

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

ARARAT CHARTER SCHOOL.
OAH CASE NUMBER 2026021103

ORDER DENYING REQUEST FOR SECOND MEDIATION
AND CONTINUANCE OF DUE PROCESS HEARING

AUGUST 5, 2026

On February 25, 2026, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Los Angeles Unified School District and Ararat Charter School. The Office of Administrative Hearings is referred to as OAH.

On April 1, 2026, OAH granted the parties' request for mediation and a due process hearing continuance. On July 2, 2026, OAH granted Student's request to amend the complaint. On July 23, 2026, OAH granted Student's request to dismiss Los Angeles Unified School District. On August 4, 2026, the parties filed a request for a second

mediation on September 2, 2026, and a due process hearing continuance to begin October 27, 2026.

OAH must conduct a due process hearing and issue a decision within 45 days of receiving the due process complaint, unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Resolving the due process hearing quickly is legally required. Hearings may only be continued if "good cause" is established. (Ed. Code, § 56505, subd. (f)(3).) OAH is guided by the Administrative Procedure Act and the California Rules of Court when ruling on continuance motions. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.)

Good cause to continue a hearing may include:

- An essential lay or expert witness is unavailable because of death, illness, or other excusable circumstances;
- A party is unavailable because of death, illness, or other excusable circumstances;
- A party's attorney is unavailable because of death, illness, or other excusable circumstances;
- A new attorney substitutes in, but only if the party establishes that the substitution is required in the interests of justice;
- A new party is added, and the new party has not had a reasonable opportunity to prepare for trial, or other parties have not had a reasonable opportunity to prepare for trial regarding the new party's involvement;
- A party is unable to obtain essential testimony, documents, or other material evidence despite diligent efforts; or

- The case has a significant and unexpected change which makes the case not ready for trial.

Generally, continuances are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

The form on which the parties submitted their request contains the admonition that it must be used only for an initial request for a mediation and continuance. Here, the parties already utilized this form and received a mediation and continuance. Accordingly, the parties utilized the incorrect form.

However, the request for the lengthy continuance is not merely based on using an incorrect form. Rather, good cause must be established to grant a continuance and the amount of time requested. Here, and the parties failed to assert any explanation or good cause upon which to grant a second mediation and an additional continuance to the end of October, eight months after the initial filing. Accordingly, the parties' request for a second mediation, and a due process hearing continuance is denied.

IT IS SO ORDERED.

A handwritten signature in cursive script that reads "Cynthia Fritz".

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings