

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

CORONA-NORCO UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2015020760

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

On March 9, 2015, a telephonic prehearing conference was held before Administrative Law Judge Robert Helfand, Office of Administrative Hearings. Constance M. Taylor, Attorney at Law, appeared on behalf of the Corona-Norco Unified School District. Student's mother appeared on behalf of Parents on behalf of Student. District filed its PHC Statement on March 4, 2015. Student has not filed a PHC Statement. The PHC was recorded.

Based on discussion of the parties, the ALJ issues the following order:

At the beginning of the prehearing conference, Mother requested that matter be continued as she was in the process of obtaining legal representation and to prepare. Corona-Norco did not oppose Mother's request. This is also the first request for a continuance.

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. This matter will be set as follows:

Mediation:	April 8, 2015 at 9:30 a.m. to 4:30 p.m.
Prehearing Conference:	April 27, 2015 at 10:00 a.m.
Due Process Hearing:	May 5-7, 2015, continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. The hearing shall begin each day at 9:00 a.m. and end at 4:30 p.m. with the exception of March 5, 2015, on which day the hearing shall begin at 9:30 a.m., unless otherwise ordered.

IT IS SO ORDERED.

DATE: March 10, 2015

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings