BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

CUPERTINO UNION SCHOOL DISTRICT,

OAH CASE NUMBER 2025110210

OAH CASE NUMBER 2025110972

ORDER SETTING SCHEDULE FOR WRITTEN CLOSING ARGUMENT FOR EXPEDITED DUE PROCESS HEARING

JANUARY 22, 2026

On January 22, 2026, the undersigned Administrative Law Judge, called an ALJ, convened the ninth day of the expedited due process hearing as scheduled. Student's January 21, 2026 Motion to Continue the expedited due process hearing failed to establish good cause for the continuance and at approximately 3:50 PM on January 21, 2026, staff of the Office of Administrative Hearings telephonically informed the parties Student's motion was denied and the expedited hearing would resume at 9:30 AM on January 22, 2026.

Parent on behalf of Student failed to appear at 9:30 AM and the ALJ waited until 10:00 AM in case technical issues or other delay impeded Parent's participation. Parent failed to appear. Due to Student's failure to appear and to prosecute the case, the ALJ closed Student's case. Cupertino Union School District rested without any presentation of additional evidence. Student previously moved exhibit S66 into evidence but the ALJ had deferred ruling on the admissibility of the document pending Parent's testimony to establish foundation and relevance to the expedited issues. Exhibit S66 was therefore excluded. The document appears in the evidence database, Case Center, along with all previously admitted exhibits and one other previously excluded exhibit, S87.

On December 10, 2025, Student uploaded a "draft" document to the Witness Schedules section of Case Center because Parent stated he did not know where else to put it. On January 22, 2026, the ALJ stamped that document "Identification -- S's Argument 12/10/25" so it would be included in the Administrative Record, along with the Admitted and the Excluded exhibits.

The ALJ requested Cupertino direct the ALJ to the exhibits that were the school calendars for the 2024-2025 and 2025-2026 school years. The ALJ requested and Cupertino did not object to admitting into evidence exhibits D33 and D34, the two calendars, respectively.

The ALJ also requested the April 10, 2025 settlement agreement, which had been attached as an exhibit to Cupertino's attorney's declaration attached to Cupertino's November 26, 2025 opposition to Student's November 24, 2025 motion for stay put. The ALJ requested and Cupertino did not object to admitting into evidence exhibit D15.

The ALJ closed the evidentiary record for the expedited due process hearing.

Cupertino gave oral closing argument. Although not required, should either party want to file a written closing argument, they may file a written closing argument that does not exceed 20 pages no later than 12:00 PM on Wednesday, January 28, 2026.

IT IS SO ORDERED.

Kara Hatfield

Kara Hatfield
Administrative Law Judge
Office of Administrative Hearings