

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:
PARENT ON BEHALF OF STUDENT,

and

MURRIETA VALLEY UNIFIED SCHOOL DISTRICT,
OAH CASE NUMBER 2026060913
OAH CASE NUMBER 2026070904

ORDER GRANTING REQUEST FOR CONTINUANCE

AUGUST 6, 2026

On August 6, 2026, Student filed a request to continue the due process hearing with the Office of Administrative Hearings, OAH. Due to the emergency nature of the request and the close proximity of the hearing, which is currently scheduled to commence on August 11, 2026, the motion is granted without awaiting Murietta Valley's response. OAH typically allows a party three business days to respond to a motion. Student contends the hearing should be continued to September 1, through 3, 2026 because of Student's counsel's hospitalization and ongoing health issues.

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).)

Student established good cause to continue the due process hearing due to Student's counsel's ongoing health issues.

Murietta Valley will not be prejudiced by the continuance to September 1, through 3, 2026. These are the same dates Murietta Valley requested in an earlier continuance motion they filed on July 29, 2026.

The request is granted. All previously scheduled dates are vacated. The new dates are:

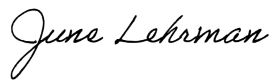
DUE PROCESS HEARING will be held on September 1, through 3, 2026.

There will not be an additional prehearing conference.

The due process hearing will be held by videoconference or telephone, 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.

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.

A handwritten signature in cursive script that reads "June Lehrman".

June Lehrman

Administrative Law Judge

Office of Administrative Hearings