

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

IN THE MATTER OF:  
  
UINTA ACADEMY,

v.

CALIFORNIA DEPARTMENT OF EDUCATION

OAH CASE NUMBER 2026071300

ORDER GRANTING REQUEST FOR CONTINUANCE OF  
DATE OF DOCUMENT EXCHANGE AND ORAL ARGUMENT;  
  
ORDER FOR BRIEFING

AUGUST 05, 2026

On August 5, 2026, Uinta Academy and California Department of Education filed a joint request for a continuance with the Office of Administrative Hearings, referred to as OAH, due to unavailability of CDE staff and because Uinta is in final process of being acquired by a new entity.

Within 20 working days of receipt of notice, nonpublic schools or nonpublic agencies may file a written petition to request a review of the decision to deny, suspend or revoke certification pursuant to Education Code, section 56366.6. (Cal. Code Regs.,

tit 5., § 3068, subd. (a).) The appeal shall be sent to OAH, and OAH shall issue a decision within 30 working days after receipt of all materials and evidence, which includes oral argument, if requested, which may include the ability to call and cross-examine witnesses. (Ed. Code, § 56366.6, subd. (a); Cal. Code Regs., tit 5., § 3068, subd. (a).)

The due process proceeding must be conducted and a decision rendered within the applicable timelines unless an extension is granted for good cause. (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; substitution of an attorney when the substitution is required in the interests of justice; a party's excused inability to obtain essential testimony or other material evidence despite diligent efforts; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (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 or imposing conditions on the continuance; and any other relevant fact or circumstance. (Cal. Rules of Court, rule 3.1332(d).)

OAH has reviewed the request for good cause and considered all relevant facts and circumstances. The request is:

Granted. All dates are vacated. The continuance request is granted as the parties established good cause for a continuance due to the unavailability of CDE staff and the pending acquisition of Uinta. If the parties wish for a videoconference mediation, please contact OAH with requested mediation dates.

#### THIS MATTER WILL BE SET AS FOLLOWS:

Exchange and Submission of Documents will be by 5:00 PM (Pacific Time), on September 18, 2026. All documents must be exchanged by appellant and CDE and submitted to OAH for review by the assigned administrative law judge. Please follow the Order Setting Procedures for Filing Exhibits Electronically.

Parties will appear before the assigned Administrative Law Judge on the date identified below to present oral arguments.

DATE: September 22, 2026, at 9:30 AM (Pacific Time).

PLACE: The Office of Administrative Hearings will conduct the oral argument by videoconference or telephone using the Zoom application. Any objection must comply with Government Code section 11440.30, subdivision (b). Unless otherwise ordered, participants are required to appear by videoconference using computer or device with video capability and Zoom. Participants who have not previously used the Zoom application, may find informative instructions on at by visiting, Getting Started with Zoom at <https://support.zoom.us/hc/en-us/categories/200101697>.

If Uinta is acquired before oral argument, the parties are required to submit three business days before the document exchange, or the day before oral argument if later acquired, as to whether the acquisition of Uinta moots CDE's July 20, 2026 Denial of Certification.

Any other Prehearing motions are due to OAH no later than three business days before the document exchange. Late motions will only be considered if good cause is established for the late filing.

IT IS SO ORDERED.

*Peter Paul Castillo*

Peter Paul Castillo

Division Chief Administrative Law Judge

Office of Administrative Hearings