

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

HUNTINGTON BEACH CITY SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2010091008

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
PHC/HRG

On January 15, 2011, the parties filed a second stipulated request for a continuance to dates certain in the near future. The reason given was to continue settlement negotiations based on evaluations that were in progress.

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); Ed. Code, §§ 56502, subd. (f), 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. This matter will be set as follows:

Mediation:	Parties may notify OAH of a mutually agreed date
Prehearing Conference:	3/16/11 at 1:30 PM (OAH dark 3/21 as requested)
Due Process Hearing:	3/28-30/11 at 1:00 PM on the first day, 9:30 AM thereafter

IT IS SO ORDERED.

Dated: January 19, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge (Acting)
Office of Administrative Hearings