BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. RIVER SPRINGS CHARTER SCHOOL,	OAH Case No. 2015110494
RIVER SPRINGS CHARTER SCHOOL, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2015120807 ORDER SETTING TELEPHONIC STATUS CONFERENCE

On May 10 – 12, 16 – 19, and 26, 2016, Student and River Springs Charter School, participated in hearing before Administrative Law Judge Kara Hatfield. The parties were granted a continuance of the hearing, for the submission of closing and reply briefs to June 22, 2016. The decision due date in this matter is July 15, 2016. After the completion of the hearing, ALJ Hatfield has had a family medical emergency. Accordingly, a telephonic trial setting conference is required to discuss the impact of the family medical emergency on the completion of the decision.

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).) The Office of Administrative Hearings 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).)

Therefore, a Telephonic Status Conference will be held with Presiding Administrative Law Judge to discuss how this case shall proceed with the parties, as set forth below:

Trial Setting Conference:	June 22, 2016, at 1:00 PM. OAH shall initiate the phone call for the Telephonic Status Conference.

IT IS SO ORDERED.

DATE: June 20, 2016

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Peter Paul Castillo
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PETER PAUL CASTILLO
Presiding Administrative Law Judge
Office of Administrative Hearings