

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

TEMECULA VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025120706

ORDER GRANTING CONTINUANCE TO FILE CLOSING
BRIEFS

AUGUST 6, 2026

The Office of Administrative Hearings, called OAH, held a due process hearing for this matter on June 23, 24, 30, July 1, 2, and 7, 2026, and continued the matter to July 31, 2026, to file written closing briefs. On July 30, 2026, OAH granted Student's request to continue the closing brief deadline for one week, to August 7, 2026. On August 6, 2026, Student filed a second request for an extension of time to file closing briefs to August 10, 2026, due to continued family health related concerns. Student represented that Temecula Valley Unified School District did not oppose Student's request, but Temecula Valley did not respond.

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 the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; substitution of an attorney when the substitution is required in the interests of justice; a party's excused inability to obtain essential testimony or other material evidence despite diligent efforts; 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, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have stipulated to a continuance; whether the interests of justice are served by the continuance or imposing conditions on the continuance; and any other relevant fact or circumstance. (Cal. Rules of Court, rule 3.1332(d).)

Student's continued family health related concerns constitute good cause and the request for continuance to file written closing briefs is granted.

However, no further continuances will be granted. The parties shall file the closing briefs by noon on August 10, 2026.

IT IS SO ORDERED.

Linda Dowd

Linda Dowd

Administrative Law Judge

Office of Administrative Hearings