

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

EVERGREEN SCHOOL DISTRICT.

OAH CASE NO. 2010110891

ORDER GRANTING CONTINUANCE
OF MEDIATION, PREHEARING
CONFERENCE AND HEARING
DATES

On January 7, 2010, the parties jointly filed a request to continue the dates in this matter. The complaint was filed on November 23, 2010, and there has been no previous continuance.

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. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, OAH is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, 3.1332 .) Generally, continuances of matters are disfavored. (Cal. Rules of Court, 3.1332(c).)

OAH has reviewed the request for good cause and the request is: Granted. All dates are vacated. This matter will be set as follows:

Mediation:	January 19, 2011, from 9:00 AM to 1 PM
Prehearing Conference:	February 28, 2011, at 10:00 AM
Due Process Hearing:	March 8-10, 2011, at 9:30 AM

IT IS SO ORDERED.

Dated: January 10, 2011

/s/

CHARLES MARSON
Acting Presiding Administrative Law Judge
Office of Administrative Hearings