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 2026070836

ORDER GRANTING SECOND REQUEST FOR HEARING CONTINUANCE

OCTOBER 7, 2026

On July 15, 2026, Parents, on behalf of Student, filed a request for due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming San Francisco Unified School District as respondent. The parties first joint continuance request was granted on August 7, 2026 to allow the parties to mediate.

On September 30, 2026, San Francisco filed a second request to continue the due process hearing due to a hearing conflict with another case. Counsel stated an attempt to confer with counsel regarding the additional continuance was unsuccessful. OAH received no Student response to San Francisco's request to continue the case due to the hearing conflict.

OAH must conduct a due process hearing and render a decision 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).)

San Francisco has established good cause for the continuance request based on the conflicting hearing. Generally, earlier filed cases have hearing priority. However, here, counsel states the later-filed case, that he is asking take priority, involves urgent placement issues. In this instance, San Francisco requests an exception to the earlier-filed case priority for hearing. The requested continuance is for only two weeks and the request is unopposed.

San Francisco's continuance request is granted. All previously scheduled dates are vacated. The new dates are:

PREHEARING CONFERENCE will be held on October 23, 2026 at 10:00 AM.

DUE PROCESS HEARING will be held on November 3, 4, and 5, 2026.

The prehearing conference, and due process hearing, will both be held by videoconference or telephone, 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. Prehearing conference statements and

motions are due to OAH no later than three business days before the prehearing conference. Late motions will only be considered if good cause is established for the late filing.

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.

Penelope Pahl

Penelope S. Pahl
Administrative Law Judge
Office of Administrative Hearings