BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2022030687

OAH CASE NUMBER 2022040604

ORDER DENYING MOTION FOR CLARIFICATION OR RELIEF FROM FINAL ORDER

OCTOBER 10, 2022

On August 26, 2022, the Office of Administrative Hearings, called OAH, issued a decision in the consolidated cases involving Student and Los Angeles Unified School District, in OAH case numbers 2022030687 and 2022040604. On October 4, 2022, Student filed a Motion for Clarification or Relief From a Final Order, seeking clarification of OAH's August 26, 2022 Decision Order. On October 7, 2022, Los Angeles filed an opposition to Student's motion.

OAH decisions are final. (20 U.S.C. § 1415(i)(1)(A); 34 C.F.R. § 300.514(a); Ed. Code, § 56505, subd. (h).) A party aggrieved by OAH's findings and decision has the right to

appeal the decision in a California court of competent jurisdiction or in a district court of the United States within 90 days from the date of the OAH decision in controversy. (20 U.S.C. § 1415(i)(1)(A), (i)(2)(A)-(B); 34 C.F.R. § 300.516(a)-(b); Ed. Code, § 56505, subd. (k).)

OAH does not clarify the findings or conclusions in its decisions because they are final. Once OAH issues a due process hearing decision, it no longer has jurisdiction over the case. Pursuant to the Individuals with Disabilities Education Act and California law, the appropriate recourse for a party aggrieved by the findings in an OAH decision is to appeal the decision to a state or federal court of competent jurisdiction. Therefore, Student's Motion for Clarification or Relief From a Final Order is denied.

IT IS SO ORDERED.

Tara Doss

Tara Doss

Administrative Law Judge

Office of Administrative Hearings