BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

GOLETA UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2022090336

ORDER GRANTING REQUEST FOR OFFICIAL NOTICE OF DUE PROCESS HEARING DECISION IN OFFICE OF ADMINISTRATIVE HEARINGS CASE NUMBER 2022020266

FEBRUARY 2, 2023

On February 8, 2022, Student filed a request for due process hearing with the Office of Administrative Hearings, called OAH, naming Goleta Union School District, called Goleta, in case number 2022020266. On January 3, 2023, OAH issued a decision in case number 2022020266.

On September 12, 2022, Student filed a request for due process hearing with OAH naming Goleta. OAH granted Student's request for leave to amend the complaint on October 21, 2022.

On January 25, 2023, Goleta filed a request for judicial notice of OAH decision 2022020266 and to partially dismiss Student's first amended complaint. Student did not oppose Goleta Union School District's motion for judicial notice.

Government Code section 11515 provides that "official notice can be taken, either before or after submission of the case for decision …of any fact which may be judicially noticed by the courts of the state." Courts have traditionally taken judicial notice of public records public records issued by public agencies. (*Board of Education of City of Los Angeles v. Watson* (1966) 63 Cal. 2d 829, 836, fn.3; *McPheeters v. Board of Medical Examiners of State* (1946) 74 Cal. App. 2d 46, 48.)

Goleta requests that OAH take official notice of the final decision in OAH case number 2022020266 issued on January 3, 2023. Goleta asserts the facts, issues, and claims in the present matter overlap with the prior decision.

OAH case number 2022020266 involves the same parties as this matter. The period at issue in OAH case number 2022020266 was February 8, 2020, through February 8, 2022. This matter involves the period of September 12, 2020, through September 12, 2022. The due process hearing decision in OAH case number 2022020266 is public record and may have relevance to this case. Thus, Goleta's request for official notice is granted.

ORDER

Goleta Union School District request for official notice of the due process hearing decision, OAH case number 2022020266, dated January 3, 2023, is granted.

Cynthia Fritz

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings