

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN JOSE UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2010100957

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

On June 2, 2011, the parties filed a request to continue the dates in this matter on the ground that they had a final agreement which had been signed by all parties except one Parent who would not be able to sign until June 3, 2011.

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 will be set as follows:

Prehearing Conference: June 15, 2011, at 1:30 PM
Due Process Hearing: June 23, 2011, at 9:30 AM

IT IS SO ORDERED.

Dated: June 2, 2011

/s/

BOB VARMA
Administrative Law Judge
Office of Administrative Hearings