

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SANTA ROSA CITY SCHOOLS.

OAH CASE NO. 2011070502

ORDER GRANTING REQUEST TO
CONTINUE PREHEARING
CONFERENCE

On August 16, 2011, the undersigned granted the parties request for continuance and set the prehearing conference (PHC) for October 12, 2011, because the Office of Administrative Hearings (OAH) is dark on the requested date of October 17, 2011. On August 17, 2011, the Santa Rosa City Schools moved to continue the PHC date. OAH did not receive a response from Student.

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, 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. The PHC date of October 12, 2011, is vacated. This matter will be set as follows:

Prehearing Conference: October 24, 2011, at 10:00 AM
Due Process Hearing: October 25 – 27, 2011, at 9:30 AM

IT IS SO ORDERED.

Dated: August 22, 2011

/s/

BOB VARMA
Presiding Administrative Law Judge
Office of Administrative Hearings