

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

DIXIE ELEMENTARY SCHOOL
DISTRICT AND MARIN COUNTY
OFFICE OF EDUCATION.

OAH CASE NO. 2011110327

ORDER DENYING REQUEST FOR
CONTINUANCE

On February 10, 2012, the parties filed a joint request to continue the dates in this matter. This matter was filed on November 7, 2011.

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:

Denied. All prehearing conference and hearing dates are confirmed and shall proceed as calendared. The parties did not provide any grounds for the continuance and therefore did not establish good cause. The parties may resubmit their request and provide grounds for the requested continuance.

IT IS SO ORDERED.

Dated: February 13, 2012

/s/

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