

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

MONTEBELLO UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2012021168

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

On March 26, 2012, Student and the Montebello Unified School District (District) filed a joint request to continue the dates in this matter.

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:

Mediation:	April 12, 2012 at 9:30 a.m.
Prehearing Conference:	May 7, 2012 at 1:30 p.m. ¹
Due Process Hearing:	May 14-17, 2012. The first day of hearing shall begin at 1:30 p.m. All subsequent days shall begin at 9:30 a.m., unless otherwise ordered.

IT IS SO ORDERED.

¹ Although the parties requested that the prehearing conference begin at 10:00 a.m., all OAH administrative law judges will be in a statewide meeting at that time, and will not be available until 1:30 p.m.

Dated: March 27, 2012

/s/

CARLA L GARRETT
Administrative Law Judge
Office of Administrative Hearings