

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PIEDMONT UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2010020432

ORDER GRANTING IN PART  
REQUEST FOR CONTINUANCE AND  
SETTING PREHEARING  
CONFERENCE AND HEARING

On May 20, 2010, Student filed a joint request to continue the dates in this matter because the parties reached a “settlement in principle” and need additional time to finalize the agreement. They requested that the dates be vacated and a status conference be scheduled.

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, 3.1332 .) Generally, continuances of matters are disfavored. (Cal. Rules of Court, 3.1332(c).)

OAH has reviewed the request for good cause and the request is:

Granted in part. The prehearing conference date and the first day of hearing are vacated. This matter will be set as follows:

Telephonic Prehearing Conference: June 1, 2010, at 1:30 PM

Due Process Hearing: June 2-3, 2010, at 9:30 AM

IT IS SO ORDERED.

Dated: May 24, 2010

/s/

JUDITH A. KOPEC

Presiding Administrative Law Judge

Office of Administrative Hearings