

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 2026060524

ORDER GRANTING IN PART AND DENYING IN PART
MOTION TO DISMISS

JULY 13, 2026

On July 1, 2026, Los Angeles Unified School District filed a motion to dismiss with the Office of Administrative Hearings. On July 6, 2026, Student filed an opposition.

OAH will grant motions to dismiss allegations that are facially outside of OAH jurisdiction such as, civil rights claims, section 504 claims, enforcement of settlement agreements, or incorrect parties. Special education law does not provide for a summary judgment procedure. Here, the motion seeks to dismiss issues that are both facially outside of OAH jurisdiction, and others that are not. As discussed below, the motion to dismiss is granted as to issues facially outside OAH's jurisdiction and denied as to those within OAH's jurisdiction.

Student's complaint, filed on June 10, 2026, raised four issues for hearing. They are:

1. Failure to follow District's own written IOC (procedure for taking courses at non-LAUSD institutions) procedure;
2. Failure to implement individual transition services plan;
3. Denial of free appropriate public education; and
4. Failure to respond to parent communications.

The crux of Student's complaint is that LAUSD failed to follow its internal policies for awarding credit for courses taken at other institutions. This resulted in Student's advanced placement biology grade for a course taken outside LAUSD not being timely included on Student's transcript. This adversely impacted Student's college admission process. Further, Student asserts that LAUSD failed to implement the individual transition services plan component of his individualized education program. Student specifically notes the transition plan included goals for his matriculation to college.

LAUSD asserts the complaint should be dismissed in its entirety because OAH lacks jurisdiction to determine issues related to course requirements and LAUSD's procedures for recognizing courses taken at other institutions.

Issue one is outside of OAH's jurisdiction. Whether or not LAUSD correctly followed its policy regarding recognizing courses taken at other institutions does not raise a special education issue. Thus, Student's Issue one is dismissed.

To the extent that Student is arguing that Issue one has a nexus to Student's special education program, it is duplicative of Student's Issue two. Student asserts that LAUSD failed to implement his transition services plan. LAUSD concedes Student has a post-secondary goal of college enrollment, but that since AP Biology is not required for

college enrollment, and OAH lacks jurisdiction over course requirements, the issue should be dismissed. LAUSD's argument is unpersuasive. The issue raises a claim under the IDEA over which OAH has jurisdiction and it raises a mixed question of law and fact. Thus, Issue two is not dismissed. Nothing prevents LAUSD from raising this argument as a defense to the issue at hearing.

Issue 3 asserts a generic FAPE denial claim. The IDEA provides a mechanism at the outset of a case to challenge the sufficiency of vague claims. That process is to file a Notice of Insufficiency. Here, LAUSD failed to file an NOI and thus, the claim is deemed sufficiently pled. LAUSD relies on the facts underlying the claim in arguing for its dismissal. However, the claim is facially within OAH's jurisdiction and thus is not dismissed. Nothing in this order prevents the ALJ at the prehearing conference from further clarifying the claim and seeking greater specificity.

Issue 4 asserts LAUSD failed to respond to parent communications. Again, LAUSD relies on the facts pled in support of the claim for asserting it should be dismissed for lack of jurisdiction. Parental participation, and a lack thereof, is within OAH's jurisdiction. Thus, the issue is not dismissed. Again, nothing in this order prevents the ALJ at the prehearing conference from further clarifying the claim and seeking greater specificity.

ORDER

LAUSD's Motion to Dismiss is granted as to Issue One. The matter will proceed as scheduled as to the remaining issues.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Joy Redmon". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Joy Redmon

Presiding Administrative Law Judge

Office of Administrative Hearings