

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

HACIENDA LA PUENTE UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2010031196

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
PREHEARING CONFERENCE AND
HEARING

On or about June 23, 2010, the parties filed a Joint Request to continue this matter (Joint Request.) The Joint Request was granted, and the matter was continued to July 27-29, 2010, and a PHC was set for July 19, 2010 at 10:00 a.m. However, the continuance dates proposed by the parties in the Joint Request were erroneous, and were not the dates to which they had actually stipulated. Consequently, on July 6, 2010, the parties filed another Joint Request to continue the matter from the erroneous dates to the dates the parties had originally intended.

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. All dates are vacated. This matter will be set as follows:

Prehearing Conference:	September 8, 2010, at 10:00 a.m.
Due Process Hearing:	September 13, 2010 through September 15, 2010, at 9:30 a.m.

IT IS SO ORDERED.

Dated: July 6, 2010

/s/

ELSA H. JONES
Acting Presiding Administrative Law Judge
Office of Administrative Hearings