BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

SAN FRANCISCO UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025100303

ORDER DENYING MOTION TO DISMISS ISSUES FOR LACK OF JURISDICTION AS MOOT

FEBRUARY 24, 2026

On October 8, 2025, Student filed a Request for Due Process Hearing, referred to as a complaint, with the Office of Administrative Hearings, naming San Francsico Unified School District. The Office of Administrative Hearings is referred to as OAH.

On February 3, 2026, Student filed a Motion to Amend her complaint and a first amended complaint.

On February 10, 2026, San Francisco filed a Motion to Dismiss alleging OAH lacks jurisdiction to adjudicate certain issues alleged in the complaint. Student did not file a response.

Subsequently on February 10, 2026, OAH granted Student's Motion to Amend. That Order deemed Student's first amended complaint filed as of the date of that Order. Accordingly, Student's first amended complaint became the operative complaint in this matter.

San Francisco's motion addressed Student's initial complaint, and not the operative first amended complaint. Accordingly, San Francisco's motion is denied as moot. This Order does not prevent San Francisco from filing another motion to dismiss regarding Student's first amended complaint.

ORDER

1. San Francisco's Motion to Dismiss is denied as moot.
2. San Francisco may file a motion to dismiss regarding Student's first amended complaint.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi
Administrative Law Judge
Office of Administrative Hearings