

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN FRANCISCO UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2011060553

ORDER DENYING REQUEST FOR  
CONTINUANCE OF MEDIATION

On July 6, 2011, the San Francisco Unified School District (District) filed a request to continue the mediation in this matter from 9:30 a.m. on July 14, 2011, to 12:00 p.m. on July 14, 2011, to limit it to a two hour period, and to deem it part of a group of cases that District asserts are related and should be mediated consecutively. The Office of Administrative Hearings (OAH) did not receive a response from the Parent.

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:

Denied. The originally calendared date and time for mediation are confirmed and shall proceed as calendared. Mediation is voluntary and here, Student has not voluntarily agreed to the change District requests. District is free to cancel the mediation if it so desires.

IT IS SO ORDERED.

Dated: July 11, 2011

/s/

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BOB VARMA  
Administrative Law Judge  
Office of Administrative Hearings