

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PALMDALE SCHOOL DISTRICT.

OAH CASE NO. 2011110378

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

On January 30, 2012, the parties filed a stipulated second continuance request on the ground that the parties had agreed to an IEE that might result in 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. However, no further continuances are contemplated, as the parties will have had ample time from two continuances to have conducted assessments and/or settlement negotiations.

Mediation:	April 10, 2012 at 9:30 AM
Prehearing Conference:	April 16, 2012 at 10:00 AM
Due Process Hearing:	April 23-26, 2012 at 1:30 PM first day, 9:00 AM after. Note that OAH does not calendar hearing dates on Fridays, as requested.

IT IS SO ORDERED.

Dated: January 30, 2012

/s/

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