

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN FRANCISCO UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2011020678

ORDER DENYING REQUEST FOR  
ADDITIONAL HEARING DATES

On March 22, 2011, the parties filed a request to schedule four additional hearing dates for the due process hearing that was set for a single day: April 14, 2011. The parties asked that OAH add April 19-21, and April 27, 2011, as additional dates for hearing. On March 23, 2011, OAH partially granted the request, and partially denied the request. OAH found that the dates requested by the parties would spread a five-day hearing over a period of three weeks. The hearing date of April 14, 2011, was vacated, and OAH declined to set the hearing on April 27, 2011, instead ordering the parties to consult with the Administrative Law Judge (ALJ) during the prehearing conference (PHC) on April 6, 2011, to determine additional dates for the hearing.

On March 30, 2011, the parties sent a joint request to OAH to add April 26, and 27, 2011, as hearing days. The parties claimed that requiring them to wait until the PHC would not give them enough time to serve subpoenas on witnesses, and arrange a witness schedule.

The ALJ conducting the PHC is the appropriate person to determine additional hearing dates in this matter to ensure that the additional dates do not create a calendar conflict for that ALJ. Accordingly, the parties' request to calendar additional hearing dates on April 26, and 27, 2011 is denied<sup>1</sup>

IT IS SO ORDERED.

Dated: April 1, 2011

/s/

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REBECCA FREIE  
Administrative Law Judge  
Office of Administrative Hearings

<sup>1</sup> The ALJ conducting the PHC is not precluded from setting April 26, and 27, 2011 as additional hearing dates.