BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026020155

ORDER GRANTING REQUEST FOR CONTINUANCE OF REMAINDER OF HEARING

MARCH 24, 2026

On February 2, 2026, Student filed a due process hearing complaint with the Office of Administrative Hearings, OAH, naming Sacramento City Unified School District as the respondent. The matter proceeded to hearing with no continuances. The hearing commenced as scheduled on March 24, 2026. Parent represented Student. Anne Sherlock and Aisha Sleiman, Attorneys at Law, represented Sacramento City.

At the commencement of the hearing, after the record opened, Parent stated a request to continue the due process hearing, as she sought legal counsel before proceeding. Sacramento City consented to the request. The parties indicated they

reached a settlement in principal. Parent wished to obtain legal counsel to review the terms of the settlement.

OAH must conduct a due process hearing and issue a decision within 45 days of receiving the due process complaint, unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Resolving the due process hearing quickly is legally required. Hearings may only be continued if "good cause" is established. (Ed. Code, § 56505, subd. (f)(3).) OAH is guided by the Administrative Procedure Act and the California Rules of Court when ruling on continuance motions. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.)

Good cause to continue a hearing may include:

- An essential lay or expert witness is unavailable because of death, illness, or other excusable circumstances;
- A party is unavailable because of death, illness, or other excusable circumstances;
- A party's attorney is unavailable because of death, illness, or other excusable circumstances;
- A new attorney substitutes in, but only if the party establishes that the substitution is required in the interests of justice;
- A new party is added, and the new party has not had a reasonable opportunity to prepare for trial, or other parties have not had a reasonable opportunity to prepare for trial regarding the new party's involvement;
- A party is unable to obtain essential testimony, documents, or other material evidence despite diligent efforts; or

- The case has a significant and unexpected change which makes the case not ready for trial.

Generally, continuances are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

Parent established good cause to continue the due process hearing. Parent seeks to obtain legal counsel to represent Student's interests. The request is granted. The second day of hearing is continued as follows:

DUE PROCESS HEARING will recommence on April 7 through April 9, 2026.

All other hearing dates are vacated. The due process hearing will be held by videoconference, unless otherwise ordered. The due process hearing will begin at 9:30 AM on all days, and generally end at 3:30 PM, unless otherwise ordered. The hearing will continue day to day, as needed, Mondays and Fridays included, at the discretion of the Administrative Law Judge.

The parties must immediately give potential witnesses the hearing dates, and must subpoena witnesses, if necessary, so they are available to testify. Failing to properly notify or subpoena a witness is not good cause to delay the hearing.

IT IS SO ORDERED.

June Lehrman

June Lehrman
Administrative Law Judge
Office of Administrative Hearings