

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

MONTEREY PENINSULA UNIFIED  
SCHOOL DISTRICT.

OAH CASE NO. 2011040203

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
MED/PHC/HRG

On May 6, 2011, the parties filed a joint request to continue the initially set prehearing conference and hearing dates in this matter, and to change the start time of the mediation.

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. The prehearing conference and hearing dates are vacated and mediation start time changed. This matter will be set as follows:

Mediation:	May 10, 2011 at 10:00 AM
Prehearing Conference:	July 6, 2011 at 1:30 PM
Due Process Hearing:	July 18, 2011 at 1:30 PM and July 19 - 21, 2011 at 9:30 AM

IT IS SO ORDERED.

Dated: May 6, 2011

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings