BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LAGUNA BEACH UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025040200

ORDER DIRECTING SERVICE OF AMENDED COMPLAINT

MAY 8, 2025

On April 3, 2025, Student filed a Request for Due Process Hearing, referred to as a complaint, with the Office of Administrative Hearings, naming Laguna Beach Unified School District. The Office of Administrative Hearings is referred to as OAH.

On April 18, 2025, Student filed a document titled Additional Legal Information and Documentation of Denial of FAPE, Procedural Violations, and IEE Violations, deemed to be Student's first amended complaint. This appeared to be a short-written document and then a large number of screen shots between Parent and numerous other individuals. Including the OAH proof of service form, this document was 178 pages. OAH granted Student's motion to amend on April 25, 2025.

Laguna Beach filed a request for service of Student's first amended complaint on April 30, 2025. Parent filed a response to Laguna Beach's request for service on May 1, 2025. This was a five-page document that alleged service was complete, Laguna Beach was engaging in a bad faith argument, OAH accepted service, and retaliation.

On May 2, 2025, Laguna Beach filed a reply to Student's rebuttal. In its rebuttal of May 2, 2025, Laguna Beach attests to receiving what appears to be a partial copy of Student's first amended complaint received by OAH on April 18, 2025.

Service of process is fundamental to initiating litigation. The party initiating the complaint is required to provide the other party with a copy of the complaint at the same time it is filed with OAH. (California Education Code Section 56502 (c)). In this instance, Laguna Beach provided a sworn declaration from attorney Jennifer Fant attesting to, as of April 30, 2025, that her firm had not received a document that could match the 178-page description of Student's first amended complaint. Laguna Beach followed up its original motion with an acknowledgement of receiving a 175-page document that approximates the document received by OAH on April 18, 2025.

As a dispute to service exists, Parent is ordered to serve a complete copy of the 178-page document titled Additional Legal Information and Documentation of Denial of FAPE, Procedural Violations, and IEE Violations on Laguna Beach.

ORDER

1. No later than close of business on Monday, May 12, 2025, Student shall serve on Laguna Beach a complete copy of the 178-page document titled Additional Legal Information and Documentation of Denial of FAPE, Procedural Violations, and IEE Violations as served on OAH on April 18, 2025.

2. Upon receipt of the complete copy of the 178-page document, Laguna Beach may file a motion with OAH to reset procedural timelines.
3. Failure to comply may result in dismissal of Student's complaint.

IT IS SO ORDERED.

Tiffany Gilmartin

Tiffany Gilmartin

Administrative Law Judge

Office of Administrative Hearings