

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

BELLFLOWER UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2021080666

ORDER DENYING REQUEST FOR CONTINUANCE

DECEMBER 30, 2021

On December 23, 2021, Bellflower Unified School District filed with the Office of Administrative Hearings, referred to as OAH, a request to continue this matter. Bellflower's request was based upon the unavailability of counsel and district personnel due to other OAH cases. Student did not file a response.

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).)

In its request for continuance, Bellflower cites a scheduling conflict between the present case and another OAH due process hearing that has been continued to January 18, 2022. Bellflower has not established a conflict between that case and the present case, set to begin on January 11, 2022. As such, Bellflower has not established good cause for continuance and its request is denied. All dates shall remain on calendar.

IT IS SO ORDERED.

Claire Yazigi

Claire Yazigi
Administrative Law Judge
Office of Administrative Hearings