

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

MOUNTAIN VIEW ELEMENTARY  
SCHOOL DISTRICT.

OAH CASE NO. 2010090113

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

On October 18, 2010, the parties filed a stipulation to continue the dates in this matter. This is the first request for a continuance.

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: January 3, 2011, at 1:30 PM  
Due Process Hearing: January 10 at 1:00 PM, and January 11-13, 19,  
and 20, 2011

IT IS SO ORDERED.

Dated: October 18, 2010

/s/

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JUDITH A. KOPEC  
Presiding Administrative Law Judge  
Office of Administrative Hearings

