

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SANTA MONICA-MALIBU UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2011091066

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

On November 9, 2011, the parties filed a first stipulated request for a continuance to agreed upon dates. The request was for dates more than 90 days past the original hearing date on the ground of party and attorney unavailability. Although the request will be granted, further continuances are not contemplated given the length of the first continuance.

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:	January 18, 2012 at 9:30 AM
Prehearing Conference:	March 5 at 1:30 PM
Due Process Hearing:	March 20-22, 26-29, 2012 at 9:00 AM except March 26, 2012, which shall begin at 1:30 PM unless otherwise ordered at hearing.

IT IS SO ORDERED.

Dated: November 09, 2011

/s/

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