BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

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| In the Matter of:<br><br>SALINAS UNION HIGH SCHOOL DISTRICT,<br><br>v.<br><br>PARENT ON BEHALF OF STUDENT. | OAH CASE NO. 2013070582<br><br>ORDER GRANTING REQUEST FOR CONTINUANCE AND SETTING HEARING DATES |

On August 22, 2013, the parties filed with the Office of Administrative Hearings (OAH) a joint request to continue the dates in this matter due to the unavailability of District's counsel for the currently set hearing dates. On August 19, 2013, OAH granted Student's request for a continuance over the District's objection, but invited the District to meet and confer with Student and file a joint request for a further continuance if it had a conflict with the selected dates. This is the third request for a continuance in this matter.

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. This matter will be set as follows:

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| Due Process Hearing: | October 22, 2013, at 9:30 a.m., and October 23-24, 2013, at 9:00 a.m., and continuing day to day Monday through Thursday, as needed and at the discretion of the ALJ.[1] |

IT IS SO ORDERED.

Dated: August 22, 2013

/s/
THERESA RAVANDI
Administrative Law Judge
Office of Administrative Hearings

[1] OAH cannot accommodate the parties' request to add Friday, October 25, 2013, due to a scheduled training for the administrative law judges.