

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

MONROVIA UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011050411

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
HEARING DATES

On October 19, 2011, the parties filed a request for a brief continuance of the hearing dates on the ground that the parties wanted additional time to prepare for hearing based on the exchange of new documents, and to have more continuous hearing dates.

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 in part. The request will be granted in part because OAH does not calendar initial hearing dates on Fridays, as requested. Should the matter proceed to hearing, the parties may request a Friday hearing date at the discretion of the hearing ALJ. All dates are vacated. The new dates for hearing are November 14-17, 2011 at 1:30 PM the first day, 9:00 AM each day after.

IT IS SO ORDERED.

Dated: October 19, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge
Office of Administrative Hearings