

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011050538

ORDER GRANTING REQUEST FOR
CONTINUANCE, AND SETTING
PREHEARING CONFERENCE AND
DUE PROCESS HEARING

On August 12, 2011, the parties informed the Office of Administrative Hearings (OAH) that they had reached a settlement and requested that all dates be vacated, and a status conference be set. However, the parties have stated that they do not actually have a signed settlement at this time. Accordingly, the parties request to vacate dates and set a status conference is denied. However, they have may have established good cause 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 dates are vacated. This matter will be set as follows:

Prehearing Conference: August 29, 2011, at 10:00 AM
Due Process Hearing: September 7, 2011, at 9:30 AM

IT IS SO ORDERED.

Dated: August 12, 2011

/s/

BOB VARMA
Presiding Administrative Law Judge
Office of Administrative Hearings