BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026080081

ORDER GRANTING REQUEST FOR SECOND MEDIATION AND CONTINUANCE

OCTOBER 7, 2026

On July 29, 2026, Parent, on behalf of Student, filed a request for due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming West Contra Costa Unified School District as respondent. On September 2, 2026, OAH granted the parties first joint request for a continuance to allow the parties to mediate. Mediation proceeded as scheduled but did not result in a settlement.

On October 6, 2026, the parties jointly filed a request for a second mediation and hearing continuance. The parties state Parent received new information, following the prior mediation, that the parties believe will significantly assist in resolving the case.

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).)

Based on the particular circumstances of this case, the parties have established good cause for scheduling a second mediation and continuing the hearing. The requested mediation date and hearing dates will be granted. No further continuances will be granted to allow additional mediation sessions.

All previously scheduled dates are vacated. The new dates are:

MEDIATION will be held on October 21, 2026, from 9:00 AM to 4:30 PM, as the parties did not designate a request for a half day mediation.

PREHEARING CONFERENCE will be held on November 20, 2026 at 10:00 AM.

DUE PROCESS HEARING will be held on December 1, 2, and 3, 2026.

The mediation, prehearing conference, and due process hearing will be held by videoconference, unless otherwise ordered. The due process hearing will begin at 9:30 AM on all days, and generally end at 3:30 PM, unless otherwise ordered. The hearing will continue day to day, as needed, Mondays and Fridays included, at the discretion of the Administrative Law Judge.

Prehearing conference statements and motions are due to OAH no later than three business days before the prehearing conference. Late motions will only be considered if good cause is established for the late filing.

The parties must immediately give potential witnesses the hearing dates, and must subpoena witnesses, if necessary, so they are available to testify. Failing to properly notify or subpoena a witness is not good cause to delay the hearing.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl
Administrative Law Judge
Office of Administrative Hearings