

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

UNIVERSITY PREPARATORY ACADEMY.

OAH CASE NUMBER 2026021000

ORDER OF CONTINUANCE FOR FURTHER BRIEFING

AUGUST 12, 2026

On February 23, 2026, the Office of Administrative Hearings, called OAH, received a due process hearing request from Father, naming University Preparatory Academy. University Preparatory Academy is also called Charter.

For good cause, on April 6, 2026, OAH continued the hearing to June 2, 2026. Administrative Law Judge Laurie Gorsline heard this matter by video conference on June 2, 3, 4, 9, 10, and 16, and July 29, 2026. An Administrative Law Judge is called an ALJ.

Father represented himself and Student. Student did not attend the hearing. Attorneys Brittinee Gillespie Malone and Tellis Aucoin represented University

Preparatory Academy at the hearing. Executive Director David Porter attended all hearing days on Charter's behalf.

On July 29, 2026, the last day of testimony, at the parties' request, the matter was continued to August 13, 2026, for written closing briefs.

On August 7, 2026, the United States District Court issued an Order Granting Motion to Dismiss Without Leave to Amend; Terminating All Remaining Motions, in *Father v. Zackery P. Morazzini, et al.* (N.D.Cal., August 7, 2026, No. 5:6cv-01672-EJD) 2026 WL 2283558 (*Father v. East Side Union*). In the Order, the Honorable Edward J. Davila, United States District Judge, dismissed Parent's case against Zackery P. Morazzini, Director and Chief Administrative Law Judge, California Office of Administrative Hearings, and East Side Union High School District. Judge Davila's Order found that Father did not have legal standing to prosecute his legal action against East Side Union High School, OAH Case No. 2025101092, because he did not have legal custody of Student, and therefore Father was not a 'parent' with standing to bring an action under the Individuals with Disabilities Education Act. (*Id.*, at *5.)

In light of the August 7, 2026 Order issued in *Father v. East Side Union*, the ALJ requires further briefing on the issue of Father's standing to prosecute the six claims in this case filed against University Preparatory Academy. As part of the parties' written closing argument, the parties are required to address the August 7, 2026 Order and explain if and how it effects Father's standing to prosecute the claims made in this case. Father shall specifically address why the holding in the August 7, 2026 Order should not apply to the each of the hearing issues.

OAH must conduct a due process hearing and issue a decision within 45 days of receiving the due process complaint, unless an extension is granted. (34 C.F.R.

§ 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Resolving the due process hearing quickly is legally required. Hearings may only be continued if "good cause" is established. (Ed. Code, § 56505, subd. (f)(3).) OAH is guided by the Administrative Procedure Act and the California Rules of Court when ruling on continuance motions. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.)

The ALJ finds good cause for a further continuance of the matter to August 20, 2026, so the parties can file written closing briefs on the issue of Father's standing considering the August 7, 2026 Order issued in *Father v. East Side Union*. The deadline for the parties to file their written closing arguments is hereby extended from August 13, 2026, to August 20, 2026. The parties shall file with OAH and serve on each other their written closing arguments by no later than August 20, 2026, at 5:00 PM. The record will be closed and the matter submitted on August 20, 2026.

IT IS SO ORDERED.

A handwritten signature in cursive script that reads "Laurie Gorsline".

Laurie Gorsline

Administrative Law Judge

Office of Administrative Hearings