

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH Case No. 2015070657

v.

SAN FRANCISCO UNIFIED SCHOOL
DISTRICT,

SAN FRANCISCO UNIFIED SCHOOL
DISTRICT,

OAH Case No. 2015100030

v.

PARENT ON BEHALF OF STUDENT.

ORDER GRANTING STUDENT'S
PEREMPTORY CHALLENGE

On October 28, 2015, Student filed a peremptory challenge seeking to disqualify Administrative Law Judge Charles Marson in the above captioned matter. Student's peremptory challenge is made pursuant to Government Code section 11425.40, subdivision (d), of the Administrative Procedures Act, and California Code of Regulations, title 1, section 1034.

Government Code section 11425.40, subdivision (d), establishes the criteria for disqualification of the presiding officer. A party is entitled to one peremptory challenge (disqualification without cause) to an ALJ assigned to an Office of Administrative Hearings hearing. (Cal. Code Regs., tit. 1, § 1034, subs. (a) & (b); Gov. Code, § 11425.40, subd. (d).) Student's peremptory challenge is timely made and is granted pursuant to Government section 11425.40, subdivisions (a) and (d), and California Code of Regulations, title 1, section 1034, subdivision (c). The matter is reassigned to ALJ Rebecca Freie.

IT IS SO ORDERED.

DATE: October 28, 2015

/s/

MARGARET BROUSSARD
Presiding Administrative Law Judge
Office of Administrative Hearings