

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LONG BEACH UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011110394

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

On December 23, 2011, the parties filed a joint request to continue all dates for a period beyond 90 days on the grounds of District holiday scheduling and that the parties had agreed to conduct assessments in an attempt to achieve settlement prior to hearing.

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. The parties are expected to be diligent in conducting the assessments and further continuances for failure to complete the assessments are unlikely to be granted absent extraordinary circumstances. This matter will be set as follows:

Mediation:	March 7, 2012 at 9:30 AM
Prehearing Conference:	May 2, 2012 at 10:00 AM [NOTE CHANGE – OAH does not conduct PHCs on Thursdays, as requested.]
Due Process Hearing:	May 8-10, 2012 at 9:30 AM

IT IS SO ORDERED.

Dated: December 23, 2011

/s/

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