

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

CABRILLO UNIFIED SCHOOL  
DISTRICT AND SAN MATEO COUNTY  
BEHAVIORAL HEALTH AND  
RECOVERY SYSTEM.

OAH CASE NO. 2010090040

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

On August 15, 2011, the parties made a joint request to continue the dates in this matter on the grounds that they had reached an interim agreement that required time to carry out, and the parties requested further mediation.

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, the Office of Administrative Hearings (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. All dates are vacated. This matter was originally filed in September 2010. OAH is granting this request, however, OAH is concerned the parties are not prosecuting this matter in a timely manner. **The parties are informed that no further continuances will be granted without a substantial showing of good cause.** This matter will be set as follows:

Mediation: August 30, 2011, at 9:30 AM  
Prehearing Conference: September 12, 2011, at 1:30 PM  
Due Process Hearing: September 19, 2011, at 1:30 PM  
September 20 – 23, 2011, at 9:00 AM

IT IS SO ORDERED.

Dated: August 15, 2011

/s/

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BOB VARMA  
Presiding Administrative Law Judge  
Office of Administrative Hearings