

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. 2011020401

ORDER GRANTING SRUDENT'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 granted. All dates are vacated. This matter will be set as follows:

Prehearing Conference:	May 9, 2011 at 10:00 a.m.
Due Process Hearing:	May 16-19, 2011. The first day of hearing will begin at 1:00 p.m. All subsequent dates will begin at 9:30 a.m.

IT IS SO ORDERED.

Dated: March 2, 2011

/s/

CARLA L. GARRETT
Administrative Law Judge
Office of Administrative Hearings