

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

CLOVERDALE UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011030203

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

On March 10, 2011, Carl D. Corbin, attorney for the Cloverdale Unified School District, filed a request to continue the April 7, 2011 due process hearing date on the grounds that this matter requires multiple days of hearing. The Office of Administrative Hearings (OAH) did not receive a response from Student.

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 due process hearing date of April 7, 2011, is vacated. This matter will be set as follows:

Mediation:	March 30, 2011, at 9:30 AM
Prehearing Conference:	April 4, 2011, at 1:30 PM
Due Process Hearing:	April 11 – 13, 2011, starting at 1:00 PM on April 11, 2011, and 9:00 AM on all other days

IT IS SO ORDERED.

Dated: March 17, 2011

/s/

BOB VARMA
Administrative Law Judge
Office of Administrative Hearings