

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

MORENO VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026060332

ORDER GRANTING REQUEST FOR CONTINUANCE

AUGUST 7, 2026

On August 6, 2026, Parent on behalf of Student filed with the Office of Administrative Hearings, called OAH, a request to continue the due process hearing. Student filed a declaration by his attorney Terri Palmquist in support of the request. Student seeks a one-day continuance because Attorney Palmquist is unavailable for hearing on August 11, 2026, the day the hearing is scheduled to begin. Palmquist declared that she experienced a medical emergency, and therefore, is unavailable for hearing on August 11, 2026. Student requests to begin the hearing on August 12, 2026.

OAH typically allows three business days for a party to respond to a motion before ruling. However, given the emergency nature of the request and the close proximity of the hearing, OAH will rule on the motion before the three days has elapsed. Moreno Valley has not yet filed a response to the motion.

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 to begin on August 12, 2026, due to his attorney's unavailability for hearing on August 11, 2026. Therefore, the request is granted. The hearing date of August 11, 2026 is vacated. The hearing is continued to August 12, 2026, at 9:30 AM.

IT IS SO ORDERED.

Rommel P. Cruz

Rommel P. Cruz

Administrative Law Judge

Office of Administrative Hearings