

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN JUAN UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011010219

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
MEDIATION, PREHEARING
CONFERENCE AND HEARING
DATES

On April 20, 2010, the parties jointly filed a request to continue the dates in this matter on the ground that they are expecting assessment results that will inform their views of the dispute and wish to participate in mediation. The complaint was filed on January 7, 2011, and there has been one previous continuance at the joint request of the 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)(2006); 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. This matter will be set as follows:

Mediation:	May 12, 2011, at 9:30 AM
Prehearing Conference:	June 6, 2011, at 10:00 AM
Due Process Hearing:	June 15-16 and 20-22, 2011, at 9:30 AM

IT IS SO ORDERED.

Dated: April 21, 2011

/s/

CHARLES MARSON
Acting Presiding Administrative Law Judge
Office of Administrative Hearings