BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

MANTECA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026090474

ORDER FOLLOWING PREHEARING CONFERENCE

GRANTING REQUEST FOR CONTINUANCE

OCTOBER 19, 2026

On October 19, 2026, Administrative Law Judge Daniel Senter, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Attorneys Gabriela Torres and Blaz Gutierrez appeared on behalf of Student. Attorney Rebecca Diddams appeared on behalf of Manteca Unified School District. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

MOTION TO CONTINUE

On September 11, 2026, Student filed a due process hearing request naming Manteca. On October 15, 2026, Manteca filed a request to continue the hearing, due to the unavailability of its attorneys, attorney Dee Anna Hassanpour and Rebecca Diddams, during the weeks of October 27, 2026, and November 3, 2026, caused by earlier-filed OAH cases and a pre-planned/pre-paid trip.

Additionally, Manteca asserts that its representative, senior director of special education Jody Burriss, is also scheduled to be in hearing the weeks of November 10, and 17, 2026, in later-filed OAH cases. At the PHC, attorney Diddams asserted she was also scheduled to be in hearing on behalf of Manteca the week of November 10, 2027, in a later-filed case. Manteca requests the instant hearing be continued to November 17, 2026.

On October 19, 2026, Student filed an opposition, asserting that Manteca failed to explain why it did not disclose its conflicts earlier or why another attorney in the law firm representing Manteca could not appear on the current hearing dates. Student further asserts the instant hearing should not be continued based on conflicts created by later-filed cases.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); 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. (Ed. Code, § 56505, subd. (f)(3); 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).)

The request for continuance is granted for good cause, but not for the length of time requested. The motion was timely filed three days prior to the prehearing conference. The motion established good cause for a continuance based on the unavailability of its attorneys on the current hearing dates. However, Manteca did not establish good cause for a continuance to November 17, 2026. This case takes precedence over the later-filed cases identified by Manteca.

All previously scheduled dates are vacated. The case shall proceed as follows:

PREHEARING CONFERENCE will be held on October 30, 2026, at 3:00 PM.

All other prehearing matters shall be addressed at the October 30, 2026, prehearing conference. All prehearing motions must be filed three business days before the PHC.

DUE PROCESS HEARING: November 10, and 12, 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.

PARTICIPANT INFORMATION SHEETS, OR ANY CHANGES THERETO, MUST BE FILED TWO BUSINESS DAYS PRIOR TO THE DATE OF THE SCHEDULED EVENT.

SETTLEMENT

The parties shall immediately inform OAH in writing if they reach a settlement or otherwise resolve the dispute before the scheduled hearing. If the parties reach a settlement within five days of the scheduled start of the due process hearing, the parties shall also inform OAH of the settlement by telephone at (916) 263-0880.

If a full and final written settlement agreement is reached after 5:00 PM the day before the hearing, the parties shall leave a voicemail message regarding the settlement at (916) 274-6035. The parties should also leave contact information such as cellular phone numbers of each party or counsel for each party. At the same time, the parties should send the signature page of the signed agreement or a letter withdrawing the case to OAH at https://www.applications.dgs.ca.gov/oah/oahsftweb.

Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received by OAH. If an agreement in principle is

reached, the parties should plan to attend the scheduled hearing unless different arrangements have been agreed upon by the assigned ALJ. The assigned ALJ will check for messages before the hearing.

If the matter settles subject to board approval, in addition to a signed copy of the signature page of the settlement agreement, the parties shall provide the date of the next board meeting. The hearing dates will not be cancelled without this information.

FAILURE TO COMPLY

Failure to comply with this order may result in the exclusion of evidence or other sanctions.

IT IS SO ORDERED.

Daniel Senter

Daniel Senter
Administrative Law Judge
Office of Administrative Hearings