

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

NATOMAS UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026080266

ORDER FOLLOWING PREHEARING CONFERENCE FOR
HEARING BY VIDEOCONFERENCE, GRANTING MOTION TO
CONTINUE THE HEARING

SEPTEMBER 25, 2026

On September 25, 2026, Administrative Law Judge June R. Lehrman, 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 Daniel Shaw appeared on behalf of Student. Attorney Kendra Eaton and appeared on behalf of Natomas Unified School District, also called District. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

HEARING DATES, TIMES, AND LOCATION

MOTION TO CONTINUE DUE PROCESS HEARING

Student filed this case on July 29, 2026. After granting an initial continuance for good cause, OAH rescheduled the hearing for October 6 through 8, 2026.

On September 22, 2026, Student filed a request for a continuance of the hearing to November 3 through 5, 2026, because Student's attorney has conflicting hearings in older matters and an expedited hearing scheduled for the same dates as this case. Student's counsel represents that there are no other attorneys available or able to conduct the hearing and that District's attorney confirmed District would not oppose the continuance.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. Good cause may include, for example, the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (Ed. Code, § 56505, subd. (f)(3); Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances. (Cal. Rules of Court, rule 3.1332(d).)

After considering all the circumstances, the ALJ finds good cause for the requested continuance based on the unavailability of counsel. Although this is the second continuance of this case, the continuance requested is relatively short.

The current hearing dates are vacated. At the PHC, the parties agreed on new dates. The case shall proceed as follows:

PREHEARING CONFERENCE will be held on October 26, 2026, at 3:00 PM, and will be conducted by videoconference. Prehearing conference statements and motions are due to OAH no later than three business days before the next PHC. Late motions will only be considered if good cause is established for the late filing.

DUE PROCESS HEARING will be November 3 through 5, 2026, and continue day-to-day at the discretion of the ALJ. The hearing will be conducted by videoconference unless otherwise ordered.

The parties shall immediately notify all potential witnesses of the hearing dates and shall subpoena witnesses, if necessary, to ensure that the witnesses will appear to testify. A party's failure to notify or subpoena a witness to testify will not be considered good cause to continue the hearing.

SETTLEMENT

The parties are encouraged to continue working together to reach an agreement before the due process hearing. The parties shall inform OAH in writing immediately if they reach a settlement or otherwise resolve the dispute before the scheduled hearing. In addition, if a settlement is reached within five days of the scheduled start of the due process hearing, the parties shall also inform OAH of the settlement by telephone at (916) 263-0880. At the same time, the parties should send the signature page of the signed agreement or a letter withdrawing the case to OAH by visiting [OAH Secure e-file](https://www.applications.dgs.ca.gov/oah/oahsftweb) at <https://www.applications.dgs.ca.gov/oah/oahsftweb>.

If a full and final written settlement agreement is reached after 4:00 PM the day prior to hearing, the parties shall leave a voicemail message regarding the settlement at (916) 274-6035. The parties should also leave contact information such as cellular phone numbers of each party or counsel for each party.

Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received and processed by OAH. If an agreement in principle is reached, the parties should plan to attend the scheduled hearing unless different arrangements have been agreed upon by the assigned ALJ. The assigned ALJ will check for messages before the hearing.

If the matter settles subject to board approval, in addition to a signed copy of the signature page of the settlement agreement, the parties shall provide the date of the next board meeting. The hearing dates will not be cancelled without this information.

FAILURE TO COMPLY

The failure to comply with this Order may result in the exclusion of evidence or other sanctions.

IT IS SO ORDERED.



June Lehrman

Administrative Law Judge

Office of Administrative Hearings