BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

OJAI UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2025070206

OAH CASE NUMBER 2025070706

# ORDER GRANTING MOTION FOR CONTINUANCE OF DUE PROCESS HEARING

AUGUST 18, 2025

On July 7, 2025, Parents on behalf of Student filed a due process hearing request with the Office of Administrative Hearings, called OAH, naming Ojai Unified School District. On August 7, 2025, Student requested a continuance due to counsel's unavailability. Ojai Unified opposed the motion.

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 for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd.

(f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. Good cause may include the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (See Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have stipulated to a continuance; whether the interests of justice are served by the continuance; and any other relevant fact or circumstance. (See Cal. Rules of Court, rule 3.1332(d).)

Student established good cause for a short continuance due to counsel's unavailability but did not establish good cause for the time requested. Student's current prehearing conference and due process hearing dates are vacated. The dates are set as follows:

PREHEARING CONFERENCE will be held on August 25, 2025, at 3:00 PM.

DUE PROCESS HEARING will be held on September 3 and 4, 2025.

PARTICIPANT INFORMATION SHEETS FOR MEDIATION AND PREHEARING CONFERENCES MUST BE FILED TWO BUSINESS BEFORE THE EVENT.

The hearing shall begin at 9:30 AM on all days unless otherwise ordered. The hearing shall continue day to day, as needed at the discretion of the Administrative Law Judge. Prehearing conference statements and motions are due to OAH no later than

three business days before the prehearing conference or with a showing of good cause why it was not timely filed.

IT IS SO ORDERED

Cynthia Fritz

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings