

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

BALDWIN PARK UNIFIED SCHOOL  
DISTRICT & LOS ANGELES COUNTY  
OFFICE OF EDUCATION.

OAH CASE NO. 2011090173

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PHC/HRG

On September 29, 2011, the parties filed a second request for a continuance because OAH was unable to accommodate the parties' request for a mediation during certain dates in October.

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:	November 9, 2011 at 9:30 AM
Prehearing Conference:	November 30, 2011, at 1:30 PM [NOTE: OAH does not calendar PHCs on Tuesday, as requested.]
Due Process Hearing:	December 5-7, 2011 at 1:30 PM first day, 9:00 AM after.

IT IS SO ORDERED.

Dated: September 30, 2011

/s/

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