

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

NORWALK-LA MIRADA UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2011090492

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
MED/PHC/HRG

On March 16, 2012, the parties filed a third stipulated request for a continuance on the ground that their settlement negotiations hinged on the results of reviewing IEE's at an IEP team meeting prior to hearing. According to the parties, the IEP team meeting could not be scheduled earlier than May 8, 2012. The parties were previously advised that further continuances on this ground would not be granted.

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. No further continuances are available for any reason and the request is only being granted because the new hearing dates are close in time to the currently established dates. Considering that the parties represented to OAH in October of 2011 that IEE's were under way, further delay is inexcusable. This matter will be set as follows:

Mediation:	May 9, 2012 at 9:30 AM
Prehearing Conference:	May 23, 2012 at 1:30 PM
Due Process Hearing:	May 29-31, 2012 at 1:30 first day, 9:00 AM thereafter, Monday – Thursday, until completed.

IT IS SO ORDERED.

Dated: March 16, 2012

/s/

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