

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. 2014071054

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

On July 21, 2014, Student filed a complaint with the Office of Administrative Hearings, which issued an initial scheduling order. On September 3, 2014, the parties filed a joint request to continue the mediation, prehearing conference and hearing dates. This is the parties' first continuance request.

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 and considered all relevant facts and circumstances, including the parties' collaboration in agreeing upon new dates. Good cause existing therefore, the request is granted. The mediation and hearing dates are set as follows:

Mediation:

**September 23, 2014, at 9:00 AM,
at Los Angeles USD, 333 South Beaudry Ave,
17th Fl., Los Angeles, CA 90017**

Prehearing Conference: **November 21, 2014, at 1:00 PM.**

Due Process Hearing: **December 8, 9, and 10, 2014, at 9:00 AM, except for the first day, which shall commence at 1:30 PM,** and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. The hearing will take place at **Office of Administrative Hearings, 15350 Sherman Way, Suite 300, Van Nuys, CA 91406.**

IT IS SO ORDERED.

DATE: September 04, 2014

/s/

CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings