

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH Case No. 2015110494

v.

RIVER SPRINGS CHARTER SCHOOL,

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RIVER SPRINGS CHARTER SCHOOL,

OAH Case No. 2015120807

v.

PARENT ON BEHALF OF STUDENT.

ORDER GRANTING REQUEST FOR  
CONTINUANCE FOR DECISION  
ISSUANCE

On June 20, 2016, the Office of Administrative Hearings issued an Order Setting Telephonic Status Conference before Presiding Administrative Law Judge Peter Paul Castillo on June 22, 2016, to discuss the impact of a family medical emergency regarding Administrative Law Judge Kara Hatfield after the conclusion of the hearing on the completion of the decision. Phillip VanAllsburg, Attorney at Law, appeared on behalf of Student. Deborah Cesario, Attorney at Law, appeared on behalf of River Springs Charter School. The TSC was recorded.

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).)

On May 10 – 12, 16 – 19, and 26, 2016, Student and River Springs Charter School, participated in hearing before ALJ Hatfield. The parties were granted a continuance of the hearing, for the submission of closing and reply briefs to June 22, 2016. The decision due date in this matter is July 15, 2016. At the TSC, the parties discussed various options of a continuance, reassigning the decision to another ALJ or conducting a new hearing, and then agreed to a 14 day continuance to permit ALJ Hatfield to complete the decision. Therefore, this matter is continued for 14 days and the decision due date in this matter is now July 29, 2016.

IT IS SO ORDERED.

DATE: June 22, 2016

DocuSigned by:  
*Peter Paul Castillo*  
PETER PAUL CASTILLO  
Presiding Administrative Law Judge  
Office of Administrative Hearings