

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

FOLSOM CORDOVA UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010100403

ORDER GRANTING REQUEST FOR
CONTINUANCE OF PREHEARING
CONFERENCE AND SETTING DATES
FOR HEARING

On March 2, 2011, District filed a joint request to continue the prehearing conference in this matter. The attorneys are not available on the scheduled 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, rule 3.1332 .) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

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

Granted. The prehearing conference date is vacated. In addition, the hearing was inadvertently scheduled for March 31, 2011, a State holiday, which is also vacated. This matter will be set as follows:

Prehearing Conference:	March 16, 2011, at 1:30 PM
Due Process Hearing:	March 28, 2011, beginning at 1:00 PM and March 29, 30, and April 1, 2011, at 9:00 AM

IT IS SO ORDERED.

Dated: March 7, 2011

/s/

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

