

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

ANTELOPE VALLEY UNION HIGH
SCHOOL DISTRICT.

OAH CASE NO. 2011060846

ORDER GRANTING IN PART AND
DENYING IN PART REQUEST FOR
CONTINUANCE

On August 10, 2011, the parties filed a joint request to “continue” the above matter by vacating the August 15 and 16, 2011 hearing dates, to give the parties time to finalize a settlement agreement. The hearing is currently scheduled to begin August 11, 2011, with additional dates the week of August 15, 2011.

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); see also 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 in part. The parties have ample time to complete a settlement agreement prior to Monday, August 15, 2011. Accordingly, the hearing shall be dark on August 11, 2011 and August 15, 2011. The petitioning party shall file a copy of the signature page of any settlement agreement and request to withdraw the hearing no later than noon on August 15, 2011. If a withdrawal is not received by then, the matter shall proceed to hearing as scheduled on August 16, 2011.

IT IS SO ORDERED.

Dated: August 10, 2011

/s/

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