

[HEADING]

**NOTE: This is a sample Order that might be used. It would need to be modified if it were to be used in other situations e.g., in a case involving a pre-school student or an expedited hearing.**

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STUDENT, a minor, by and through  
his/her Parent(s), \_\_\_\_\_  
\_\_\_\_\_

**ORDER**

Petitioners,

- against -

Case No. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_, Hearing Officer

Respondent.

-----X

I have been appointed to hear the above-captioned matter. The dates and times for the conduct of a pre-hearing conference and due process hearing will be set under separate correspondence.

Pursuant to 34 C.F.R. § 300.515(a), a decision in a due process hearing must be reached and mailed to each of the parties not later than 45 days after the expiration of the 30-day resolution period under 34 C.F.R. § 300.510(b), or the adjusted time periods described in 34 C.F.R. § 300.510(c). Under 34 C.F.R. § 300.510(c), the 45-day timeline for the due process hearing starts the day after one of the following events: (1) both parties agree in writing to waive the resolution meeting; (2) after either the mediation or resolution meeting starts but before the end of the 30-day period, the parties agree in writing that no agreement is possible; or (3) if both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, the parent or public agency withdraws from the mediation process.

Pursuant to 34 C.F.R. § 300.515(c), the undersigned may grant specific extensions of time beyond the periods set out in 34 C.F.R. § 300.515(a) at the request of either party.

IT IS HEREBY ORDERED that –

1. Should the parties schedule a resolution meeting pursuant to 34 C.F.R. § 300.510(a), the parties shall notify the undersigned of the date and time of the scheduled resolution meeting within two (2) business days of it being scheduled.

2. Should the parties participate in a resolution meeting pursuant 34 C.F.R. § 300.510(a), and the parties reach an agreement consistent with 34 C.F.R. § 300.510(d),

the parties shall notify the undersigned within five (5) business days of the agreement's execution that the matter has been resolved and that it can be dismissed (with or without prejudice).

3. Should any of the events under 34 C.F.R. § 300.510(c) occur, the parties shall notify the undersigned of the occurrence within two (2) business days. The 45-day timeline for the due process hearing will be started by the undersigned.

IT IS SO ORDERED.

DATED:

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