

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

TEMPLETON UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2011060682

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

On September 26, 2011, the parties filed a joint request to continue the prehearing conference (PHC) in this matter on the grounds that they had a settlement agreement, signed by Student, approved by the Board of the Templeton Unified School District (District) and awaiting District's signatures.

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, the Office of Administrative Hearings (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 October 3, 2011 hearing date is vacated and continued. This matter will be set as follows:

Prehearing Conference: October 3, 2011, at 1:30 PM  
Due Process Hearing: October 4, 2011, at 1:30 PM, and October 5 – 6,  
2011, at 9:00 AM

IT IS SO ORDERED.

Dated: September 26, 2011

/s/

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BOB VARMA  
Presiding Administrative Law Judge  
Office of Administrative Hearings