

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

MANHATTAN BEACH UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2011060703

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

On November 2, 2011, the parties filed a stipulated second request for a continuance on the ground that they desired to complete independent assessments and an IEP team meeting prior to attending mediation or going forward to hearing. Although the request will be granted, further continuances are not contemplated, as the parties will have had ample opportunity to discuss settlement.

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. This matter will be set as follows:

Mediation:	December 1, 2011 at 9:30 AM
Prehearing Conference:	December 28, 2011 at 10:00 AM
Due Process Hearing:	January 10-11, 2012 at 9:00 AM

IT IS SO ORDERED.

Dated: November 03, 2011

/s/

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