings