

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. 2012010162

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

On March 23, 2012, the parties filed a second request for a continuance of all dates to mutually agreed dates. The reason given for a second continuance was that the parties have agreed to conduct assessments that may lead to 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. However, given the age of this matter, further continuances are not contemplated for any reason, as the parties will have had more than ample time for settlement discussions prior to the hearing dates. All dates are vacated. This matter will be set as follows:

Mediation:	May 30, 2012 at 9:30 AM
Prehearing Conference:	June 6, 2012 at 10:00 AM
Due Process Hearing:	June 11-14, 18-21, 2012 at 1:30 PM first day, 9:00 AM after, unless otherwise ordered.

IT IS SO ORDERED.

Dated: March 23, 2012

/s/

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