

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

FONTANA UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011070352

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

On October 27, 2011, the parties filed a stipulated second request for a continuance of all dates on the ground that the parties wished to complete IEEs and hold an IEP prior to mediation and hearing. Although the request will be granted, further continuances are not contemplated as the parties will have had ample to time for settlement negotiations.

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:	January 17, 2012 at 9:30 AM
Prehearing Conference:	January 23, 2012 at 10:00 AM
Due Process Hearing:	January 30- February 2, 2012 at 1:30 PM first day, 9:00 AM after.

IT IS SO ORDERED.

Dated: October 27, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge
Office of Administrative Hearings