

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

HERMOSA BEACH CITY ELEMENTARY  
SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011031575

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PHC/HRG

On May 11, 2011, the parties filed a stipulated request to continue the hearing PHC and hearing dates on the ground that they needed additional time for settlement discussions. On May 12, 2011, the parties also filed a request to postpone filing of the PHC statements for the original dates based on the continued settlement discussions. Because the continuance will be granted, the request to extend the PHC statement deadlines is moot.

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 for good cause and the request is granted. All dates are vacated. This matter will be set as follows:

Prehearing Conference: May 25, 2011 at 1:30 PM [Note change. PHCs are not held on Tuesdays as requested.]  
Due Process Hearing: June 13-15, 2011 at 1:30 PM first day, 9:30 AM after.

IT IS SO ORDERED.

Dated: May 13, 2011

/s/

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