

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT on behalf of STUDENT,

v.

MARYSVILLE JOINT UNION SCHOOL
DISTRICT.

OAH CASE NO. 2009070621

ORDER GRANTING MOTION TO
ADVANCE PREHEARING
CONFERENCE DATE

On August 12, 2009, counsel for the Marysville Joint Union School District filed a request to advance the prehearing conference date in this matter from October 14, 2009, to October 7, 2009, due to a calendar conflict. The request indicates that counsel for Student was served with a copy of the request. The Office of Administrative Hearings (OAH) has not received a response from counsel for Student.

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 that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020.) In weighing motions for continuances in special education due process matters, the Office of Administrative Hearings (OAH) looks to California Rules of Court for guidance. Generally, continuances of matters are disfavored. (Cal. Rules of Court, 3.1332(c).)

The request to advance the prehearing conference date has been reviewed by OAH. The request was not opposed by counsel for Student. Good cause exists and the request for continuance is:

Granted. All dates are vacated. This matter will be set for the following dates and times:

Mediation:	10/5/2009 at 9:30 a.m.
Trial Setting Conference:	
Prehearing Conference:	10/7/2009 at 10:00 a.m.
Due Process Hearing:	10/19/2009; 10/20/2009; and 10/21/2009 at 9:30 a.m.

Denied, all prehearing conference and hearing dates and timelines shall proceed as calendared.

IT IS SO ORDERED.

Dated: August 19, 2009

/s/

DEBRA HUSTON
Presiding Administrative Law Judge
Office of Administrative Hearings