BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

GOLETA UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2026010385

ORDER DENYING REQUEST FOR CONTINUANCE

JUNE 23, 2026

On June 22, 2026, parties filed a joint request to continue the due process hearing with the Office of Administrative Hearings, OAH.

Student contends the hearing should be continued because the instant matter conflicts with another matter scheduled for due process at the same time. Student argues OAH case number 2026010501, first filed on January 13, 2026, at 10:02 a.m. should take priority over the instant matter first filed with OAH on January 12, 2026, at 3:24 p.m., because the prior matter is more urgent. Both matters have been pending since January thus undercutting any urgency argument from counsel.

Student further alleges OAH rescheduled Student's due process hearing to July 7, 8, and 9, 2026. Student's second motion to amend was granted on May 19, 2026. Resetting hearing dates occur as an operation of law.

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).)

Student did not establish good cause to continue the due process hearing. That counsel now has July scheduling conflict between two matters filed hours apart in January is a matter solely of counsel's own making. The earlier filed case takes priority over the later filed case.

The request is denied. All prehearing conference and due process hearing dates are confirmed and will proceed as calendared.

IT IS SO ORDERED.

Tiffany Gilmartin

Tiffany Gilmartin
Administrative Law Judge
Office of Administrative Hearings