

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011020019

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING
PHC/HRG

On March 14, 2011, Administrative Law Judge (ALJ) Adrienne L. Krikorian held a telephonic hearing on the parties' joint request to continue the prehearing conference and due process hearing dates originally scheduled for March 14, 2011 and March 30, 2011, respectively.

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. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 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).)

The ALJ determined that the parties' request for continuance was for good cause and the request was:

Granted. All dates are vacated. This matter will be set as follows:

**Prehearing Conference April 20, 2011 at 10:00 A.M.
(telephonic):**

**Due Process Hearing: May 2, 2011 at 1:30 p.m., May 3, 4, 5, and 9,
2011 at 9:30 a.m. (Note that the last hearing day
has been scheduled for May 9, 2011 instead of
May 6, 2011.)**

In accordance with the original Scheduling Order issued on February 1, 2011, Student shall file an *amended* Prehearing Conference Statement at least **three business days prior to the prehearing conference** with the Office of Administrative Hearings, Special Education

Division, 2349 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833. The Prehearing Conference Statement may be filed and served by facsimile transmission at (916) 376-6319, **and shall be served upon District's attorney by facsimile on the same date.** Student need not mail a hard copy of any document sent by facsimile transmission. **The parties shall not send by mail or facsimile transmission copies of documentary evidence intended for the due process hearing to OAH.**

IT IS SO ORDERED.

Dated: March 14, 2011

/s/

ADRIENNE L. KRIKORIAN
Administrative Law Judge
Office of Administrative Hearings