

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

AMADOR COUNTY UNIFIED SCHOOL
DISTRICT AND AMADOR COUNTY
OFFICE OF EDUCATION,

v.

PARENT ON BEHALF OF STUDENT ,

OAH CASE NO. 2013120492

PARENT ON BEHALF OF STUDENT,

v.

AMADOR COUNTY UNIFIED SCHOOL
DISTRICT AND AMADOR COUNTY
OFFICE OF EDUCATION.

OAH CASE NO. 2013101061

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
PREHEARING CONFERENCE AND
HEARING

On December 20, 2013, the parties filed a joint request with the Office of Administrative Hearings (OAH) to continue the dates in this matter for the initially set dates in OAH Case Number 2013120492.

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 in part. The Prehearing Conference of January 20, 2014, cannot be granted because of the Martin Luther King, Jr. holiday, and OAH has statewide training during the week of January 13, 2014. All dates are vacated. This matter will be set as follows:

Prehearing Conference:	January 10, 2014, at 3:00 PM
Due Process Hearing:	January 27, 2014, at 1:30 PM, January 28, 29 and 30, 2014, at 9:00 AM, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. ¹

IT IS SO ORDERED.

Dated: December 23, 2013

/s/

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings

¹ The parties may request the additional hearing dates at the Prehearing Conference.