

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

DEL MAR UNION SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2026071144

ORDER FOLLOWING PREHEARING CONFERENCE FOR
HEARING DISMISSING CASE WITHOUT PREJUDICE

AUGUST 28, 2026

On August 28, 2026, Administrative Law Judge Daniel Senter, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Attorney Summer Dalessandro appeared on behalf of Del Mar Union Elementary School District. Attorney Meagan Nunez appeared on behalf of Student. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

At the PHC, attorney Nunez represented that Student withdrew its request for an independent educational evaluation in this matter. Student requested that Del Mar

dismiss its case on the record, given that the independent educational evaluation, which had triggered Del Mar's sole issue in the case, was withdrawn.

Pursuant to Del Mar's request, the undersigned granted Del Mar's attorney a brief time off the record to review this matter. Upon reconvening on the record at the PHC, Del Mar represented that it was not yet prepared to request the case be dismissed.

Subsequently, Student made an oral motion for reconsideration of OAH's August 20, 2026, Order in which it granted Student's request for continuance, but not for the length of time requested. Student represented that it had been unable to retain an expert for hearing, and therefore was renewing its request for a continuance until November 2026.

Thereafter, Del Mar requested to dismiss the case on the record without prejudice. Del Mar represented that dismissal was not pending school board approval.

Accordingly, at the PHC, this matter was dismissed and the prehearing conference vacated. No action was taken on Student's oral motion for reconsideration, as it was deemed moot by Del Mar's request to dismiss. Del Mar is not required to file a written request to dismiss this case with OAH, as this case was dismissed on the record at the August 28, 2026, PHC. All dates are vacated.

IT IS SO ORDERED.

Daniel Senter

Daniel Senter

Administrative Law Judge

Office of Administrative Hearings