

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

STUDENT,

v.

FRESNO UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2012020778

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

On March 30, 2012, Student filed a request to continue the dates in this matter because the parties were not able to participate in mediation on March 27, 2012, due to the illness of the District's counsel. On April 4, 2012, the District contacted the Office of Administrative Hearings (OAH) and informed OAH that it does not oppose the request. The parties did not provide OAH with available dates.

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. Student established good cause based on the mediation cancellation. This matter will be set as follows:

Mediation:	April 26, 2012, at 9:30 AM
Prehearing Conference:	May 9, 2012, at 1:30 PM
Due Process Hearing:	May 22, 23 and 24, 2012 at 9:00 AM

IT IS SO ORDERED.

Dated: April 4, 2012

/s/

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings