

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

SOUTH PASADENA UNIFIED SCHOOL
DISTRICT,

v.

PARENTS on behalf of STUDENT.

OAH CASE NO. 2009010638

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

On February 5, 2009, the District filed a request to continue this matter. The District wanted an opportunity to mediate the dispute prior to hearing, but was unable to work with the parent to set a mediation date prior to hearing. On February 10, 2009, Student filed a letter opposing the continuance indicating that Student wanted to mediate, but the District told her mediation was not necessary. Student was prepared for the dates set.

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).) A motion to continue shall include all facts which support a showing of good cause to continue the hearing. (Cal. Code Regs., tit. 1, § 1020.) In considering motions to continue, OAH also may look to the California Rules of Court for guidance. (Cal. Rules of Court, rule 3.1332.)

The Office of Administrative Hearings (OAH) encourages the parties to mediate disputes in order to resolve the matter without the need for hearing. In light of the parties

