

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SANTA ANA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026050343

ORDER DENYING REQUEST FOR SECOND MEDIATION
AND CONTINUANCE OF HEARING

SEPTEMBER 25, 2026

On May 4, 2026, Student filed a request for a due process hearing with the Office of Administrative Hearings, called OAH, naming Santa Ana Unified School District. On June 12, 2026, OAH granted the parties' joint request for mediation and continuance.

On July 24, 2026, the parties participated in a mediation. On August 21, 2026, Student filed an amended complaint. OAH issued a new scheduling order setting the prehearing conference on September 28, 2026, and hearing on October 6, 7, and 8, 2026.

On September 24, 2026, the parties filed a joint request for a second mediation on October 16, 2026, and a continuance of hearing to December 8, 9, and 10, 2026. No reasons for a second mediation or to continue the hearing almost two months after the requested mediation were provided.

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 did not state any reasons for their mediation and continuance requests. An amended complaint, by itself, is not good cause for a second mediation. This case has been pending since May 2026 and OAH is required to hold due process hearings expeditiously. Accordingly, the parties' joint requests for a second mediation and continuance of hearing are denied for lack of good cause. All prehearing conference and due process hearing dates are confirmed and will proceed as calendared. Nothing in this Order shall prevent the parties from renewing their request with the requisite showing of good cause or from making similar requests in the future.

IT IS SO ORDERED.

Rita Defilippis

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Administrative Law Judge

Office of Administrative Hearings