

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

VISALIA UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011031428

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

On April 6, 2011, the Visalia Unified School District (District) filed a request to continue the dates in this matter so the parties may participate in mediation. District provided the Office of Administrative Hearings (OAH) with a letter from Parent concurring in the request. The parties are agreed upon a date for mediation, but disagree on remaining dates.

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. This matter will be set as follows:

Mediation:	April 28, 2011, at 9:30 AM
Prehearing Conference:	May 23, 2011, at 10:00 AM
Due Process Hearing:	June 1, 2011, at 9:30 AM

IT IS SO ORDERED.

Dated: April 14, 2011

/s/

BOB VARMA
Administrative Law Judge
Office of Administrative Hearings