

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

HAYWARD UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2011090694

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

On October 31, 2011, the parties, through counsel for the Hayward Unified School District, filed a request to continue the dates in this matter.<sup>1</sup>

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, the Office of Administrative Hearings (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:

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<sup>1</sup> In the future, counsel is encouraged to consider using either the joint request for continuance form, or having the courtesy to either include a proposed order for signature or adding a signature line to the request for the Administrative Law Judge.

Mediation: December 13, 2011, at 9:30 AM  
Prehearing Conference: December 21, 2011, at 1:30 PM  
Due Process Hearing: January 17 – 19, 2012, at 9:30 AM

IT IS SO ORDERED.

Dated: October 31, 2011

/s/

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BOB VARMA  
Presiding Administrative Law Judge  
Office of Administrative Hearings