

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

ALHAMBRA UNIFIED SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011020258

ORDER GRANTING STUDENT'S  
REQUEST FOR CONTINUANCE AND  
SETTING PHC AND DPH DATES

On March 2, 2011, Student's mother (Mother) filed a request to continue the prehearing conference (PHC) and due process hearing (DPH) dates in this matter. On March 2, 2011, in a telephone conference originally scheduled for the PHC in this matter, District's counsel, Cole Dalton, advised that District had no opposition to Student's request.

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, 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: | May 2, 2011 at 1:30 p.m. <b>NOTE TIME CHANGE: Requested 10:00 a.m. Time Not Available</b>                    |
| Due Process Hearing:   | May 9-10, 2011. The first day of hearing will begin at 1:00 p.m., and the second day will begin at 9:30 a.m. |

IT IS SO ORDERED.

Dated: March 2, 2011

/s/

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CARLA L. GARRETT  
Administrative Law Judge  
Office of Administrative Hearings