

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

HUENEME ELEMENTARY SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2026081168

ORDER GRANTING REQUEST FOR HEARING

CONTINUANCE

SEPTEMBER 17, 2026

On August 28, 2026, Hueneme Elementary School District filed a request for due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Parents on behalf of Student as respondent. A prehearing conference was held on September 14, 2026, confirming the currently scheduled hearing dates of September 22, 23, and 24, 2026.

On September 16, 2026, Hueneme filed a request for continuance on the grounds of counsel's health emergency. On September 17, 2026, Parent spoke with the OAH case manager, and informed her that she did not object to the hearing being continued. Parent did not want to submit a written notification to OAH.

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).)

Hueneme established good cause for a continuance by counsel's sworn declaration confirming a sudden health emergency and the need for recuperation. Hueneme asserts counsel's sudden health condition will impede her ability to prepare and participate in a hearing beginning on September 22, 2026. Counsel requests that the hearing be continued to October 6, 7, and 8, 2026. During Parent's call to OAH's case manager, Parent confirmed that the October dates were acceptable to Student.

The request is granted. The previously scheduled hearing dates are vacated. The new hearing dates are:

DUE PROCESS HEARING will be held on October 6, 7, and 8, 2026.

The 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.

The parties are required to upload the exhibits, and a list of witnesses they intend to call, to Case Center, five business day prior to the hearing to satisfy the exchange of information required by California Education Code 56505(e)(7). Instructions are included in the scheduling order and prehearing conference orders issue previously.

The parties must immediately give potential witnesses notice of the new 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