

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

RED BLUFF UNION ELEMENTARY  
SCHOOL DISTRICT.

OAH CASE NO. 2011080264

ORDER GRANTING REQUEST FOR  
CONTINUANCE AND SETTING  
PREHEARING CONFERENCE AND  
DUE PROCESS HEARING

On January 25, 2012, the parties filed a request to continue the dates in this matter on the grounds of witness unavailability during the currently calendared dates for hearing. The parties request a short continuance.

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, the Office of Administrative Hearings (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. The amended complaint in this matter was filed on October 17, 2012. **No further continuances without a showing of substantial good cause.** This matter will be set as follows:

Prehearing Conference: February 15, 2012, at 1:30 PM  
Due Process Hearing: February 27 and March 5, 2012, at 1:30 PM and  
February 28 – March 1 and March 6, 2012 at 9:30  
AM<sup>1</sup>

IT IS SO ORDERED.

Dated: January 25, 2012

/s/

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BOB N. VARMA  
Presiding Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> The parties have requested that OAH start the hearing on February 27, 2012, at 9:30 AM. They further request March 2, 2012, as a date for hearing. The issue of starting earlier on February 27, 2012, and holding a hearing on March 2, 2012, a Friday shall be addressed at the prehearing conference, by the presiding Administrative Law Judge.