BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025080782

ORDER DENYING MOTION FOR STAY PUT WITHOUT PREJUDICE

SEPTEMBER 5, 2025

On August 19, 2025, Student filed a motion for stay put. On August 22, 2025, Los Angeles Unified School District filed an opposition.

APPLICABLE LAW

Until due process hearing procedures are complete, a special education student is entitled to remain in his or her current educational placement, unless the parties agree otherwise. (20 U.S.C. § 1415(j); 34 C.F.R. § 300.518(a) (2006); Ed.Code, § 56505 subd. (d).) This is referred to as "stay put." For purposes of stay put, the current educational placement is typically the last agreed upon and implemented individualized educational

program, called IEP, placement prior to the dispute arising. (*Thomas v. Cincinnati Bd. of Educ.* (6th Cir. 1990) 918 F.2d 618, 625.)

DISCUSSION

Student's motion for stay put was a five-page document that failed to include a copy of the last agreed upon and implemented IEP. It is Student's burden to demonstrate what educational program is the last agreed upon and implemented IEP; and she failed to meet her burden.

The motion for stay put is denied without prejudice.

ORDER

Student's motion for stay put is denied without prejudice.

IT IS SO ORDERED.

Tiffany Gilmartin

Tiffany Gilmartin
Administrative Law Judge
Office of Administrative Hearings