

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ANTIOCH UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026061327

ORDER TO SHOW CAUSE AS TO WHY MATTER SHOULD

NOT BE DISMISSED FOR FAILING TO APPEAR AT THE

PREHEARING CONFERENCE; AND SETTING NEW

PREHEARING CONFERENCE AND DUE PROCESS HEARING

DATES

AUGUST 10, 2026

On June 29, 2026, Student filed a request for due process hearing, called a complaint, with the Office of Administrative Hearings, called OAH. OAH set a prehearing conference, called PHC, for August 10, 2026, at 1:00 PM and the due process hearing to begin on August 18, 2026.

On August 10, 2026, at 12:30 PM a representative from Student's attorney's office called OAH notifying it of a potential settlement agreement. OAH informed the representative that someone must appear at the PHC because OAH had not received dismissal paperwork. On August 10, 2026, at 1:00 PM, the undersigned Administrative Law Judge, called an ALJ, convened the PHC. Attorney Cristina Juarez appeared on behalf of Antioch Unified School District. No one appeared on behalf of Student. The ALJ called the number listed for Student's attorney twice and both times the call was answered then disconnected. The ALJ resent the Zoom invitation with high importance and gave Student 10 minutes to appear. Additionally, attorney Juarez sent an email to Student's counsel informing them someone needed to appear for the PHC. At 1:20 PM, the ALJ concluded the PHC with no appearance from Student.

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).)

Student filed the complaint, therefore, has a duty to prosecute the case, which includes Student's representative appearing at the PHC. Student's non-compliance with OAH's procedures and failure to participate in the August 10, 2026 PHC, puts the timely resolution of this matter in doubt. Attorney Diana Renteria, as Student's representative, is responsible for understanding and following OAH's procedures, including making all required appearances. Failure to do so may result in the complaint being dismissed and OAH seeking to shift costs to Student's attorney for wasting judicial resources.

Student is ordered to show cause as to why this matter should not be dismissed for failure to participate, prosecute, or advance this matter.

ORDER

1. Student must file a written response under the penalty of perjury no later than 5:00 PM on August 12, 2026, explaining the failure to appear on August 10, 2026, and why Student's complaint should not be dismissed.
2. If no response is received, the case will be dismissed and the matter closed.
3. If a response is received, Antioch may file a response no later than 5:00 PM on August 13, 2026.
4. The PHC is continued to August 17, 2026, at 1:00 PM, and the due process hearing is continued to August 25, 26, and 27, 2026.

Linda Dowd

Linda Dowd

Administrative Law Judge

Office of Administrative Hearings