BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

WILLIAM S. HART UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2026070947

# AMENDED ORDER GRANTING REQUEST FOR CONTINUANCE

OCTOBER 29, 2026

On July 17, 2026, Student filed a request for due process hearing, called a complaint, with the Office of Administrative Hearings, called OAH, naming William S. Hart Union High School District. On August 12, 2026, OAH granted the parties' joint request for mediation and continuance of the hearing. On September 3, 2026, William S. Hart canceled mediation.

On September 16, 2026, OAH granted the parties' joint request for a second mediation and continuance of the hearing. OAH set mediation on September 25, 2026, and the hearing to commence on October 20, 2026.

On October 6, 2026, the parties jointly requested a continuance of the hearing based on Student's counsel's unavailability. On September 23, 2026, Student's counsel filed a complaint in OAH Case Number 2026091187. On September 30, 2026, OAH issued an amended scheduling order and set the expedited hearing on October 20, 21, and 22, 2026, which conflicts with the dates for hearing in this matter. Student's counsel contends she is the sole attorney representing the student in both matters. The parties request the hearing in this matter be continued to commence on November 10, 2026.

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).)

Student established good cause based on the conflict with the expedited hearing in OAH Case Number 2026091187. Although a hearing in an earlier-filed matter takes precedence, expedited hearings cannot be continued. Moreover, the conflict arose after the parties' September 15, 2026, request for a continuance of this matter.

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

PREHEARING CONFERENCE will be held on November 2, 2026, at 1:00 PM.

DUE PROCESS HEARING will be held on November 10, and 12, 2026. A hearing is not scheduled on November 11, 2026, due to the Veterans Day holiday.

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, 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 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.

Jeanie Min

Jeanie Min
Administrative Law Judge
Office of Administrative Hearings