

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

LONG BEACH UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2016030586

ORDER FOLLOWING PREHEARING
CONFERENCE

On April 1, 2016, a telephonic prehearing conference was held before Administrative Law Judge Cole Dalton, Office of Administrative Hearings. Debra Ferdman, Attorney at Law, appeared on behalf of District. Grandparent appeared on behalf of Student. The PHC was recorded.

1. District's Motion for Continuance

On March 22, 2016, District filed due process complaint naming Student. On May 21, 2016, District filed motion for continuance to May 18 and 19, 2016, but had been unsuccessful in obtaining a stipulation from Grandparent. During the PHC, Grandparent agreed to a continuance in order to retain counsel to represent Student during the hearing. The parties agreed to continue the matter to June 7, 8 and 9, 2016.

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) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.)

Good cause exists to grant the request for continuance. This is the parties' first request for continuance and the parties have agreed to specific dates for hearing that are within three months of the initially scheduled hearing date. Further, Grandparent needs additional time to retain counsel for Student. Accordingly, the request for continuance is granted.

The matter shall be set as follows:

Prehearing Conference: May 27, 2016, at 10:00 am.

Due Process Hearing: June 7, 2016, at 9:30 a.m., and June 8 and 9, 2016, at 9:00 a.m., and continuing day to day, Monday through Thursday, as determined by the ALJ.

All remaining issues shall be addressed at the continued PHC.

IT IS SO ORDERED.

DATE: April 01, 2016

DocuSigned by:

Cole Dalton

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COLE DALTON

Administrative Law Judge

Office of Administrative Hearings