BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025120006

ORDER DENYING REQUEST FOR CONTINUANCE OF DUE PROCESS HEARING

APRIL 20, 2026

On April 14, 2026, Student filed a request to continue the due process hearing with the Office of Administrative Hearings, OAH. Los Angeles did not filed a response.

Student requested that due process hearing, or DPH, be continued by one week and set for April 28, 29, and 30, 2026. Student's motion also included a request that the unexpedited prehearing conference, or PHC, be continued as well. This portion of Student's motion is stricken, as the unexpedited PHC has already been held and completed on April 10, 2026.

Student based the continuance request on 1. the uncertainty of district witness availability caused by a potential labor strike involving Los Angeles employee witnesses;

2. The uncertainty of whether the ALJ would grant seven days for the unexpedited portion of hearing; and 3. needing more time to prepare for hearing based on the disabilities of Parent and Student.

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).)

Good cause does not exist to grant continuance. At the time Student filed the present motion to continue, Student concedes he was aware that the labor strike did not occur. Los Angeles anticipated that a labor strike would begin on Tuesday, April 14, 2026, but no strike occurred on that day. Student had a week thereafter to make witness arrangements and issue any necessary subpoenas before the first day of hearing on April 21, 2026.

Good cause does not exist to continue the hearing based on Student's premature request to add hearing days. The hearing is scheduled for three days and those dates were known to both parties. Moreover, the procedure for adding additional days, if necessary, was included in both the Order Following Expedited Prehearing Conference dated February 27, 2026, and the Order Following Prehearing Conference dated April 14, 2026. Both specify that any hearing days additional to the three hearing days set on calendar will be granted day to day at the discretion of the ALJ.

Good cause does not exist to continue hearing by one week based on Parent's general assertion that the mental health of Parent and Student require it. The parties have been on notice of the dates for unexpedited hearing since March 17, 2026, when the undersigned granted continuance to those dates. The undersigned also referred the continuance request to OAH's Americans with Disabilities Act requests coordinator, based on Parent's third reason for continuance. Ther request did not qualify for a one week continuance as an ADA accommodation.

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

IT IS SO ORDERED.

Claire Yazigi

Claire Yazigi
Administrative Law Judge
Office of Administrative Hearings