

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

MONTEBELLO UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011031481

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
MED/PHC/HRG

On April 12, 2011, the parties filed a stipulated request for a continuance to mutually agreed dates in the near future. The reason for the request was to conduct assessments and attend an IEP team meeting that could possibly lead to settlement.

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 for good cause. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 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 dates are vacated. This matter will be set as follows:

Mediation:	7/6/11 at 9:30 AM
Prehearing Conference:	7/20/11 at 1:30 PM
Due Process Hearing:	7/25-28/11 at 1:30 PM first day, 9:30 AM after. Note change. OAH is not scheduling hearings on Fridays as requested.

IT IS SO ORDERED.

Dated: April 12, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge (acting)
Office of Administrative Hearings