

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN MARCOS UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014040156

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

On May 7, 2014, Parent on behalf of Student and the San Marcos Unified School District jointly filed a request to continue the mediation and hearing dates in this matter.

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 for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. OAH considers all relevant facts and circumstances, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have stipulated to a continuance; whether the interests of justice are served by the continuance; and any other relevant fact or circumstance. (See Cal. Rules of Court, rule 3.1332(d).)

OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is Granted. All dates are vacated. This matter will be set as follows:

Mediation:	05/20/2014 at 9:30 a.m. to 1:00 p.m.
Prehearing Conference:	08/18/2014 at 1:00 p.m.
Due Process Hearing:	08/25/2014; 08/26/2014; 08/27/2014; 08/28/2014, and continuing day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. The hearing shall commence at 1:00 p.m. on the first day of hearing, and at 9:00 a.m. on each subsequent day of hearing unless otherwise ordered.

IT IS SO ORDERED.

DATE: May 08, 2014

/s/

PAUL H. KAMOROFF
Administrative Law Judge
Office of Administrative Hearings