BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

MANTECA UNIFIED SCHOOL DISTRICT

V.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2026070274

ORDER GRANTING REQUEST FOR CONTINUANCE OF NON-EXPEDITED PREHEARING CONFERENCE AND NON-EXPEDITED HEARING

JULY 20, 2026

On July 2, 2026, Manteca Unified School District filed with the Office of Administrative Hearings a Request for Due Process Hearing in OAH case number 2026070274, naming Parent on behalf of Student and seeking both an expedited hearing and a non-expedited hearing.

OAH set two hearings. The expedited prehearing conference was set for July 20, 2026, and an expedited hearing for July 28, 29, and 30, 2026. The prehearing conference for the non-expedited issues was also set on July 20, 2026, and the non-expedited hearing for July 28, 29, and 30, 2026.

At the conclusion of the expedited prehearing conference on July 20, 2026, Manteca orally moved to continue the non-expedited prehearing conference and the non-expedited hearing, because of the calendaring conflicts. Student joined Manteca in the continuance request.

OAH must conduct a due process hearing and issue a decision within 45 days of receiving the due process complaint, unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Resolving the due process hearing quickly is legally required. Hearings may only be continued if "good cause" is established. (Ed. Code, § 56505, subd. (f)(3).) OAH is guided by the Administrative Procedure Act and the California Rules of Court when ruling on continuance motions. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.)

Good cause to continue a hearing may include:

- An essential lay or expert witness is unavailable because of death, illness, or other excusable circumstances;
- A party is unavailable because of death, illness, or other excusable circumstances;
- A party's attorney is unavailable because of death, illness, or other excusable circumstances;
- A new attorney substitutes in, but only if the party establishes that the substitution is required in the interests of justice;
- A new party is added, and the new party has not had a reasonable opportunity to prepare for trial, or other parties have not had a reasonable opportunity to prepare for trial regarding the new party's involvement;

- A party is unable to obtain essential testimony, documents, or other material evidence despite diligent efforts; or
- The case has a significant and unexpected change which makes the case not ready for trial.

Generally, continuances are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

Here, the parties demonstrated a reasonable basis for not making a written motion more than three business before the PHC. On July 10, 2026, Parent on behalf of Student filed a Request for Due Process Hearing in OAH case number 2026070481, Student's Case, naming Manteca Unified School District,. In his complaint, Student made a motion to consolidate his case with this case's non-expedited issues. If granted, the consolidation would have vacated the dates for the non-expedited prehearing conference and non-expedited hearing in this case, because Student's case would have been primary and the primary case calendar would then control the calendaring of the consolidated cases. The parties reasonably expected Student's motion to consolidate to be granted.

However, at the expedited prehearing conference, the parties were informed that Student's motion to consolidate was being denied. The expedited and non-expedited prehearing conference and hearing dates still conflicted. The parties then found it necessary to ask for a continuance.

The parties established good cause to continue the non-expedited due process hearing because it was set for the same dates as the expedited hearing.

The request is granted. The previously scheduled dates for the non-expedited prehearing conference and the non-expedited hearing are vacated.. The continued non-expedited dates are:

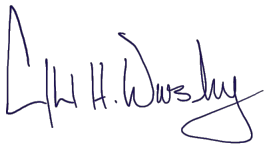
NON-EXPEDITED PREHEARING CONFERENCE: August 17, 2026, at 3:00 PM.

NON-EXPEDITED DUE PROCESS HEARING : August 25, 26, and 27, 2026.

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 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.



Clifford H. Woosley
Administrative Law Judge
Office of Administrative Hearings