

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

WILLIAM S. HART UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2026050400

ORDER FOLLOWING PHC ISSUING ORDER TO SHOW
CAUSE FOR FAILURE TO APPEAR AT PHC AND
CONTINUANCE OF PHC AND HEARING

SEPTEMBER 11, 2026

On September 11, 2026, Administrative Law Judge Penelope Pahl, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Attorney Kristin Myers appeared on behalf of William S. Hart Union High School District. Neither Student, nor either Parent, who are self-represented, appeared on Student's behalf. The PHC was recorded. Based upon discussion with the party present, the ALJ issues the following order:

ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED

On May 11, 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 William S. Hart Union High School District, hereafter called Hart, as respondent. The original complaint was found insufficient on May 12, 2026. Student amended the due process complaint on May 13, 2026. On June 13, 2026, OAH continued the due process hearing due to Hart's counsel's hearing conflicts.

On August 12, 2026, a videoconference PHC was convened. Parents appeared for Student and counsel appeared for Hart. During this PHC, OAH granted Parents' requests for mediation and a further continuance of the PHC and hearing. Following a discussion with the parties, OAH issued a PHC order that set mediation for August 19, 2026, the PHC for September 11, 2026 at 3:00 PM, and the first day of hearing on September 22, 2026. Parents cancelled mediation on August 14, 2026 offering no reason for the cancellation.

On September 9, 2026, OAH sent online invitations for the September 11, 2026 prehearing conference. The PHC invitations for September 11, 2026 at 3:00 p.m. were sent to the same email addresses as the invitations for the August 12, 2026 videoconference PHC plus one additional email for Mother in OAH's records for the case. Parents are aware of the ongoing responsibility to keep OAH apprised of current contact information, including email addresses for the purposes of OAH sending invitations for mediations, PHCs, and hearings. In addition to the prior prehearing conference appearance by Parents, and scheduling information in the August 12, 2026 PHC Order, Parents are well familiar with the OAH litigation process and, in particular, the PHC process from their prior cases before OAH. Those prior cases number at least 13 since the beginning of 2024.

On September 11, 2026, the videoconference PHC was convened at 3:00 p.m.. Parents did not appear at the appointed time. Counsel for Hart appeared. The PHC was recessed at 3:05 with Hart's counsel requested to wait until 3:25 while the OAH case manager placed calls to Parents. Calls were placed. Messages were left as no one answered the telephone numbers for either Parent. Parents were told the PHC would be delayed to 3:25 to give them extra time to join. Neither Parent, nor Student, who is over 18, appeared for the prehearing conference. It is notable that Student currently has two cases pending. Parents also failed to appear for the PHC in the other pending case and an order to show cause is pending in that case as well.

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 has failed to comply with the procedures to advance this case to hearing, and failed to appear at the prehearing conference in this matter. Therefore, unless Student chooses to dismiss the case, Student is ordered to show cause in writing, no later than September 17, 2026 at 5:00 PM, as to why this matter should not be dismissed. Showing cause must be done with a written explanation of why no appearance was made at the September 11, 2026 prehearing conference. Documents regarding the order to show cause are due as follows:

STUDENT'S WRITTEN STATEMENT WHY CASE SHOULD NOT BE DISMISSED must be filed and served on counsel for Hart on September 17, 2026, no later than 5:00 p.m.

If Student fails to file an explanation for their failure to appear, or does not appear at the Order to Show Cause Hearing Regarding Case Dismissal on

September 21, 2026, at 1:00 PM, Student's complaint will be considered abandoned and will be dismissed for failure to prosecute, unless otherwise ordered.

HART'S RESPONSE to Student's statement regarding dismissal is optional, and may be filed and served by September 21, 2026 at 11:00 a.m..

HEARING ON THE ORDER TO SHOW CAUSE AS TO DISMISSAL shall be conducted on September 21, 2026 at 1:00 PM.

If Student establishes good cause for the failure to appear at the September 11, 2026 PHC, the case shall be scheduled as follows, unless otherwise ordered:

PREHEARING CONFERENCE will be held on October 9, 2026 at 10:00 AM

HEARING will be held on October 20, 21, and 22, 2026.

FAILURE TO COMPLY

Student's failure to comply with this Order may result in the dismissal of this case.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl

Administrative Law Judge

Office of Administrative Hearings