

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

KERN COUNTY SUPERINTENDENT OF
SCHOOLS AND PANAMA-BUENA
VISTA UNION SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH CASE NO. 2011120395

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

On, December 15, 2011, Student filed a request to continue the due process hearing in this matter on the ground that counsel required further time to prepare for hearing. On December 19, 2011, the Kern County Superintendent of Schools and Panama-Buena Vista Union School District filed an opposition asserting counsel has sufficient time to prepare for hearing. No prior continuances have been granted.

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. This matter will be set as follows:

Prehearing Conference: February 1, 2012, at 1:30 PM
Due Process Hearing: February 8, 2012, at 9:30 AM

IT IS SO ORDERED.

Dated: December 21, 2011

/s/

BOB VARMA
Presiding Administrative Law Judge
Office of Administrative Hearings