BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SEQUOIA UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2025060451

ORDER DENYING MOTION FOR STAY PUT

JUNE 16, 2025

On June 5, 2025, Student filed a motion for stay put. The same day, Student independently filed a copy of Student's March 25 ,2024 individual education program, called IEP. On June 12, 2025, District filed an opposition to the motion.

Student filed a second request for due process and motion for stay put on the same grounds on June 13, 2025. This motion was accompanied by a declaration from Student's counsel, a document attesting to be exhibit 2, and a document attesting to be exhibits 3 through 5. This order resolves only the June 5, 2025, motion for stay put.

APPLICABLE LAW

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.)

DISCUSSION

Student failed to meet her burden. Student did not demonstrate what the last agreed upon and implemented IEP was. Student provided a copy of an IEP from March 24, 2024. The IEP demonstrates Mother signed as present, but did not consent to the IEP.

The motion for stay put is denied.

ORDER

Student's motion for Stay Put is denied without prejudice.

IT IS SO ORDERED.

Tiffany Gilmartin

Tiffany Gilmartin

Administrative Law Judge

Office of Administrative Hearings