

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

ORANGE UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2009051017

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
MEDIATION, PREHEARING
CONFERENCE AND DUE PROCESS
HEARING

On May 6, 2010, the Office of Administrative Hearings (OAH) denied a request for a continuance in this matter submitted by counsel for the Orange Unified School District. In the denial, OAH noted that the parties had failed to meet and confer regarding the continuance request. On May 10, 2010, the parties submitted to OAH a Stipulation to Vacate Dates, referencing assessments that have been completed and must be reviewed, and requesting a new mediation date.

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 .)

OAH has reviewed the renewed request for good cause and the request is:

Granted. All dates are vacated. This matter will be set as follows:

Mediation:	05/27/2010, at 9:30 a.m., at the District offices.
Trial Setting Conference:	
Prehearing Conference:	09/01/2010, at 10:00 a.m.
Due Process Hearing:	09/14/2010; 09/15/2010; 09/16/2010; 09/21/2010; 09/22/2010; 09/23/2010.

IT IS SO ORDERED.

Dated: May 10, 2010

/s/

TIMOTHY L. NEWLOVE
Presiding Administrative Law Judge
Office of Administrative Hearings