

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LANCASTER SCHOOL DISTRICT AND
ANTELOPE VALLEY SELPA.

OAH CASE NO. 2011060828

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
PHC/HRG

On August 3, 2011, the parties filed a stipulated first request to continue the hearing to dates in the near future on the ground that additional time was needed for settlement discussions.

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:

Prehearing Conference: September 19, 2011 at 1:30 PM [NOTE – Date changed because parties requested PHC 30 days prior to hearing, contrary to OAH scheduling.]

Due Process Hearing: September 26-27, 2011 at 1:30 PM first day, 9:30 AM second day.

IT IS SO ORDERED.

Dated: August 03, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge
Office of Administrative Hearings