

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

CAPISTRANO UNIFIED SCHOOL  
DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NO. 2011090002

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PREHEARING CONFERENCE AND  
DUE PROCESS HEARING

On October 25, 2011, Parent, on behalf of Student, filed with the Office of Administrative Hearings (OAH) a request to continue and reset the currently scheduled hearing dates in the case, based upon unavailability. Counsel for Capistrano Unified School District has not filed a response to this request. Once again, the parties have not provided OAH with mutually convenient continuation 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. (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).)

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:	To be determined by the parties.
Status Conference:	N/A
Prehearing Conference:	01/04/2012, at 1:30 p.m.
Due Process Hearing:	01/09/2012; 01/10/2012; 01/11/2012; 01/12/2012.

IT IS SO ORDERED.

Dated: November 01, 2011

/s/

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TIMOTHY L. NEWLOVE  
Presiding Administrative Law Judge  
Office of Administrative Hearings