BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2026080914

OAH CASE NUMBER 2026061222

ORDER GRANTING REQUEST FOR CONTINUANCE AND SETTING HEARING DATES

OCTOBER 23, 2026

On October 22, 2026, Student filed a notice of withdrawal of counsel, which included a request to continue the due process hearing with the Office of Administrative Hearings, OAH. On October 22, 2026, Palos Verdes Peninsula Unified School District filed a non-opposition, attaching a declaration from counsel.

Student requests a continuance of the due process hearing dates in order to seek legal representation. Student did not propose requested dates for the continuance.

Palos Verdes does not oppose Student's request. Palos Verdes requests the hearing be continued to November 10, and 12, 2026. Palos Verdes asserts it is unavailable for hearing November 17, through 19, 2026, and November 23, through 27, 2026.

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 based on Student's request to seek legal representation. Palos Verdes did not oppose the request. The prehearing conference in this matter is not continued, as it was already held on October 19, 2026.

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

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

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. 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.

Daniel Senter

Daniel Senter

Administrative Law Judge

Office of Administrative Hearings