

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ELK GROVE UNIFIED SCHOOL  
DISTRICT AND SACRAMENTO  
COUNTY DEPARTMENT OF  
BEHAVIORAL HEALTH SERVICES.

OAH CASE NO. 2010110682

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PREHEARING CONFERENCE AND  
DUE PROCESS HEARING

On May 25, 2011, Student and the Sacramento County Department of Behavioral Health Service filed a motion to continue the dates in this matter on the grounds that Student continues to be assessed and the parties desire more time to engage in settlement discussions. This matter was filed on November 19, 2010. On May 2, 2011, the Elk Grove Unified School District was dismissed from this matter.

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, the Office of Administrative Hearings (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. However, given the length of time this matter has been pending, the parties are informed that **no further continuances will be granted** without a substantial showing of good cause. All dates are vacated. This matter will be set as follows:

Prehearing Conference: June 29, 2011, at 1:30 PM  
Due Process Hearing: July 12 – 14, 2011, at 9:30 AM

IT IS SO ORDERED.

Dated: May 25, 2011

/s/

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BOB VARMA  
Administrative Law Judge  
Office of Administrative Hearings