

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH CASE NO. 2010080134

v.

WALNUT VALLEY UNIFIED SCHOOL
DISTRICT.

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

On February 23, 2011, the parties filed a stipulated request for continuance on the ground they wished to complete independent assessments prior to hearing.

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 for good cause. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 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, rule 3.1332.) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

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

Granted. All dates are vacated. Given the age of the matter, no further continuances will be granted. This matter will be set as follows:

Mediation: 4/14/11 at 9:30 AM
Prehearing Conference: 4/27/11 at 1:30 PM
Due Process Hearing: 5/9-12/11 at 1:00 PM first day, 9:30 AM after

IT IS SO ORDERED.

Dated: February 24, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge (acting)
Office of Administrative Hearings

