

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. 2011010174

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING PRE-
HEARING CONFERENCE AND
HEARING DATES

On April 4, 2011, Student filed a request to continue the dates in this matter on the grounds that a new placement is being tried that may settle some issues, that Student's counsel is unavailable until August, and that District personnel are unavailable over the summer. District did not oppose.

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; however, no further continuances are contemplated. All dates are vacated. This matter will be set as follows:

Prehearing Conference: September 12, 2011 at 10:00 a.m.

Due Process Hearing: September 19-22, 2011 at 9:00 a.m., with the exception of September 19, 2011 which will begin at 1:30 p.m.

IT IS SO ORDERED.

Dated: April 04, 2011

/s/

JUNE R LEHRMAN
Administrative Law Judge
Office of Administrative Hearings