

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

UNIVERSITY PREPARATORY ACADEMY.

OAH CASE NUMBER 2026060489

ORDER TO SHOW CAUSE AS TO WHY MATTER SHOULD
NOT BE DISMISSED AND CONTINUANCE OF PREHEARING
CONFERENCE AND HEARINGS DATES

AUGUST 12, 2026

On June 5, 2026, Father on behalf of Student filed a request for due process hearing, complaint, naming University Preparatory Academy. The Prehearing Conference is presently scheduled for 1:00 PM on August 14, 2026, and due process hearing for August 25 through August 27, 2026.

On August 7, 2026, the Honorable Edward J. Davila, United States District Judge, issued an Order that dismissed Father's case against Zackery P. Morazzini, Director and Chief Administrative Law Judge, California Office of Administrative Hearings, and East Side Union High School District. (*G.D. v. Morazzini* (N.D. Cal. Aug. 7, 2026, Case

No. 5:26-cv-01672-EJD) 2026 WL 2283558.) 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 not a 'parent' with standing to bring an action under the Individuals with Disabilities Education Act. (*Id.*, at *5.)

Therefore, Father is ordered to show cause in writing no later than August 19, 2026, at 5:00 PM as to why this matter should not be dismissed for lack of standing, and to provide any custody order issued after May 21, 2026, that gives him the right to make educational decisions on behalf of Student. Any response by University Preparatory Academy is due in writing by August 24, 2026, at Noon.

Accordingly, the present prehearing conference and due process hearing dates are vacated, and matter continued to proceed as follows:

PREHEARING CONFERENCE will be held on August 28, 2026, at 1:00 PM. All other prehearing matters shall be addressed at the August 28, 2026, prehearing conference. All prehearing motions must be filed three business days before the PHC.

In addition, each party is required to submit a prehearing conference statement with OAH at least three business days before the prehearing conference.

DUE PROCESS HEARING: September 9, through September 10, 2026.

The hearing will be conducted via telephone or videoconference and shall begin at 9:30 AM and end at 3:30 PM on all days, unless otherwise ordered. The hearing shall continue day to day at the discretion of the ALJ.

The parties shall immediately notify all potential witnesses of the hearing dates, and shall subpoena witnesses, if necessary, to ensure that the witnesses will be available

to testify. A witness will not be regarded as unavailable for purposes of showing "good cause" to continue the hearing if the witness is not properly notified of the hearing date or properly subpoenaed.

IT IS SO ORDERED.

Peter Paul Castillo

Peter Paul Castillo

Division Chief Administrative Law Judge

Office of Administrative Hearings