

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 AND LANCASTER
SCHOOL DISTRICT.

OAH CASE NO. 2011061136

ORDER GRANTING SECOND
REQUEST FOR CONTINUANCE AND
SETTING PHC/HRG

On October 21, 2011, the parties filed a second stipulated request to agreed-upon dates on the ground that an IEP meeting has been scheduled for October 28, 2011 that could impact the issues for hearing. Although the continuance will be granted, further continuances are not contemplated.

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:	November 28, 2011 at 1:30 PM
Due Process Hearing:	December 5-7, 2011 at 1:30 PM first day, 9:00 AM after.

IT IS SO ORDERED.

Dated: October 24, 2011

/s/

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