

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

FRESNO UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2012010387

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

On April 5, 2012, the parties filed a joint request with the Office of Administrative Hearings (OAH) to continue the dates in this matter on the behest of Student as one of Student's attorneys, who handled the mediation, withdrew from the case. 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. No further continuances shall be granted. This matter will be set as follows:

Mediation:	May 1, 2012, at 10:00 AM
Prehearing Conference:	May 21, 2012, at 10:00 AM
Due Process Hearing:	June 11, 2012, at 1:30 PM June 12 - 14, 2012, at 9:00 AM

IT IS SO ORDERED.

Dated: April 6, 2012

/s/

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings