

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 2026050034

ORDER DENYING REQUEST FOR CONTINUANCE AND
SECOND MEDIATION

SEPTEMBER 8, 2026

On April 19, 2026, Student filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, called OAH. Student's complaint named Los Angeles Unified School District, called Los Angeles, and alleged 19 claims. The matter was scheduled to proceed to hearing on June 16, through 18, 2026.

On May 26, 2026, OAH granted the parties' joint request to schedule a mediation for June 30, 2026, and continued the hearing to August 25, through 27, 2026.

On August 14, 2026, OAH granted Student's motion to amend to add one additional claim, that Los Angeles failed to offer Student transition plans over the two

year period at issue. OAH also vacated the hearing dates and issued a new scheduling order setting the hearing for September 29, through October 1, 2026.

On September 4, 2026, the parties filed a joint request to continue the due process hearing with OAH, seeking the hearing be continued to December 1, through 3, 2026, and that a second mediation be set for November 3, 2026. The request is supported by the sworn declaration of Los Angeles's attorney.

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 parties contend the hearing should be continued because both attorneys are unavailable on the dates currently set. The sworn declaration of Los Angeles's attorney states both parties' attorneys are scheduled to appear in other OAH hearings on September 29, through October 1, 2026. Student's attorney is scheduled to appear in case numbers 2026080518 and 2026080592. Los Angeles's attorney is scheduled to appear in case numbers 2026060618, 2026060730, and 2026080555.

The parties did not establish good cause for a continuance. None of these cases were filed earlier than this matter, and this matter will take priority for hearing over each of the cases referenced.

Student's motion to amend was granted on August 14, 2026, and the hearing was not scheduled to take place until a month and a half later, which was sufficient time for the parties to have negotiated an informal settlement of Student's one additional claim, or to have timely requested a second mediation without a continuance. OAH has already expended resources for mediation in this matter on 19 of Student's claims. The parties have not established good cause for a second mediation, or for a continuance of hearing for a second mediation to take place.

The request is denied. All prehearing conference and due process hearing dates are confirmed and will proceed as calendared.

IT IS SO ORDERED.

Alexa Hohensee

Alexa Hohensee

Administrative Law Judge

Office of Administrative Hearings