

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 2026090240

ORDER REQUIRING ADDITIONAL EVIDENCE TO  
DETERMINE STAY PUT

SEPTEMBER 23, 2026

On September 4, 2026, Student filed a request for due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Los Angeles Unified School District as respondent. On September 8, 2026, Student filed a motion for stay put. OAH received no response to the motion from Los Angeles.

Until due process hearing procedures are complete, a special education student is entitled to remain in his or her current educational placement, unless the parties agree otherwise. (20 U.S.C. § 1415(j); 34 C.F.R. § 300.518(a) (2006); Ed. Code, § 56505 subd. (d).) This is referred to as "stay put." For purposes of stay put, the current educational placement is typically the last agreed upon and implemented individualized educational

program, called IEP, placement prior to the dispute arising. (*Thomas v. Cincinnati Bd. of Educ.* (6th Cir. 1990) 918 F.2d 618, 625.) In California, "specific educational placement" is defined as "that unique combination of facilities, personnel, location or equipment necessary to provide instructional services to an individual with exceptional needs," as specified in the IEP. (Cal. Code Regs. tit. 5, § 3042, subd. (a).)

This case seeks Stay Put, but does not provide evidence of the basis for the Stay Put order sought. Student asserts her last consented to and implemented IEP was dated May 11, 2026. However, the May 11, 2026 IEP Student submitted shows no Parent signature consenting to the IEP offer. It is Student's burden to establish Stay Put.

Student is ordered to file a document entitled, "Stay Put Motion Evidence" that attaches a copy of the most recent, signed, and implemented, IEP document, including any signed amendments to that IEP. No further argument accompanying the evidence is necessary. Student shall file the additional evidence by October 7, 2026. If Student fails to file additional evidence by October 7, 2026, the stay put motion will be denied.

Any response from Los Angeles regarding the stay put motion shall be filed no later than three business days after receipt of Student's evidence. Los Angeles shall not duplicate the evidence filed by Student. All arguments shall be limited to the issue of Stay Put only.

IT IS SO ORDERED.

*Penelope Pahl*

Penelope S. Pahl

Administrative Law Judge, Office of Administrative Hearings