

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

WEST CONTRA COSTA UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2011020607

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

On April 5, 2011, the parties filed a request to continue the dates in this matter on the grounds that the parties wished to participate in mediation. There have been no previous continuances of the hearing dates in 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. All dates are vacated. This matter will be set as follows:

Mediation:	The parties may request a mediation date
Prehearing Conference:	May 4, 2011, at 10:00 AM
Due Process Hearing:	May 18 – 19, 2011, at 9:30 AM ¹

IT IS SO ORDERED.

Dated: April 5, 2011

/s/

BOB VARMA
Administrative Law Judge
Office of Administrative Hearings

¹ At the May 4, 2011 prehearing conference the parties may request that May 20, 2011, also be set as a hearing date. At this time, Friday hearings are at the discretion of the Administrative Law Judge presiding over the prehearing conference.