

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SHASTA UNION HIGH SCHOOL
DISTRICT.

OAH CASE NO. 2011100373

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

On February 21, 2012, Shasta Union High School District (District) filed a request to continue the dates in this matter due to ongoing settlement negotiations. The District stated that Student agreed with the continuance request.

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:

Mediation: March 2, 2012 at 10:30 a.m. at OAH's Sacramento Office¹
Prehearing Conference: April 23 at 1:30 p.m.²

¹ The parties requested mediation on February 28, 2012. However, there are no available mediators on that date. The parties may request a different mediation date after March 2, 2012 if they have a conflict with this date.

² The parties did not request a specific PHC date, so this date was assigned based on the dates being set for the due process hearing.

Due Process Hearing: April 30, through May 3, 2012 at 9:30 a.m.,³
starting at 1:30 p.m. on April 30, 2012

IT IS SO ORDERED.

Dated: February 21, 2012

/s/

REBECCA FREIE
Administrative Law Judge
Office of Administrative Hearings

³ The parties asked for hearing dates of April 16-20, 2012. However, OAH is dark that week for mandatory training. The parties may request different hearing dates after April 30, 2012, if they have a conflict with these dates.