

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ETIWANDA SCHOOL DISTRICT AND
WEST END SELPA.

OAH CASE NO. 2011031310

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
MED/PHC/HRG

On May 17, 2011, the parties filed a stipulated second continuance request to mutually agreed dates in the near future. The reason given was that an IEP team meeting had been scheduled and the parties wanted additional time to attempt to settle the issues raised by the due process hearing 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 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:

Mediation:	June 21, 2011 at 9:30 AM
Prehearing Conference:	July 11, 2011 at 1:30 PM
Due Process Hearing:	July 18-21, 2011 at 1:30 PM first day, 9:30 AM after.

IT IS SO ORDERED.

Dated: May 17, 2011

/s/

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

