

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

DAVIS JOINT UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2015020729

ORDER DENYING REQUEST FOR
CONTINUANCE

On March 4, 2015, Davis Joint Unified School District filed a request to continue the expedited due process hearing to March 30-April 2, 2015, thereby setting the hearing dates to fall when Davis's district office is open. Davis included a declaration from Patrick McGrew, Davis's Director of Special Education, in support of its motion. Mr. McGrew stated that Davis is closed from March 23, 2015, through March 27, 2015, for spring break and the expedited due process hearing dates are scheduled for March 24, 25, and 26, 2015. On March 10, 2015, Student opposed the request.

An expedited due process hearing must occur within 20 school days of the date the complaint for hearing is filed and the hearing officer must make a determination regarding the complaint within 10 school days after the hearing. (*See* 34 C.F.R § 300.532(c)(2).)

OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is:

☒ Denied. The school district's spring break schedule does not constitute good cause to continue the hearing dates in this matter. Mr. McGrew's declaration does not indicate that any party or witness is unavailable to testify at the hearing, merely that Davis is not open for business. The scheduled hearing dates are not on State or federal holidays. The request to continue the hearing to March 30-April 2, 2015,

however, does conflict with a State holiday on March 31, 2015. All hearing dates and timelines shall proceed as calendared.

IT IS SO ORDERED.

DATE: March 10, 2015

/s/

JOY REDMON
Administrative Law Judge
Office of Administrative Hearings