

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

SADDLEBACK VALLEY UNIFIED  
SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011061208

ORDER GRANTING STUDENT'S  
REQUEST FOR CONTINUANCE OF  
DUE PROCESS HEARING

On August 5, 2011, Student filed a request to continue the due process hearing date in this matter.<sup>1</sup> On August 8, 2011, the Saddleback Valley Unified School District (District) filed an opposition.

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. The due process hearing date of August 9, 2011 is vacated. This matter will be set as follows:

Due Process Hearing:            October 27, 2011 at 9:30 a.m.

IT IS SO ORDERED.

Dated: August 8, 2011

/s/

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CARLA L GARRETT  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> Student labeled her request as a "Reconsideration of Continuance." However, OAH is considering the request as a new continuance motion.