

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 2026060328

ORDER DENYING REQUEST FOR CONTINUANCE AND
SECOND MEDIATION WITHOUT PREJUDICE

SEPTEMBER 15, 2026

On June 4, 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. On July 8, 2026, the parties' first joint request for mediation and continuance was granted.

On September 14, 2026, Student filed a motion for a second continuance and to schedule a second mediation. The motion did not indicate the parties had met and conferred regarding mediation dates, or hearing dates. On September 15, 2026, Los Angeles filed a "non-opposition" to Student's motion.

OAH must conduct a due process hearing and render a decision within 45 days of receipt of the due process notice unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, OAH is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

Student seeks a second mediation and second continuance to allow the parties to attend another Individual Educational Program or IEP team meeting, that has yet to be scheduled, to discuss an independent educational evaluation that occurred after the filing of the complaint in this matter. Student asserts he has “complex medical and educational needs requiring a home program” and that a further delay will not prejudice the Student.

Los Angeles filed a “non-opposition” to the motion, which stated, “For purposes of this Motion to Schedule Second Mediation and Continue Due Process Hearing Dates For Good Cause only, and without admitting any of the allegations in the Motion, Respondent Los Angeles Unified School District does not oppose Petitioner’s Motion.”

Requests for mediation require joint motions so dates and participants can be clearly stated. Here, it is unclear what Los Angeles’ “non-opposition” means. It quotes the title of Student’s motion, says it admits nothing Student has asserted, but with that caveat does not oppose the motion.

Usually, mediations involving Los Angeles schools involve Los Angeles district employees hired specifically to handle the mediation. Here, it is unclear if the attorney submitting the non-opposition intends to appear at the mediation, or agrees with the dates proposed. There is no indication the attorneys for both sides met and conferred regarding the proposed dates, or whether the attorney submitting the non-opposition cleared the mediation dates with someone else who will be assigned to handle the mediation for Los Angeles. Furthermore, there is no indication of good cause underlying the request to continue the case to November 3, 2026, nor for delaying the second mediation until October 22, 2026.

Student's request for a second hearing continuance and a second mediation is denied without prejudice. All prehearing conference and due process hearing dates are confirmed and will proceed as calendared.

The parties may submit a joint request clarifying who will be attending the mediation and indicating joint agreement to the proposed mediation and hearing dates. The joint request should also state good cause for extending the hearing to November 3, 2026, and for delaying the requested second mediation to October 22, 2026.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl

Administrative Law Judge

Office of Administrative Hearings