BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT AND LOS FELIZ CHARTER SCHOOL FOR THE ARTS.

OAH CASE NUMBER 2020020101

ORDER REOPENING CASE

MARCH 23, 2020

On March 10, 2020, the Office of Administrative Hearings, referred to as OAH, received a Request to Vacate Dates on behalf of Student. Student provided a signature page of a final settlement agreement resolving the matter against both local educational agencies, subject to approval by the Governing Board of Los Feliz Charter School for the Arts. The parties anticipated that Los Feliz's Governing Board would consider the agreement on March 25, 2020.

On March 22, 2020, OAH issued an Order Vacating Dates, with an anticipated date of dismissal 30-days after the scheduled board meeting of March 25, 2020.

On March 23, 2020, Student filed a Request for Dismissal with OAH, erroneously believing Los Feliz's Governing Board approved the settlement agreement. OAH dismissed the matter. Several hours later, on the same day, Student filed a Rescission of his Request for Dismissal, which OAH deemed a Motion to Reopen the Case. Student acknowledged his error and reiterated that Los Feliz's Governing Board is expected to consider the agreement on March 25, 2020.

No response was received from Los Angeles or Los Feliz.

Student's error in dismissing the case was harmless and corrected within a matter of hours. The parties continue to anticipate that the matter will be subject to approval by Los Feliz's Governing Board on March 25, 2020, as contemplated when the parties signed the agreement. Therefore, Los Feliz is not prejudiced by Student re-opening the matter.

ORDER

The request to reopen the case is granted. All dates remain vacated pursuant to OAH's Order of March 11, 2020, and the matter will be dismissed 30-days after the scheduled board meeting. If the settlement is not considered at the scheduled board meeting, the parties are to promptly notify OAH.

IT IS SO ORDERED.

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Cararea Lucier
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Cararea Lucier

Administrative Law Judge

Office of Administrative Hearings