

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

EL TEJON UNION SCHOOL DISTRICT.

OAH CASE NO. 2010050445

ORDER DENYING REQUEST FOR
CONTINUANCE; RESETTING PHC

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).)

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

Denied. All prehearing conference and hearing dates are confirmed and shall proceed as calendared. This case was filed in May 2010 and has been amended and continued numerous times. Most recently the complaint was deemed amended on July 9, 2010. The parties agreed to the current hearing dates on July 7, 2010. Student has not offered evidence which would support a good cause finding for a continuance so the hearing dates of November 16-18, 2010 remain as calendared. Parent of Student does supply evidence that she is unavailable for the November 3, 2010 prehearing conference. Therefore, the prehearing conference set for November 3, 2010 is vacated and a new prehearing conference date of November 8, 2010 at 1:30PM is set.

IT IS SO ORDERED.

Dated: October 05, 2010

/s/

ANN F. MACMURRAY
Presiding Administrative Law Judge
Office of Administrative Hearings