BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

OJAI UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025070206

ORDER DENYING REQUEST FOR CONTINUANCE

AUGUST 1, 2025

On July 7, 2025, Parent, on behalf of Student, filed a request for due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Ojai Unified School District as respondent. On July 17, 2025, Ojai filed a request to continue the prehearing conference and hearing dates due to a conflicting hearing. Ojai counsel asserted that OAH case number 2025050562 was scheduled for hearing on the same dates as this hearing. Due to the conflicting case's earlier filing date, Ojai contends, it must be given hearing priority. Student initially did not oppose the motion. However, on July 31, 2025, Student filed a notice of opposition to the continuance on the grounds that the conflict no longer existed.

OAH must conduct a due process hearing and render a decision 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).)

Ojai is correct that earlier filed cases generally take priority. However, on July 28, 2025, OAH issued an order determining the complaint insufficient in OAH case number 2025050562. The order vacated the hearing date that conflicted with this case.

As there is no longer a conflict, Ojai's requested continuance is denied. All prehearing conference and due process hearing dates are confirmed and will proceed as calendared.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl
Administrative Law Judge
Office of Administrative Hearings