

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. 2011031342

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

On October 18, 2011, the parties filed their third stipulated request for a continuance on the ground that although the parties had agreed upon independent assessments in conjunction with settlement discussions, the assessments could not be completed due to unforeseen medical problems with the independent psychoeducational assessor and parents.

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. All dates are vacated. However, no further continuances will be granted as the parties will have had nearly ten months from the date of filing to attempt to settle. This matter will be set as follows:

Mediation:	January 11, 2012 at 9:00 AM
Prehearing Conference:	January 23, 2012 at 1:30 PM
Due Process Hearing:	January 31-February 2, 2012 and February 7, 2012 at 9:00 AM

IT IS SO ORDERED.

Dated: October 18, 2011

/s/

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