

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

LONG BEACH UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026060029

ORDER TO SHOW CAUSE AS TO WHY STUDENT'S
COMPLAINT SHOULD NOT BE DISMISSED FOR FAILURE
TO APPEAR, AND ORDER CONTINUING PREHEARING
CONFERENCE AND DUE PROCESS HEARING

JULY 6, 2026

On July 6, 2026, Administrative Law Judge Katherine Roe, 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.

Meagan Kinsey, Attorney at Law, appeared on behalf of Long Beach Unified School District, called Long Beach. No one appeared on behalf of Student.

The OAH Scheduling Order for this matter included the date and time for the PHC and was served on the parties on June 1, 2026. OAH sent PHC invitations with the PHC Zoom videoconference link to the parties on July 3, 2026. Attorney Meagan Kinsey joined the PHC. The PHC was delayed 18 minutes to give Parent an opportunity to appear on behalf of Student. The PHC proceeded at 1:18 PM with no appearance by Parent. The PHC was recorded. Based on discussions with Long Beach, the ALJ issues the following order:

ORDER TO SHOW CAUSE AND CONTINUANCE

If the parent and local education agency have not resolved the due process complaint within 30 days of the receipt of the complaint, OAH is required to issue a decision within the next 45 days, unless a continuance is granted for good cause. (20 U.S.C. § 1415(f)(1)(B)(ii); 34 C.F.R. § 300.51; Ed. Code, § 56502, subd. (f).)

Given the short time frame applicable to this case, it is critical that the parties follow orders issued by OAH and participate in advancing the matter to hearing or resolution. Because Student filed a complaint, Student has a duty to prosecute the case, which includes Student's representative appearing at the PHC. Student's non-compliance with OAH's procedures and failure to participate in the July 6, 2026, PHC puts the timely resolution of this matter in doubt. Parent, as Student's representative, is responsible for understanding the following OAH's procedures, including making all required appearances. Failure to do so may result in Student's complaint being dismissed.

Student is ordered to show cause as to why their complaint should not be dismissed for failure to participate, prosecute, or advance this matter. The matter will be continued to permit Parent an opportunity to provide the needed explanation.

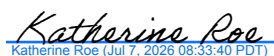
ORDER

1. Student must file a written explanation no later than 12:00 PM on July 9, 2026, explaining the failure to appear at the PHC on July 6, 2026, and why Student's complaint should not be dismissed. If Student files an explanation, Long Beach may file a written response no later than 12:00 PM on July 10, 2026.
2. If Student does not file an explanation, Student's complaint will be dismissed.
3. Pending receipt of Student's explanation, the matter is continued as follows:
 - a. The PHC is continued to July 13, 2026, at 1:00 PM.
 - b. The due process hearing is continued to July 21, 22, and 23, 2026.

ORDER INCLUDES ALL RULINGS

This Order includes all rulings made at the prehearing conference. Any discussion and conversation not referenced in this Order is not binding on the ALJ conducting the hearing and may not be relied upon by the parties. The parties should be aware that, at hearing, the ALJ conducting the hearing has discretion to reconsider any part of this Order.

IT IS SO ORDERED.


Katherine Roe (Jul 7, 2026 08:33:40 PDT)

Katherine Roe

Administrative Law Judge

Office of Administrative Hearings