

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT on behalf of STUDENT,

v.

ASA CHARTER SCHOOL AND SAN  
BERNARDINO CITY UNIFIED SCHOOL  
DISTRICT

OAH CASE NO. 2010020600

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
MED/PHC/HRG

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 that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020.) In weighing motions for continuances in special education due process matters, the Office of Administrative Hearings (OAH) looks to California Rules of Court for guidance. Generally, continuances of matters are disfavored. (Cal. Rules of Court, 3.1332(c).)

OAH has reviewed the request for good cause and the request is:

Granted. All dates are vacated. This matter will be set for the following dates and times:

Mediation:	06/08/2010 at 9:30 AM
Prehearing Conference:	06/14/2010 at 10:00 AM
Due Process Hearing:	06/28 through 06/30/2010 at 9:30 AM

IT IS SO ORDERED.

Dated: March 30, 2010

/s/

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ANN F. MACMURRAY  
Presiding Administrative Law Judge

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Office of Administrative Hearings