BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. TWIN RIVERS UNIFIED SCHOOL DISTRICT.	OAH Case No. 2014030894 ORDER DENYING REQUESTS TO REOPEN CASE AND ORDERING THAT NO FURTHER DOCUMENTS BE SUBMITTED IN THIS CASE

On October 10, 2014, Parent submitted a request to reopen this case. On October 13, 2014, Parent filed another request to reopen the case. Included in the October 13 submission is a document captioned, "Appeal for OAH Case No. 2014030894."

On August 21, 2014, the Office of Administrative Hearings issued a Notice of No Action in response to Parent's filing of a document captioned, "OAH Case No. 2014030894 and Appeal." On September 16, 2014, OAH issued another Notice of No Action in response to Parent's filing of a document concerning the implementation of OAH's decision in this matter.

On October 9, 2014, the undersigned Presiding Administrative Law Judge spoke with Parent. She explained that OAH no longer had jurisdiction once it issued the decision in this case. She directed Parent to the notice on the last page of the decision explaining that an appeal of OAH's decision must be filed with a court, not OAH. The PALJ explained that if Parent wished to file another request for mediation and hearing about new disputes with the school district, she could either use the form on OAH's web site, or file a written request. Parent was instructed that she could no longer file documents in this case. At Parent's request, on October 10, 2014, OAH sent her a copy of OAH's request for mediation and hearing form.

APPLICABLE LAW AND DISCUSSION

As previously stated on the Notices of No Action, once OAH issued the decision on July 23, 2014, it no longer had jurisdiction. A dissatisfied party must file an appeal with either state or federal court. (Ed. Code, § 56505, subds. (h), (k).) Accordingly, Parent's requests to reopen this case are denied.

Parent's repeated submission of documents in this case, over which OAH has no jurisdiction, places a burden on OAH, which is required to expend scarce resources processing the documents. Parent has been repeatedly told, both by OAH's notices and by the DPALJ, that OAH does not have jurisdiction. Accordingly, Parent shall not submit and OAH shall refuse to accept any further documents submitted by Parent in this case, unless it is otherwise legally required to do so. Any such documents Parent submits shall be confidentially destroyed and no further action will be taken.

Both the October 10 and October 13, 2014 documents allege facts after the date of OAH's decision. Parent is not represented by an attorney or other advocate. In order to protect Parent's rights and giving all benefit to Parent, to the extent these filings allege facts or claims about new disputes with the school district, OAH shall treat each filing as a new request for mediation and hearing. The parties shall receive scheduling orders after the cases are opened.

ORDER

1. Parent's request to reopen this case, OAH Case No. 2014030894, is denied.

2. Parent shall not file any document in this case unless a court of competent jurisdiction ordered her to do so.

3. To the extent Parent's documents dated October 10 and 13, 2014, raise facts or claims concerning new disputes with the school district, they are considered new requests for mediation and hearing. OAH shall issue appropriate scheduling orders after the new cases are opened.

DATE: October 13, 2014

/s/

JUDITH A. KOPEC
Division Presiding Administrative Law Judge
Office of Administrative Hearings