

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 2026080138

ORDER DENYING REQUESTS TO EXPEDITE PREHEARING
CONFERENCE AND REQUIRE IMMEDIATE
IMPLEMENTATION OF AIDE AND AIDE SUPERVISION
SERVICES

SEPTEMBER 4, 2026,

On August 5, 2026, Parents, on behalf of Student, filed a request for due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Los Angeles Unified School District as respondent. Also, on August, 5, 2026, Parents filed "Student's Emergency Motion To Expedite Prehearing Conference, Require Immediate Implementation Disclosure and Implement Accepted BII/BID Components Pending Due Process." OAH did not receive a reply to this motion from Los Angeles.

REQUEST TO EXPEDITE PREHEARING CONFERENCE

Parents ask that OAH expedite the prehearing conference but offer no facts or legal authority establishing that this case meets the requirements for expedited handling. Nor is legal authority offered for shortening the resolution period.

EXPEDITED HEARINGS

Expedited hearings are only allowed in cases involving disciplinary changes of placement or the failure to properly follow the procedures associated with a disciplinary change of placement. (20 U.S.C § 1415(k); 34 C.F.R 300.532(c).) Student has not alleged facts that would require this case to be scheduled as an expedited matter.

REQUIRED RESOLUTION PERIOD

Following the filing of a Student request for due process hearing, the Individuals with Disabilities in Education Act, or IDEA, requires the parties be allowed 30 days to complete an informal resolution meeting to discuss possible means of resolving the case without the need for a hearing. There are only two ways a resolution period can be eliminated or shortened in a case that does not qualify for expedited handling:

1. a joint, written agreement to mediate the case instead of holding a resolution meeting (34 C.F.R. 300.510(a)(3)(i); or
2. a joint, written agreement to waive the resolution period. (34 C.F.R. 300.510(b)(3).)

Unless one of these exceptions applies, Parents may not proceed with a due process hearing without participating in a resolution meeting, unless the school district has convened a resolution meeting and has not resolved the claims to the parents'

satisfaction within 30 days of the school district's receipt of the due process hearing request. (20 U.S.C. 1415(f)(1)(B); 34 C.F.R. § 300.510(b); Ed Code § 56501.5.)

Parents offer no facts establishing that one of the exceptions to the usual resolution period applies. Nor have they offered legal authority allowing OAH to shorten the statutorily mandated resolution period in order to expedite a prehearing conference in this case.

While Student's complaint indicates an interest in mediation, scheduling mediation requires a joint, written request, with proposed dates and times both parties are available to mediate. Only with that information is OAH able to schedule mediation in a non-expedited case. The parties are encouraged to submit a joint request to mediate this case.

REQUEST FOR AN ORDER THAT LAUSD IMMEDIATELY IMPLEMENT PARENTS' PREFERRED PROVIDER OF A ONE-TO-ONE AIDE AND AIDE SUPERVISION

Student's complaint alleges that Los Angeles failed to include agreed upon services for a one-to-one aide, with aide supervision, in Student's individualized educational program, or IEP. Student has not offered any legal authority for the extraordinary request that OAH order the implementation of disputed services alleged in a complaint in advance of hearing the evidence. Resolution of disputed facts require presentation and consideration of evidence during a hearing.

ORDER

1. Student's request to expedite the prehearing conference is denied. The case shall proceed as stated in the August 7, 2026 Scheduling Order.

2. Student's request that OAH order LAUSD to immediately implement one-to-one aide services and aide supervision from Student's preferred agency prior to evidence being heard on this, apparently disputed issue, is denied.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl

Administrative Law Judge

Office of Administrative Hearings