

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026091037

ORDER DISMISSING CASE AND NOTICE OF NO ACTION
ON MOTION TO AMEND

SEPTEMBER 30, 2026

On September 21, 2026, Student filed a request for due process hearing. Student named both Oakland Unified School District and Lighthouse Charter School in the complaint's caption. Student, however, only served Oakland. The case was opened against Oakland only. On September 29, 2026, Student filed a Request to Dismiss. The reason cited for dismissal was that the complaint named the incorrect party. Student served the dismissal request on attorney Elizabeth Schwartz, Lighthouse Charter and the El Dorado County Office of Education but not Oakland, the only named respondent. Attorney Schwartz has made no appearance in this case. No notice of representation has been served for any respondent in this matter.

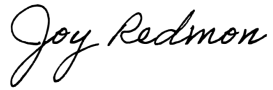
Later on September 29, 2026, Student filed a Motion to Amend and an Amended Complaint. The facts specify that Oakland was erroneously named and that Student intended to name Lighthouse Charter and the El Dorado County Charter SELPA. The Motion to Amend and Amended Complaint was served on attorney Schwartz, Lighthouse Charter and the El Dorado County Office of Education. Oakland was not served.

Also on September 29, 2026, Student filed a Request to Amend the Request for Dismissal. Student asserts that his attorney intended to file a partial dismissal to remove Oakland and to amend the complaint to indicate the correct parties. That document was served on attorney Schwartz, Lighthouse Charter, and El Dorado County Office of Education. Again, Oakland, the only named party was not served.

Student filed the case against Oakland. Student seeks to dismiss Oakland. Student's initial request is GRANTED and the case will be dismissed. Student's request to modify the dismissal request is DENIED. No action is taken on Student's Motion to Amend and Amended Complaint. Student seeks to file an action against completely different parties. Thus, an amended complaint is not the proper vehicle. Despite the underlying facts being the same, this is an entirely new action.

Nothing in this Order prevents Student from filing a new complaint. That new complaint can be served only on the named parties, thus reducing the ongoing confusion regarding service and applicable timelines.

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 "Joy" and "Redmon" being capitalized and prominent.

Joy Redmon

Presiding Administrative Law Judge

Office of Administrative Hearings