

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

CONEJO VALLEY UNIFIED SCHOOL
DISTRICT & VENTURA COUNTY
BEHAVIORAL HEALTH DEPARTMENT.

OAH CASE NO. 2011020220

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
PHC/HRG

On July 7, 2011, the parties filed a stipulated request for a continuance to mutually agreed dates on the ground that the parties had entered a settlement agreement that included a contingency of payment of educational expenses by September 7, 2011. The parties anticipated that they would request dismissal after the contingency occurs.

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 for good cause. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 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, 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. All dates are vacated. This matter will be set as follows:

Prehearing Conference: September 26, 2011 at 1:30 PM
Due Process Hearing: October 3-6, 2011 at 1:30 PM on the first day, 9:30
AM after.

IT IS SO ORDERED.

Dated: July 7, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge (acting)
Office of Administrative Hearings