

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

MT. DIABLO UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011100275

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
MEDIATEION, PREHEARING
CONFERENCE AND HEARING
DATES

On November 23, 2011, the parties filed with the Office of Administrative Hearings (OAH) a joint request for continuance of the dates set for mediation, prehearing conference and hearing in this matter. 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:	December 8, 2011, at 9:30 a.m.
Prehearing Conference (PHC):	January 9, 2012, at 1:30 p.m. ¹
Due Process Hearing:	January 23-26, 2012 at 9:30 p.m.

IT IS SO ORDERED.

Dated: November 23, 2011

/s/

REBECCA FREIE
Administrative Law Judge
Office of Administrative Hearings

¹ The parties asked that the PHC be held January 4, 2012. However, due to OAH's heavy calendar for the week of January 2, 2012, the PHC is being set on January 9, 2012.