

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT on behalf of STUDENT,

v.

NEWPORT-MESA UNIFIED SCHOOL  
DISTRICT.

OAH CASE NOs. 2009061101 and  
2009070470

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
STATUS CONFERENCE

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 that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020.) In weighing motions for continuances in special education due process matters, the Office of Administrative Hearings (OAH) looks to California Rules of Court for guidance. Generally, continuances of matters are disfavored. (Cal. Rules of Court, 3.1332(c).)

The request has been reviewed by OAH and good cause exists and the request for continuance is:

Granted. All dates are vacated. This matter will be set for the following dates and times:

Mediation: at  
Status Conference: 10/05/2009 at 1:30 p.m.  
Prehearing Conference:  
Due Process Hearing:

IT IS SO ORDERED.

Dated: September 29, 2009

/s/  
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TIMOTHY L. NEWLOVE

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Presiding Administrative Law Judge  
Office of Administrative Hearings