

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

BURLINGAME ELEMENTARY SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011120163

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

On December 22, 2011, the Burlingame Elementary School District filed a request to continue the dates in this matter on the grounds that the parties desired to participate in mediation and the matter requires four days of hearing. On December 23, 2011, Student filed a statement of non-opposition.

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:	January 12, 2012, at 9:30 AM
Prehearing Conference:	February 22, 2012, at 10:00 AM
Due Process Hearing:	February 27 – March 1, 2012, starting at 1:30 PM on February 27, 2012

IT IS SO ORDERED.

Dated: December 23, 2011

/s/

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BOB VARMA  
Presiding Administrative Law Judge  
Office of Administrative Hearings