

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

STOCKTON UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2010110596

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

On July 28, 2011, the parties filed a joint request to continue the initially set dates in this matter from Student's amended complaint. Student's original complaint was filed on November 15, 2010, and the Office of Administrative Hearings (OAH) granted Student's motion to amend the complaint on June 14, 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, 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. No further continuances shall be granted as Student filed the original complaint on November 15, 2010. This matter will be set as follows:

Prehearing Conference:	October 12, 2011, at 1:30 PM
Due Process Hearing:	October 24, 2011, at 1:30 PM
	October 25-27, 2011, at 9:00 AM

IT IS SO ORDERED.

Dated: July 28, 2011

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings