

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PALOS VERDES PENINSULA UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2011020128

ORDER GRANTING REQUEST FOR
CONTINUANCE OF HEARING START
DATE

On May 31, 2011, the parties filed a stipulated request for a continuance of the May 31, 2011 start date of the hearing. The parties stated they were executing a settlement agreement and requested a status conference.

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. The hearing will go dark on May 31, 2011. No hearing was scheduled for June 1, 2011. The parties have until noon on June 1, 2011 to file a withdrawal of the due process hearing request or proof that an executed settlement agreement requires board approval at a school board meeting in the near future. If the parties do not complete the settlement agreement, the matter will proceed as scheduled on June 2, 2011.

IT IS SO ORDERED.

Dated: May 31, 2011

/s/

RICHARD T. BREEN
Presiding Administrative Law Judge (acting)
Office of Administrative Hearings