BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025101210

ORDER GRANTING MOTION TO REINSTATE CASE AS TO LOS ANGELES UNIFIED SCHOOL DISTRICT

JANUARY 14, 2026

On October 30, 2025, Student filed with OAH a request for due process hearing, or complaint, naming Los Angeles Unified School District and Our Community Charter School. On December 1, 2025, OAH granted a joint request for mediation and continuance, setting mediation for February 12, 2026, a prehearing conference, or PHC, for April 3, 2026, and hearing for April 14 through 16, 2026.

On December 11, 2025, Student filed a request for dismissal stating, "Petitioner hereby requests that this matter be dismissed with prejudice." Subsequently, on December 11, 2025, OAH issued a Notice of Case Dismissal.

On December 18, 2025, Student filed a request with OAH to keep the matter open as to Los Angeles Unified School District, as Student settled the matter with Our Community Charter School, only. Student's request contained no further explanation, declaration, or points and authorities in support. On January 6, 2026, OAH issued a Notice of No Action on Student's request to reopen the case.

On January 8, 2026, Student filed a motion to reinstate the case, with supporting declarations and points and authorities. On January 9, 2026, Our Community Charter School filed a notice of non-opposition. OAH has not received a response from Los Angeles Unified School District.

Special education law does not specifically address motions to reinstate a case. In ruling on such motions, OAH relies by analogy on relevant portions of the Code of Civil Procedure. Under Code of Civil Procedure, section 473, subdivision (b), a court may grant relief, upon terms that may be just, to a party or their legal representative from a judgment, dismissal, order, or other proceeding taken against the party through the party's mistake, inadvertence, surprise, or excusable neglect. Motions for relief under section 473 must be made within a reasonable time.

Student's motion was made two days after OAH issued the order of no action on Student's initial request to reinstate the matter and is timely. Student's motion contained a declaration from counsel Janeen Steel and her paralegal Magaly Gonzalez explaining the mistake, taking responsibility for the mistake, and attesting to additional protocols put in place to prevent such mistakes moving forward.

Here, Student entered into a settlement agreement with Our Community Charter School, only. Steel directed Gonzalez to prepare a request for dismissal with prejudice as to Our Community Charter School. Gonzalez prepared a request for dismissal with

prejudice, mistakenly leaving out Our Community Charter School's name, resulting in a dismissal of the complaint, in its entirety. Steel attested that she did not specifically review the dismissal before it was filed with OAH. When Steel learned of the mistake, she began contacting OAH to rectify the error, ultimately filing the motion for reinstatement.

Steel met and conferred with Los Angeles Unified School District, regarding the motion. As a result, the parties agreed to and request the same mediation, PHC, and hearing dates, previously set in this matter by OAH.

ORDER

The motion to reinstate the case is granted. This matter is now scheduled as follows:

- MEDIATION: February 12, 2026, 9:00 AM-12:30 PM. Mediation will occur via telephone or video.
- PREHEARING CONFERENCE: April 3, 2026, 1:00 PM
- DUE PROCESS HEARING: April 14, 15, and 16, 2026.

PARTICIPANT INFORMATION SHEETS, OR ANY CHANGES THERETO, MUST BE FILED AT LEAST TWO BUSINESS DAYS PRIOR TO THE DATE OF THE SCHEDULED EVENT.

Prehearing conference statements and motions are due to OAH no later than three business days before the prehearing conference or with a showing of good cause why it was not timely filed.

The hearing shall begin at 9:30 AM on all days unless otherwise ordered. The hearing shall continue day to day, as needed at the discretion of the Administrative Law Judge.

The parties shall immediately notify witnesses of the hearing dates. If necessary, they can subpoena witnesses to ensure the witnesses is available to testify. A witness will not be considered unavailable if the party did not properly notify or subpoena a witness.

IT IS SO ORDERED.

Cole Dalton

Cole Dalton
Presiding Administrative Law Judge
Office of Administrative Hearings