

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

DINUBA JOINT UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011080504

ORDER GRANTING REQUEST FOR
CONTINUANCE OF PREHEARING
CONFERENCE

On November 30, 2011, the parties filed a joint request to continue the prehearing conference (PHC) currently set for December 5, 2011. The basis for the request is that the parties close to reaching a final settlement. This matter is set for hearing on December 12 through 15, 2011. No continuance of the hearing has been requested.

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 because the parties are only requesting a continuance of the PHC.
This matter will be set as follows:

Prehearing Conference: December 7, 2011, at 1:30 p.m.

IT IS SO ORDERED.

Dated: November 30, 2011

/s/

BOB N. VARMA
Presiding Administrative Law Judge
Office of Administrative Hearings