BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

CLASSICAL ACADEMY VISTA,

OAH CASE NUMBER 2026051039

OAH CASE NUMBER 2026050561

ORDER DENYING WITHOUT PREJUDICE THE PARTIES JOINT REQUEST FOR MEDIATION AND CONTINUANCE

OCTOBER 1, 2026

On May 13, 2026, Classical Academy Vista, called Classical Academy, filed with the Office of Administrative Hearings, called OAH, a request for due process hearing in OAH case number 2026050561, called Classical Academy's case. Classical Academy's case named Student.

On May 26, 2026, Student filed a complaint in OAH case number 2026051039, naming Classical Academy, called Student's case. On May 26, 2026, Student filed a motion to consolidate the cases. On May 29, 2026, OAH granted the motion to

consolidate, and designated Student's case, OAH case number 2026051039, as the primary case in the consolidated matter.

On June 12, 2026, the parties filed a joint request for mediation and continuance of the due process hearing. On June 16, OAH granted the motion for mediation and continuance. On July 23, 2026, the mediation was cancelled. The mediation was not rescheduled.

On August 25, 2026, Student filed a motion to amend the complaint and an amended complaint for OAH case number 2026051039. On August 26, 2026, Classical Academy filed a non-opposition. On August 31, 2026, OAH granted Student's motion to amend the complaint, resetting the case timeline.

On September 18, 2026, the parties filed a request to reschedule the mediation and continue the due process hearing in the amended and consolidated cases. The parties contend the hearing should be continued because they want to pursue mediation of the case before proceeding to hearing.

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 established good cause to continue the due process hearing based upon their desire to mediate the case. However, the parties requested a mediation date of "Monday, November 13, 2026". Such date does not exist, and it is not possible to determine whether the parties are requesting mediation on Monday, November 9, 2026 or Friday, November 13, 2026. Additionally, the parties are requesting a continuance of the hearing of more than eleven weeks post-mediation to January 26, 2027, without providing any good cause for a continuance of such length for consolidated cases both originally filed in May of 2026.

The request is denied without prejudice. All prehearing conference and due process hearing dates are confirmed and will proceed as calendared.

IT IS SO ORDERED.

Ted Mann

Ted Mann

Administrative Law Judge

Office of Administrative Hearings