

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

HOLLISTER SCHOOL DISTRICT.

OAH CASE NO. 2011100453

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

On November 18, 2011, the parties filed a joint request to continue the dates currently set in this matter for mediation, prehearing conference (PHC) and due process hearing.

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 14, 2011 at 10:30 a.m.
Prehearing Conference:	January 30, 2012 at 10:00 a.m. ¹
Due Process Hearing:	February 7, 2012 at 9:30 a.m.

IT IS SO ORDERED.

Dated: November 21, 2011

/s/

REBECCA FREIE
Administrative Law Judge
Office of Administrative Hearings

¹ The parties asked for the PHC to begin at 10:30 a.m. However, OAH calendars PHCs for Mondays and Wednesdays at 10:00 a.m. and 1:30 p.m.

