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 2026090770

ORDER FOLLOWING PREHEARING CONFERENCE GRANTING REQUEST FOR MEDIATION AND CONTINUANCE

OCTOBER 26, 2026

On October 23, 2026, Administrative Law Judge Penelope Pahl, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Attorney Teri Palmquist appeared on behalf of Student. Attorney Nicole Mirkazemi appeared on behalf of Temecula Unified School District. Attorney Denise Lee appeared on behalf of Saddleback Unified School District. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

REQUESTS FOR MEDIATION AND CONTINUANCE

Student opposed Temecula's request for continuance on the grounds that the request was based on Ms. Roger's unavailability and Student's counsel had been working exclusively with Ms. Mirkazemi on this case. Saddleback filed a notice it did not oppose the continuance request and agreed to the December 8, 9, and 10, 2026 hearing dates Ms. Roger's proposed. Both Ms. Palmquist and Ms. Lee informed the ALJ that Student and Saddleback had agreed to settlement terms that day, and Ms. Lee stated she did not anticipate Saddleback needing to participate in either the mediation or the hearing.

OAH must conduct a due process hearing and render a decision within 45 days of receipt of the due process notice unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, OAH is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, rule 3.1332.) Generally, continuances of matters are disfavored. (Cal. Rules of Court, rule 3.1332(c).)

This is the first continuance requested in the case, which was filed slightly more than two months ago. Ms. Mirkazemi confirmed that Ms. Rogers would be the attorney handling the hearing and would have appeared at the PHC but for a family emergency which resulted in Ms. Mirkazemi covering the PHC. Ms. Mirkazemi's representation is accepted as an officer of the court. Ms. Rogers' identified conflicting, earlier filed cases, resulting in her unavailability for hearing on November 3, 4, and 5, 2026 and through the week on November 16, 2026. Ms. Rogers is scheduled to be on vacation from

November 23 to 27, 2026. Ms. Rogers has established good cause for the requested continuance to December 8, 2026. The continuance is granted.

Although Ms. Palmquist was not in favor of the continuance, in an effort to make the best of it, she agreed to engage mediation with Temecula in the interim. Mediation is encouraged in special education disputes. (20 U.S.C. § 1415 , (e); 34 C.F.R. 300.506; Ed Code § 56500.3.) Saddleback Valley's counsel stated Saddleback Valley would not participate, as they had already reached settlement terms with Student and expected their settlement to be completed before November 5, 2026.

All previously scheduled dates are vacated. The new dates are:

MEDIATION will be held on November 5, 2026 from 9:00 AM to 12:30 PM.
PREHEARING CONFERENCE will be held on November 20, 2026 at 1:00 PM.
DUE PROCESS HEARING will be held on December 8, 9, and 10, 2026.

SETTLEMENT

The parties shall inform OAH in writing immediately if they reach a settlement or otherwise resolve the dispute before the scheduled hearing. In addition, if a settlement is reached within five days of the scheduled start of the due process hearing, the parties shall also inform OAH of the settlement by telephone at (916) 263-0880. At the same time, the parties should send the signature page of the signed agreement or a letter withdrawing the case to OAH by visiting OAH Secure e-file at https://www.applications.dgs.ca.gov/oah/oahsftweb.

If a full and final written settlement agreement is reached after 4:00 PM the day prior to hearing, the parties shall leave a voicemail message regarding the settlement at

(916) 274-6035. The parties should also leave contact information such as cellular phone numbers of each party or counsel for each party.

Dates for hearing will not be cancelled until the letter of withdrawal or signature page of the signed agreement has been received and processed by OAH. If an agreement in principle is reached, the parties should plan to attend the scheduled hearing unless different arrangements have been agreed upon by the assigned ALJ. The assigned ALJ will check for messages before the hearing.

If the matter settles subject to board approval, in addition to a signed copy of the signature page of the settlement agreement, the parties shall provide the date of the next board meeting. The hearing dates will not be cancelled without this information.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl
Administrative Law Judge
Office of Administrative Hearings