

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SOUTH PASADENA UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2013100723

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING MED/
PHC/HRG

On November 20, 2013, the parties jointly filed an initial request to continue the dates in this matter. The matter is currently set for hearing on December 10, 2013.

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. The requested new dates are within ninety days of the original date set for hearing and are therefore reasonable. This matter will be set as follows:

Mediation:	January 7, 2014 at 9:30 AM
Prehearing Conference:	January 24, 2014 at 1:00 PM
Due Process Hearing:	January 27-30 and February 3-6, 2014, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. Please note that OAH sets hearing dates on consecutive days, Monday through Thursday and therefore if the parties need to go dark on January 29, 2014, their request will be considered by the hearing judge. The hearing will start at 1:30 p.m. on Monday, January 27 and February 2, 2014, and at 9:30 a.m. on all other days of hearing, unless otherwise ordered.

IT IS SO ORDERED.

Dated: November 21, 2013

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings