BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of: PARENT ON BEHALF OF STUDENT, v. TEMPLE CITY UNIFIED SCHOOL DISTRICT,	OAH Case No. 2018060785
TEMPLE CITY UNIFIED SCHOOL DISTRICT, v. PARENT ON BEHALF OF STUDENT.	OAH Case No. 2018070829 ORDER GRANTING JOINT REQUEST FOR CONTINUANCE

The due process hearing in this matter was held on February 5, 6 and 7, 2019. On February 7, 2015, the matter was continued to February 12, 2019. On February 12, 2019, OAH, for good cause, granted the parties' joint request to continue the next hearing date from February 12, 2019, to February 14, 2019. On February 13, 2019, the parties were notified the Administrative Law Judge was ill and would be unable to conduct the hearing on February 14, 2018. On February 15, 2019, the parties filed a joint request to continue the hearing to March 6, 2019.

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 has reviewed the request for good cause and considered all relevant facts and circumstances. The request is granted. The due process hearing is set for March 6, 2019, at 9:30 a.m., and continuing as needed day to day at the discretion of the ALJ.

IT IS SO ORDERED.

DATE: February 15, 2019

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Marian H. Tully
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MARIAN H. TULLY
Presiding Administrative Law Judge
Office of Administrative Hearings