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 2026041093

ORDER DENYING MOTION TO UNEXPEDITE HEARING

MAY 06, 2026

On April 23, 2026, Parent on behalf of Student filed a Due Process Hearing Request, known as a complaint, against Los Angeles Unified School District. On April 27, 2026, based on issues asserted in the complaint, the Office of Administrative Hearings, referred to as OAH, issued a Scheduling Order and Notice of Expedited and Non-Expedited Due Process Hearing and Mediation, Scheduling Order. The Scheduling Order set this matter for expedited mediation on May 7, 2026, expedited prehearing conference on May 11, 2026, and expedited hearing for May 19, 20, and 21, 2026.

On April 27, 2026, Student filed a motion to unexpedite this matter and vacate the expedited dates. On April 27, 2026, Los Angeles Unified School District filed notice that it did not oppose Student's motion to unexpedite and vacate all expedited dates.

APPLICABLE LAW

A parent of a child with a disability who disagrees with any decision by a school district regarding a change in educational placement of the child based upon a violation of a code of student conduct, or who disagrees with a manifestation determination made by the district, may request and is entitled to receive an expedited due process hearing. (20 U.S.C. § 1415(k)(3)(A); 34 C.F.R. § 300.532(a) (2006).) All subsequent references to the Code of Federal Regulations are to the 2006 version. An expedited due process hearing before OAH must occur within 20 school days of the date the complaint requesting the hearing is filed. (20 U.S.C. § 1415(k)(4)(B); 34 C.F.R. § 300.532(c)(2).) The procedural right to an expedited due process hearing is mandatory and does not authorize OAH to make exceptions or grant continuances of expedited matters. (*Ibid.*) A matter can only be unexpedited or continued if no issue is alleged that is subject to an expedited hearing, if the student withdraws the issues in the complaint that triggered the expedited hearing, or if the student elects to challenge the change of placement under title 20, section 1415, subdivision (b)(6)(A) and not subdivision (k). (*Molina v. Bd. of Educ. of Los Lunas Schools* (D.N.M. 2016) 157 F.Supp.3d 1064, 1068-1071.)

DISCUSSION

Student's motion claims that there are no pending issues which require an expedited proceeding. However, Student's complaint specifically states that Los Angeles denied Student a FAPE because it failed to timely hold a manifestation determination meeting and failed to hold a manifestation determination meeting before initiating expulsion proceedings. (Paragraph 27, subparts J and K.)

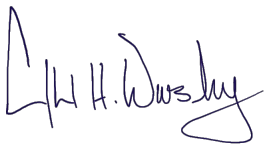
The complaint includes issue assertions concerning manifestation determination and expulsion proceedings Therefore, as long as the complaint asserts a substantive Section 1415(k) related procedural violation, the expedited mediation, prehearing conference, and hearing shall remain on calendar

ORDER

1. The motion to unexpedite this matter is denied.
2. All expedited and unexpedited dates remain as scheduled.

ANY CHANGES TO THE PARTICIPANTS' EMAIL ADDRESSES PROVIDED BY THE PARTIES IN THEIR REQUEST MUST BE FILED TWO BUSINESS DAYS BEFORE THE SCHEDULED EVENT.

IT IS SO ORDERED.



Clifford H. Woosley
Administrative Law Judge
Office of Administrative Hearings