

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

COACHELLA VALLEY UNIFIED  
SCHOOL DISTRICT.

OAH CASE NO. 2010060469

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

On January 5, 2011, the parties filed a joint request to continue the due process hearing and other dates in this matter. The basis for the request is the recent decision in Office of Administrative Hearings (OAH) case number 2010060472, a related case between these two parties. In accordance with that decision, Student will be assessed by a private assessor. The parties are seeking a continuance to allow for completion of this assessment as well as time to hold a meeting to review the assessment. They have stipulated to new dates that will be available for both sides.

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).)

This case was initially filed in June 2010, so a lengthy continuance request would normally be disfavored. However, under these very unusual circumstances, the parties have demonstrated good cause for the continuance. The request is:

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

Mediation:	April 6, 2011, at 10:00 AM
Prehearing Conference:	April 13, 2011, at 1:00 PM
Due Process Hearing:	April 18 – 21, 2011, at 9:30 AM <sup>1</sup>

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<sup>1</sup> The parties also requested May 3, 2011, as a hearing date. However, rather than set nonconsecutive dates for the hearing, this order only sets the first four (consecutive) days. During the telephonic prehearing conference, the parties and the administrative law judge assigned to hear the case can discuss additional dates, if necessary.

IT IS SO ORDERED.

Dated: January 6, 2011

/s/

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SUSAN RUFF  
Administrative Law Judge  
Office of Administrative Hearings