

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

ANTELOPE VALLEY UNION HIGH
SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011120705

ORDER GRANTING REQUEST FOR
CONTINUANCE AND SETTING PHC
AND DPH

On January 9, 2012, Student filed a request to continue the dates 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, 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: January 30, 2012 at 10:00 a.m.
Due Process Hearing: February 6-9, 2012.¹ The first day of hearing shall begin at 1:30 p.m. All subsequent days shall begin at 9:30 a.m.

IT IS SO ORDERED.

Dated: January 09, 2012

/s/

CARLA L GARRETT
Administrative Law Judge
Office of Administrative Hearings

¹ Student requested Thursday, February 9, 2012 and Friday, February 10, 2012 as hearing dates in this matter. However, OAH does not schedule initial hearing dates on Fridays. As such, and in order to ensure sufficient time for the parties to present their cases at hearing, OAH scheduled the hearing for February 6-9, 2012.

