

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT, SYNERGY KINETIC  
ACADEMY AND SYNERGY  
ACADEMIES.

OAH CASE NO. 2011020588

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PHC/HRG

On June 16, 2011, the parties filed a stipulated request for a continuance of the hearing on the ground that they need additional time for settlement negotiations.

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. The parties have had ample time to conduct settlement negotiations. Also, because the school parties have stipulated to dates in the summer months, the purported unavailability of school witnesses will not be good cause for further continuances. All dates are vacated. This matter will be set as follows:

Prehearing Conference: June 29, 2011 at 10:00 AM  
Due Process Hearing: July 6-7, 11-14, 2011 at 9:30 AM, except July 11,  
2011 at 1:30 PM.

IT IS SO ORDERED.

Dated: June 17, 2011

/s/

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