

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

DOWNEY UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2010060775

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

On July 26, 2010, the parties filed a joint request to continue the mediation, prehearing conference (PHC), and hearing dates in this matter, due to the illness of Student's grandfather.

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:	October 27, 2010, at 9:30 a.m.
Prehearing Conference:	November 1, 2010, at 1:30 p.m.
Due Process Hearing:	November 8, 2010, at 1:00 p.m.; November 9-10, 2010, at 9:30 a.m.

IT IS SO ORDERED.

Dated: July 28, 2010

/s/

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ELSA H. JONES  
Administrative Law Judge  
Office of Administrative Hearings