BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. SOLEDAD UNIFIED SCHOOL DISTRICT.	OAH Case No. 2016070938
SOLEDAD UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT,	OAH Case No. 2016070115 ORDER GRANTING REQUEST FOR CONTINUANCE

On December 6, 2016, the hearing was held in these consolidated matters. At the close of the hearing, the parties jointly requested a continuance in order to prepare and submit written closing briefs. The matter was continued at hearing until December 19, 2016, the date the briefs are due. However, Parent's closing brief must be translated from Spanish to English and Soledad's brief must be translated for Parent from English into Spanish before the closing briefs may be considered. After the parties serve their closing briefs to each other and to the Office of Administrative Hearings, OAH will have the documents translated and the translated copies will be served to the parties.

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).)

In order to ensure that the briefs in this case are translated for the parties and the ALJ, this matter is continued until the translated copies of the closing briefs are received by OAH and served upon the parties.

IT IS SO ORDERED.

DATE: December 7, 2016

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Margaret Broussard
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MARGARET BROUSSARD
Presiding Administrative Law Judge
Office of Administrative Hearings