BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

LONG BEACH UNIFIED SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2024080420

ORDER OF CLARIFICATION

FEBRUARY 14, 2025

On August 9, 2024, Long Beach Unified School District filed a request for due process hearing with the Office of Administrative Hearings, referred to as OAH, naming Student. On August 23, 2024, OAH granted Long Beach's first request for continuance of the hearing dates. ALJ Dalton heard this matter on November 13, 2024, and December 3, 4, 5, 10, 11, and 12, 2024. On January 10, 2025, the parties filed their written closing briefs.

On January 30, 2025, OAH issued a Decision in this matter.

On February 3, 2025, Student filed a motion for clarification of placement, alleging confusion regarding the specific school site at which Student should be placed, pursuant to the Decision.

The Decision orders that Long Beach may implement the 2023 annual IEP, developed on September 25, 2023, and October 23, 2023, as amended on May 28, 2024, without parental consent.

The 2023 annual IEP offered the collaborative co-teaching program. At the time of the October 2023 IEP, Long Beach offered the program at Riley Elementary School, the school closest to Student's home school, with an opening in the collaborative co-teaching program. As the evidence demonstrated, and as the Decision relates, Long Beach offered placement in the collaborative co-teaching program at the school site closest to Student's home school that has an opening. Accordingly, the Decision requires Long Beach to offer Student placement in the collaborative co-teaching program, closest to Student's homeschool, which currently has an opening.

Nothing in this order is meant to change or modify the Decision in this matter.

Cole Dalton

Cole Dalton
Administrative Law Judge
Office of Administrative Hearings