

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

SAN FRANCISCO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2022030184

ORDER DENYING REQUEST FOR CONTINUANCE OF DUE
PROCESS HEARING

MARCH 10, 2022

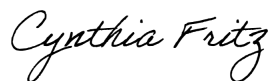
On March 7, 2022, Parents on behalf of Student filed a due process hearing request with the Office of Administrative Hearings, called OAH, naming San Francisco Unified School District. OAH set the due process hearing in this matter for April 12, 13, and 14, 2022.

On March 10, 2022, the parties filed a stipulation to continue the hearing dates to the week of April 25, 2022, representing that Parents have a work-related conflict. The parties do not have the authority to unilaterally change due process hearing dates. Thus, the parties' stipulation is interpreted as a motion to continue the due process hearing.

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).)

The undersigned has reviewed the parties' request for a continuance in this matter and considered all relevant facts and circumstances. The parties' request for a continuance is denied. An undefined work-related conflict without further evidence does not constitute good cause to continue a due process hearing. All dates will remain on calendar.

IT IS SO ORDERED

A handwritten signature in cursive script that reads "Cynthia Fritz".

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings