

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS NIETOS SCHOOL DISTRICT,
WHITTIER AREA COOPERATIVE
SPECIAL EDUCATION PROGRAM, AND
COVINA VALLEY UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010120159

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

On January 13, 2011, the parties filed a request to continue the prehearing conference in this matter based on the grounds that the parties were in the process of finalizing a settlement agreement and wished to avoid unnecessary costs.

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. The prehearing conference for January 19, 2011, is vacated. This matter will be set as follows:

Prehearing Conference: January 24, 2011, at 1:30 PM
Due Process Hearing: January 26, 2011, at 9:30 AM

IT IS SO ORDERED.

Dated: January 13, 2011

/s/

BOB VARMA
Administrative Law Judge
Office of Administrative Hearings