BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS OF:

PLEASANT VALLEY SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT,

OAH CASE NUMBER 2019090819

and

PLEASANT VALLEY SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT,

OAH CASE NUMBER 2019080672

ORDER GRANTING REQUEST FOR CONTINUANCE TO SUBMIT WRITTEN CLOSING BRIEFS

On October 16, 2019, at the close of the evidentiary portion of the hearing, Pleasant Valley School District and Ventura County Office of Education requested a continuance to file written closing briefs.

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. (Ed. Code, § 56505, subd. (f)(3); Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances, including 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; whether the interests of justice are served by the continuance or imposing conditions on the continuance; and any other relevant fact or circumstance. (Cal. Rules of Court, rule 3.1332(d).)

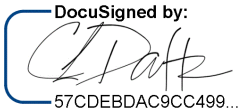
OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is granted. The interests of justice favor a continuance to allow Student, as well as the moving parties, to file written closing briefs addressing the issues brought to hearing. The briefs should be no more than 30 pages long. No copies of any documents may be attached. The briefs should address the issues stated in the Order Following Prehearing Conference. The parties should make any argument related to the law and facts of their case, which they believe supports their position.

The written closing briefs must be filed with OAH no later than 5:00 PM on November 7, 2019 and must be served on all other parties on the date of filing. Service

on other parties may be made after 5:00 PM, but should be made on November 7, 2019 and may be done by e-mail.

IT IS SO ORDERED.

DATED: October 17, 2019



Cole Dalton
Administrative Law Judge
Office of Administrative Hearings