

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

CENTRAL UNIFIED SCHOOL DISTRICT,
FRESNO COUNTY CHILDREN'S
MENTAL HEALTH AND SHASTA
COUNTY OFFICE OF EDUCATION.

OAH CASE NO. 2010100739

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
PHC/HRG

On April 28, 2011, the parties filed a joint request to continue the dates in this matter as the parties had reached an agreement to settle this matter, and needed time to obtain the required signatures due to the multiple parties.

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. All dates are vacated. The parties established good cause for a brief continuance to obtain the needed signatures. This matter will be set as follows:

Prehearing Conference: May 9, 2011 at 10:00 AM
Due Process Hearing: May 16 at 1:30 PM; and
May 17 -19, 2011 at 9:30 a.m.

Dated: April 28, 2011

/s/

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings