

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LYNWOOD UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2011120225

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PHC/HRG

On January 11, 2012, the parties filed a first stipulated request for a continuance to a single hearing date. The parties did not request a mediation date or provide a mutually agreed date for a PHC. Although the request will be granted, OAH has selected a PHC date and added additional hearing dates.

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:

Prehearing Conference: April 11, 2012 at 1:30 PM

Due Process Hearing: April 16-19, 2012 at 1:30 PM first day, 9:00 AM  
after.

IT IS SO ORDERED.

Dated: January 12, 2012

/s/

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