

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

ETIWANDA SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011031344

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

On April 13, 2011, the parties filed a stipulated request for a continuance on the ground that they wanted to attend an IEP team meeting that could assist settlement negotiations. The request sets forth mutually agreed hearing dates approximately six months from the date of filing on the ground of attorney scheduling conflicts.

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); see also 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. Although the need for an IEP team meeting and attorney scheduling conflicts constitute good cause, no further continuances are contemplated in light of the length of this first continuance. This matter will be set as follows:

Mediation:	5/19/11 at 9:30 AM
Prehearing Conference:	8/31/11 at 10:00 AM
Due Process Hearing:	9/12-15, 19-22, 27-29/11 at 1:30 PM first day, 9:30 AM after, unless otherwise ordered.

IT IS SO ORDERED.

Dated: April 14, 2011

/s/

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