

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

SAN JOSE UNIFIED SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011120554

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
MED/PHC/HRG

On February 17, 2012, the parties filed with the Office of Administrative Hearings (OAH) a joint request to continue the dates in this matter. This is the parties' second 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, 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. Parties established good cause to permit the completion of pending assessments. This matter will be set as follows:

Mediation:	February 29, 2012, at 9:30 AM
Prehearing Conference:	March 19, 2012, at 10:00 AM
Due Process Hearing:	March 29, 2012, at 9:30 AM

IT IS SO ORDERED.

Dated: February 17, 2012

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings