BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026010716

ORDER FOLLOWING PREHEARING CONFERENCE GRANTING REQUEST FOR CONTINUANCE, MEDIATOR ASSISTANCE, AND SPANISH LANGUAGE HEARING INSTRUCTIONS

JULY 17, 2026

On July 17, 2026, Administrative Law Judge Rita Defilippis, 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.

Parent appeared on behalf of Student. Attorney Brian Davenport appeared on behalf of Los Angeles Unified School District. A Spanish language interpreter was

present to provide interpretation. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

HEARING DATES, TIMES, AND LOCATION

At the beginning of the prehearing conference, Parent requested a continuance to file an amended complaint. The motion was not filed three days before the PHC. However, Parent established good cause for filing the motion less than three days before this PHC, as Parent is not represented by counsel, and has had difficulty obtaining assistance to file the continuance request and an amended complaint. Los Angeles did not oppose Student's request for a brief continuance to file an amended complaint. However, Los Angeles reserved its right to respond to the amended complaint, if filed, and to file any responsive motions.

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).)

Student's request for continuance is granted for good cause to accommodate Parent's mediator assistance to file an amended complaint. All previously scheduled dates are vacated. The case shall proceed as follows:

PREHEARING CONFERENCE will be held on August 7, 2026, at 1:00 PM.

All other prehearing matters shall be addressed at the August 7, 2026, prehearing conference. All prehearing motions must be filed three business days before the PHC.

Due Process Hearing will be held on August 18, 19, and 20, 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.

REQUEST FOR MEDIATOR ASSISTANCE AND SPANISH HEARING RELATED INSTRUCTIONS

Parent made an oral request for mediator assistance during the prehearing conference to file the amended complaint. Parent also requested OAH to send her a Spanish version of OAH hearing instructions that are listed on the OAH website. The undersigned ALJ granted Parent's request for mediator assistance and for the hearing instructions to be sent to Parent in Spanish. The undersigned ALJ informed Parent that a mediator will reach out to her to set up the mediator assistance, and that OAH will provide a Spanish language interpreter for the mediator assistance.

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.

Rita Defilippis

Rita Defilippis
Administrative Law Judge
Office of Administrative Hearings