

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

CAPISTRANO UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011110330

ORDER GRANTING JOINT REQUEST
FOR CONTINUANCE AND SETTING
PHC/HRG

On January 31, 2012, both parties jointly filed a request to continue the dates for the Prehearing Conference (PHC) and the Due Process Hearing (DPH) in this matter. The parties cite the unavailability of several witnesses.

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, 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. The dates for the PHC and DPH are vacated. This matter will be set as follows:

Mediation:	N/A
Trial Setting Conference:	N/A
Prehearing Conference:	February 27, 2012 at 1:30 PM
Due Process Hearing:	March 1-2, 2012 at 9:30 AM

IT IS SO ORDERED.

Dated: January 31, 2012

/s/

ROBERT HELFAND
Administrative Law Judge
Office of Administrative Hearings