

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

MILPITAS UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2011091090

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
MEDIATION AND DUE PROCESS
HEARING

On December 9, 2011, the parties filed a request to continue the dates in this matter on the grounds that they had reached an agreement in principle and required further mediation to finalize the settlement.

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. This matter will be set as follows:

Mediation:	December 12, 2011, 9:30 AM
Due Process Hearing:	December 14 – 15, 2011, at 10:00 AM

IT IS SO ORDERED.

Dated: December 12, 2011

/s/

BOB VARMA
Presiding Administrative Law Judge
Office of Administrative Hearings