

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

v.

LUCIA MAR UNIFIED SCHOOL  
DISTRICT,

OAH CASE NO. 2011090698

LUCIA MAR UNIFIED SCHOOL  
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011070196

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PHC/HRG

On November 8, 2011, the parties filed a joint request to continue the initially set dates in this matter based on the unavailability of witnesses and to permit Parents time to find an attorney to represent Student in this matter.

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. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, the Office of Administrative Hearings (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:

Prehearing Conference: February 1, 2012, at 1:30 p.m.  
Due Process Hearing: February 14 – 16, 2012, at 9:30 a.m.<sup>1</sup>

IT IS SO ORDERED.

Dated: November 8, 2011

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> The parties originally requested the due process hearing be held on February 14 through 17, 2012. At this time OAH will not set February 17, 2012, a Friday, as a hearing date. At the prehearing conference of February 1, 2012, the parties may request that the presiding ALJ add February 17, 2012, as day of hearing.