BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. LOS ANGELES UNIFIED SCHOOL DISTRICT.	OAH Case No. 2014040246 ORDER DENYING REQUEST FOR CONTINUANCE

On April 22, 2014, the parties filed a joint request to continue the dates in this matter because of the unavailability of Student's counsel. This expedited matter was filed on April 3, 2014, and the parties request a continuance until May 27-29, 2014.

An expedited due process hearing on a disciplinary matter must occur within 20 school days of receipt of the due process complain, with a decision within 10 days of the expedited hearing. (20 U.S.C. § 1415(k)(4)(B).) There is no provision of law authorizing the continuance of an expedited hearing. A non-expedited due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless a continuance is granted. (Ed. Code, § 56505, subd. (f)(3); 34 C.F.R. § 300.515(a)(2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) The OAH scheduling order specifically stated that the expedited dates could not be continued by stipulation.

OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is denied. All prehearing conference and hearing dates are confirmed and shall proceed as calendared. The dates proposed by the parties are outside the statutory dates.

IT IS SO ORDERED.

DATE: April 23, 2014

/s/
MARGARET BROUSSARD
Administrative Law Judge
Office of Administrative Hearings