BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

GOLETA UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2026010385

ORDER GRANTING REQUEST FOR RECONSIDERATION AND DENYING REQUEST FOR CONTINUANCE

JUNE 25, 2026

On June 23, 2026, the undersigned Administrative Law Judge issued an order denying a request for continuance. On June 24, 2026, Student filed a Motion for Reconsideration. On June 25, 2026. Goleta filed a non-opposition to Student's request.

APPLICABLE LAW

The Office of Administrative Hearings will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time, generally within ten days. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking

reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

DISCUSSION

Student's fifteen-page motion offers new facts, circumstances or law. to support reconsideration alleging that the continuance denial prejudices Student because he is facing a hearing without counsel who has prepared his case or proceed with counsel whose attention, preparation, witness management, and ability to protect the record are divided between two live hearings. The motion for reconsideration is granted.

ORDER

On reconsideration, Student's counsel again fails to demonstrate good cause for a continuance in this matter. Student's counsel has created a predicament of her own making. She filed two cases in January 2026. OAH case number 2026010385, on January 12, 2026, at 3:24 P.M. The next day, January 13, 2026, she filed OAH case number 20260101501 at 10:02 a.m. Subsequently, the instant matter was amended once due to a finding of insufficiency on January 28, 2026. This matter was amended again on May 20, 2026, following the granting of Student's motion to amend. Following each amended complaint, OAH issues a new scheduling order as each amended complaint resets the statutory timelines. OAH did not reschedule this hearing on its own motion. The dates are reset to align with the new filing timeline.

The motion for continuance filed on June 23, 2026, requested a 91-day continuance in the instant matter. Even assuming *arguendo* OAH should force a newer due process hearing to proceed before the instant matter, Student failed to

demonstrate good cause for a three-month delay. Contrary to Student's argument this is not a narrow request.

Should both hearings proceed to hearing without settlement, OAH case number 20260101501 is subordinate in that this is the earlier filed case. Student further argues his attorney is unable to be prepared or will potentially be distracted during his hearing if the continuance is not granted. Counsel filed Student's case first. Even if a continuance was denied in the other case, nothing in this order prevents Student from seeking reconsideration of that denial as this is the earlier filed case.

It should be noted the Scheduling Order Setting Telephonic Prehearing Conference and Due Process Hearing issued to parties on May 20, 2026, strongly encouraged mediation and described the process in the attached information. Student elected to not avail himself of the opportunity to mediate his amended complaint, and thus, continue the hearing. This opportunity is still available.

All dates set in this matter are confirmed.

IT IS SO ORDERED.

Tiffany Gilmartin

Tiffany Gilmartin
Administrative Law Judge
Office of Administrative Hearings