

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

RIVERSIDE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010090674

ORDER DENYING STUDENT'S
REQUEST TO EXPEDITE THE DUE
PROCESS HEARING

On November 29, 2010, the Office of Administrative Hearings (OAH) issued an order that granted the continuance request made by counsel for the Riverside Unified School District (District). At that time, counsel for Student did not oppose the District's request for a continuance. The OAH order continued the hearing dates in the matter, setting a prehearing conference for January 19, 2011, and a due process hearing for January 24, 25, 26 and 27, 2011.

On December 2, 2010, counsel for Student filed with OAH a Request for Expedited Due Process Hearing, supported by a declaration. The request seeks to move forward the currently scheduled due process hearing in the matter. The request does not contend that the case merits the expedited procedures for discipline matters under special education law. (See 34 C.F.R. § 300.532(c)(2)(2006).) On December 7, 2010, counsel for the District filed with OAH an opposition to the request expedite, noting that counsel's trial calendar will not permit moving the currently scheduled hearing dates forward in time.

The Student's Request for Expedited Due Process Hearing is denied. There is no good cause shown for the granting of this request. Counsel for Student agreed to the continuance which led to the currently scheduled hearing dates in the case. Such hearing dates are imminent, and not set far in the future so as to prejudice Student's rights under special education law.

This matter remains scheduled as follows:

Mediation:	N/A
Trial Setting Conference:	N/A
Prehearing Conference:	01/19/2011, at 10:00 a.m.
Due Process Hearing:	01/24/2011; 01/25/2011; 01/26/2011; 01/27/2011.

IT IS SO ORDERED.

Dated: December 08, 2010

/s/

TIMOTHY L. NEWLOVE
Presiding Administrative Law Judge
Office of Administrative Hearings