

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

ORANGE UNIFIED SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NO. 2011030841

ORDER GRANTING JOINT REQUEST  
FOR CONTINUANCE AND SETTING  
NEW PREHEARING CONFERENCE  
AND DUE PROCESS HEARING  
DATES

On April 5, 2011, Student and the Orange Unified School District filed a joint request to continue the prehearing conference and due process hearing dates in this matter. This is the parties' first request for a continuance.

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. All present dates are vacated and re-scheduled as follows.

Prehearing Conference: April 27, 2011, at 1:30 p.m.

Due Process Hearing: May 25 – 26, 2011; hearing to start at 9:30 a.m. on  
May 25.

The parties have not mediated this case. Should they wish to re-schedule a mediation, they may contact OAH in Sacramento with a mutually agreeable date.

IT IS SO ORDERED.

Dated: April 5, 2011

/s/

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DARRELL LEPKOWSKY  
Administrative Law Judge  
Office of Administrative Hearings