

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

COVINA-VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026071191

ORDER GRANTING REQUEST FOR CONTINUANCE AND
SETTING PREHEARING CONFERENCE AND HEARING

SEPTEMBER 3, 2026

On July 27, 2026, 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 Covina-Valley Unified School District as respondent. On August 31, 2026, the parties jointly filed a request to continue the hearing due to Covina-Valley's counsel's conflicts due to earlier filed cases already scheduled for hearing.

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).)

This case is currently scheduled for hearing beginning November 15, 2026. Covina-Valley's counsel offered a declaration listing cases, all of which were filed earlier than this case, scheduled for hearing beginning September 15, 2026, and spanning each week until November 17, 2026. In some instances, Covina-Valleys' counsel was double-booked. The week of November 23 Covina-Valley's counsel is scheduled for a pre-planned vacation. This is the parties' first continuance request in this case.

Covina-Valley's counsel's hearing conflicts are good cause for a continuance, as is her pre-planned vacation. The request is granted. All previously scheduled dates are vacated. The new dates are:

PREHEARING CONFERENCE will be held on November 20, 2026 at 10:00 AM.

DUE PROCESS HEARING will be held on December 1, 2, and 3, 2026.

Although the motion asks that the hearing begin on Wednesday December 2, 2026, the motion offered no good cause for varying the date OAH normally begins hearings, which is Tuesday, December 1, 2026. .

The prehearing conference, and due process hearing will be held by videoconference or telephone, unless otherwise ordered. The due process hearing will begin at 9:30 AM on all days, and generally end at 3:30 PM, unless otherwise ordered. The hearing will continue day to day, as needed, Mondays and Fridays included, 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. Late motions will only be considered if good cause is established for the late filing.

The parties are encouraged to consider mediation.

The parties must immediately give potential witnesses the hearing dates, and must subpoena witnesses, if necessary, so they are available to testify. Failing to properly notify or subpoena a witness is not good cause to delay the hearing.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl

Administrative Law Judge

Office of Administrative Hearings