

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

MOUNTAIN VIEW LOS ALTOS HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2026031244

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

AUGUST 7, 2026

On August 7, 2026, Administrative Law Judge Tiffany Gilmartin, Office of Administrative Hearings, held a telephonic prehearing conference. The Administrative Law Judge will be referred to as an ALJ. The prehearing conference will be referred to as a PHC. Attorney Roxana Khan appeared on behalf of Mountain View Los Altos High School District. No one appeared on Student's behalf.

The undersigned convened the prehearing conference at 10:00 A.M. Invites to the Zoom application were sent to parties at the email addresses provided by parties at 3:15 PM on August 6, 2026. The undersigned opened the link at 9:55 A.M. Attorney Khan appeared. The record was held open for fifteen minutes for Parent to appear.

According to the case notes, at 10:34 AM on August 7, 2026, Parent contacted the case manager and stated she missed the prehearing conference because she was sleeping. Parent further stated she submitted a motion to continue on August 4, 2026 and believed the matter would be rescheduled. At the time of the prehearing conference, Mountain View Los Altos' response period had not run, thus the motion was still pending. This order renders the motion to continue moot. Parent had an obligation to appear at the prehearing conference.

APPLICABLE LAW

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).)

ORDER TO SHOW CAUSE AND CONTINUANCE

Given the short time frame applicable to this case, it is critical the parties follow orders issued by OAH and participate in advancing the matter to hearing or resolution. Student's non-compliance with the procedures and failure to participate put the timely resolution of this matter in doubt. Parent, as Student's representative, is responsible for following OAH's orders including making all required appearances.

Parent is ordered to show cause as to why this matter should not be dismissed for failure to participate, prosecute, or advance this matter. Parent is ordered to file a written response with OAH no later than noon on August 12, 2026, explaining Parent's failure to appear on August 7, 2026, and why Student's complaint should not be dismissed. If Student does not submit a response, this matter will be dismissed. If Student submits a response, Mountain View Los Altos' will have until noon on August 13, 2026, to respond.

The ALJ will issue a written order on the Order to Show Cause. To accommodate that order, the case must be continued. The prehearing conference is continued to 10:00 AM on August 14, 2026.

ORDER

1. Parent shall file a written response no later than noon on August 12, 2026, explaining Student's failure to appear on August 7, 2026, and why Student's complaint should not be dismissed.
2. Parent's failure to respond will result in the matter being dismissed.
3. Mountain View Los Altos has until noon on August 13, 2026, to respond to Parent's filing. Mountain View Los Altos is not required to respond.
4. The matter is continued as follows:
 - a. Prehearing Conference continued to August 14, 2026, at 10:00 AM.
 - b. Parent is directed to file a prehearing conference statement, and serve a copy on Mountain View Los Altos by close of business on August 12, 2026.
 - c. Due Process Hearing is continued to August 25, 26, and 27, 2026.

Tiffany Gilmartin

Tiffany Gilmartin

Administrative Law Judge

Office of Administrative Hearings