

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT AND SIERRA
EXPEDITIONARY LEARNING SCHOOL.

OAH CASE NUMBER 2026050505

ORDER DENYING MOTION FOR FINDING OF DEFAULT

JULY 10, 2026

On July 7, 2026, Student filed a motion for finding of default. No response was received from Tahoe Truckee Unified School District, called Tahoe Truckee, or Sierra Expeditionary Learning School, called Sierra.

Student's motion, with Parent's sworn declaration at the end, lists a series of events occurring from the filing of the complaint in May 2026 through July 2026. Student contends these events demonstrate such bad faith on the part of Tahoe Truckee and Sierra, and their administration and staff, that OAH should make a formal finding of default prior to the hearing in this matter.

Student relies, in part, on Tahoe Truckee's and Sierra's requests for continuance of the due process hearing in this matter, which Student contends are an abuse of the administrative process, and for which Student has previously sought sanctions from OAH and was denied.

Although OAH will grant procedural motions contemplated by the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.), called the IDEA, such as notices of insufficiency (20 U.S.C. § 1415(b) & (c)) and motions for stay put (20 U.S.C. § 1415(j); 34 C.F.R. § 300.518(a) (2006)), special education law does not provide for a summary judgment procedure. Here, Student's motion seeks a ruling that Student prevails on the merits, based on a default due to Tahoe Truckee's and Sierra's perceived procedural errors. Student cites no authority for such a remedy.

Accordingly, the motion for finding of default is denied. All dates currently set in this matter are confirmed.

IT IS SO ORDERED.

Alexa Hohensee

Alexa Hohensee

Administrative Law Judge

Office of Administrative Hearings