

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

DOWNEY UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2011031560

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

On May 12, 2011, the parties filed a stipulated first request for a continuance of the single hearing date to mutually agreed dates in September. The reason for the request was the need for multiple hearing dates, the unavailability of District administrative personnel due to budget problems, and the unavailability of teacher witnesses during the summer months.

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:

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|------------------------|---|
| Mediation: | May 18, 2011 at 9:30 AM |
| Prehearing Conference: | September 14, 2011 at 1:30 PM |
| Due Process Hearing: | September 19-22, 26-29, 2011 at 1:30 PM the first day & September 26, 2011, 9:30 AM all other days. |

IT IS SO ORDERED.

Dated: May 12, 2011

/s/

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