

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 DISMISSING CASE FOR FAILURE TO PROSECUTE
AND DENYING MOTION TO CONTINUE AS MOOT

JULY 10, 2026

On July 6, 2026, the Office of Administrative Hearings held a prehearing conference by videoconference. The Office of Administrative Hearings is referred to as OAH. The prehearing conference is called a PHC.

Parent, who represents Student in this matter, did not make an appearance at the PHC. Following the PHC, the undersigned ALJ issued an Order to Show Cause as to why Student's case should not be dismissed and continued the due process hearing to give Parent an opportunity to respond. Parent was ordered to file a written explanation no later than 12:00 PM on July 9, 2026, explaining: (1) the failure to appear at the PHC on July 6, 2026, and (2) why Student's complaint should not be dismissed. Parent was

specifically instructed that failure to file this written statement will result in a dismissal of this matter.

On July 8, 2026, Long Beach filed a motion to continue the due process hearing due to counsel and witness unavailability. On July 9, 2026, Parent filed an opposition to Long Beach Unified School District's motion to continue. Parent's filing made no reference to the order to show cause, nor did it provide an explanation for Parent's failure to appear at the July 6, 2026, PHC, and why Student's complaint should not be dismissed.

If the Student and local education agency have not resolved a 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).)

Parent did not file the required explanation prior to 12:00 PM on July 9, 2026, or at any time prior to the issuance of this Order. Therefore, Student's complaint is dismissed without prejudice for failure to prosecute. This Order renders Long Beach's continuance motion moot.

ORDER

1. All dates in this matter are vacated.
2. Student's complaint is dismissed without prejudice.
3. Long Beach's Motion to Continue is moot.

IT IS SO ORDERED.

Katherine Roe
Katherine Roe (Jul 10, 2026 12:46:57 PDT)

Katherine Roe

Administrative Law Judge

Office of Administrative Hearings