

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

INGLEWOOD UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010090183

AMENDED ORDER DENYING
REQUEST FOR 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:

Denied. All hearing dates and timelines shall proceed as calendared. Here, the Student has requested a continuance of the hearing dates, and OAH is inclined to grant the continuance. However, the Student did not meet and confer with District regarding new hearing dates as is requested by OAH. Forms are available on the OAH website that explain the procedure. The parties may re-submit the request to continue after they have met and conferred and either agreed upon hearing dates or attest that they have done so and are unable to agree on dates.

IT IS SO ORDERED.

Dated: October 01, 2010

/s/

ANN MACMURRAY
Presiding Administrative Law Judge
Office of Administrative Hearings

