

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PASO ROBLES JOINT UNIFIED  
SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011020890

ORDER GRANTING IN PART  
REQUEST FOR CONTINUANCE

On May 6, 2011, the parties filed a joint request to continue the dates in this matter because they were close to resolving this matter as the parties were reviewing a settlement agreement drafted by their counsel.

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 in part. The parties established good cause for a short continuance of the prehearing conference to permit the parties to finalize the settlement agreement. However, the parties did not establish good cause to continue the due process hearing if the parties are not able to finalize the agreement. Therefore, this matter will be set as follows:

Prehearing Conference: May 11, 2011 at 1:30 PM; Prehearing Conference  
Statements due by 5:00 PM on May 9, 2011

IT IS SO ORDERED.

Dated: May 6, 2011

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings