

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT on behalf of STUDENT,

v.

WINDSOR UNIFIED SCHOOL DISTRICT
AND INSIGHT SCHOOL OF
CALIFORNIA – NORTH BAY.

OAH CASE NO. 2009120664

ORDER GRANTING REQUEST FOR
SHORTENING HEARING DAY

On January 14, 2010, Insight School of California – North Bay (Insight) filed a request to either continue one day of hearing or to shorten one hearing day. On January 15, 2010, Student filed opposition to the request. On January 18, 2010, Insight filed a reply to Student’s opposition. A prehearing conference is scheduled on January 27, 2010, and the hearing is scheduled for February 4 and 8 through 11, 2010.

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).)

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

Granted. The hearing will conclude no later than 3:00 p.m. on February 10, 2010, due to scheduling conflict of Insight’s attorney. All other dates remain as previously scheduled.

IT IS SO ORDERED.

Dated: January 20, 2010

/s/

JUDITH A. KOPEC
Presiding Administrative Law Judge
Office of Administrative Hearings

