

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ELK GROVE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011031501

ORDER GRANTING IN PART
REQUEST FOR CONTINUANCE

On June 29, 2011, the parties filed a joint request to continue the dates in this matter to permit the completion of an independent education evaluation and to hold an individualized education program meeting to discuss its results.

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 in part. All dates are vacated. The hearing dates of October 17-20, 2011, are not available as OAH will be conducting training. This matter will be set as follows:

Mediation:	September 21, 2011 at 9:30 AM
Prehearing Conference:	October 3, 2011 at 1:30 PM
Due Process Hearing:	October 10, 2011 at 1:30 PM
	October 11-13, 2011 at 9:00 AM

IT IS SO ORDERED.

Dated: June 30, 2011

/s/

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings