

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN MATEO UNION HIGH SCHOOL
DISTRICT.

OAH CASE NO. 2011020987

ORDER GRANTING IN PART
REQUEST FOR CONTINUANCE

On April 27, 2011, Student filed a request to continue the dates in this matter as the parties had reached an agreement that is expected to be ratified by the San Mateo Union High School District (District) on May 5, 2011. The District did not file a response.

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 in part. Student did not establish why the hearing dates of May 16 – 19, 2011 should be vacated, but did establish a brief continuance of the prehearing conference. This matter will be set as follows:

Prehearing Conference: May 9, 2011 at 1:30 PM; PHC Statements due on
May 6, 2011

IT IS SO ORDERED.

Dated: April 28, 2011

/s/

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings