

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

CORONA-NORCO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026080412

ORDER GRANTING MOTION TO UNEXPEDITE HEARING,
CONFIRMING EXPEDITED MEDIATION, AND VACATING
EXPEDITED PREHEARING CONFERENCE AND DUE
PROCESS HEARING DATES

AUGUST 18, 2026

On August 10, 2026, Student filed a Due Process Hearing Request, known as a complaint, naming Corona-Norco Unified School District. Based on issues asserted in the complaint, the Office of Administrative Hearings, referred to as OAH, issued a Scheduling Order and Notice of Expedited and Non-Expedited Due Process Hearing and Mediation, Scheduling Order. The Scheduling Order set this matter for expedited mediation, expedited prehearing conference, and expedited hearing.

On August 14, 2026, Corona-Norco filed a motion to unexpedite this matter and vacate the expedited dates. On August 17, 2026, Student filed a non-opposition to Corona-Norco's motion.

APPLICABLE LAW

A parent of a child with a disability who disagrees with any decision by a school district regarding a change in educational placement of the child based upon a violation of a code of student conduct, or who disagrees with a manifestation determination made by the district, may request and is entitled to receive an expedited due process hearing. (20 U.S.C. § 1415(k)(3)(A); 34 C.F.R. § 300.532(a) (2006), All subsequent references to the Code of Federal Regulations are to the 2006 version.) An expedited due process hearing before OAH must occur within 20 school days of the date the complaint requesting the hearing is filed. (20 U.S.C. § 1415(k)(4)(B); 34 C.F.R. § 300.532(c)(2).) The procedural right to an expedited due process hearing is mandatory and does not authorize OAH to make exceptions or grant continuances of expedited matters. (*Ibid.*) A matter can only be unexpedited or continued if no issue is alleged that is subject to an expedited hearing, if the student withdraws the issues in the complaint that triggered the expedited hearing, or if the student elects to challenge the change of placement under title 20, section 1415, subdivision (b)(6)(A) and not subdivision (k). (*Molina v. Bd. of Educ. of Los Lunas Schools* (D.N.M. 2016) 157 F.Supp.3d 1064, 1068-1071.)

DISCUSSION

Issue 3 in Student's complaint asserted that Corona-Norco used the improper behavior intervention of removing Student from the classroom and placing him in a padded, windowless, chair-less room, thus denying him a free appropriate public

education. This claim, as pled, gave rise to both an expedited and non-expedited claim. Thus, the matter was deemed a dual filing and expedited and non-expedited dates calendared. Student clarified in the non-opposition an intent to proceed with this issue as a FAPE claim only. Student will not be permitted to argue the claim as an appeal pursuant to Section 1415(k)(3). Accordingly, the mandatory provisions of Section 1415(k)(4)(B) for an expedited hearing do not apply. (*Molina, supra*, 157 F.Supp.3d 1064, 1068-1071.) The expedited hearing dates will be vacated. The parties confirmed their intent to mediate on August 20, 2026, and the mediation will remain on calendar unless cancelled by a party.

ORDER

1. The motion to unexpedite this matter is granted.
2. The expedited mediation will remain on calendar unless cancelled by a party.
3. The expedited prehearing conference, and due process hearing dates are vacated.
4. The unexpedited matter shall proceed as calendared.

IT IS SO ORDERED.



Joy Redmon

Presiding Administrative Law Judge

Office of Administrative Hearings