BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SAN DIEGO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025080724

ORDER GRANTING JOINT REQUEST FOR CONTINUANCE

DECEMBER 26, 2025

On August 18, 2025, Student filed a request for due process, called a complaint, with the Office of Administrative Hearings, called OAH, naming San Diego Unified School District. On December 23, 2025, the parties jointly filed a request to continue the due process hearing.

San Diego contends the hearing should be continued because San Diego and its counsel are engaged in a hearing in OAH Case Number 2025080622, which commenced on December 16, 2025, and is scheduled to continue on January 6, 2026, conflicting with the dates for hearing set in this case. Moreover, the parties contend necessary evidence regarding an appropriate placement will be unavailable at the time of hearing. Specifically, Student is scheduled to participate in a trial day at Mission Valley Academy, a non-public school, on January 20, 2026.

San Diego's counsel is unavailable for a hearing commencing on January 21, 2026, due to a scheduling conflict with OAH Case Number 2025110436, on January 27, 2026, due to a pre-arranged regional conference presentation, and on February 3, 2026, due to a scheduling conflict with OAH Case Number 2025090556. The parties jointly request that the hearing be continued to February 11, 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).)

The parties established good cause to continue the due process hearing based on Student's trial day at Mission Valley Academy, San Diego's unavailability for hearing on the scheduled hearing dates, and San Diego's counsel's scheduling conflicts. The request is granted. All previously scheduled dates are vacated. The new dates are:

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

DUE PROCESS HEARING will be held on February 11, and 12, 2026. Due to OAH's training schedule, a hearing is not scheduled on February 10, 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 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