BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

UKIAH UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026040469

ORDER GRANTING UKIAH'S MOTION TO DISMISS STUDENT'S AMENDED ISSUE NUMBER TWO AND VACATING EXPEDITED PREHEARING CONFERENCE AND EXPEDITED HEARING DATES

MAY 20, 2026

On April 6, 2026, Student filed a Request for Due Process Hearing, complaint with the Office of Administrative Hearings, naming Ukiah Unified School District. OAH designated the complaint as a dual complaint that raised both expedited and non-expedited issues.

On April 15, 2026, Ukiah filed a Motion to Dismiss Student's expedited claims, along with a Notice of Insufficiency addressing Student's non-expedited claims. Ukiah

alleged that Student did not raise expedited issues in the complaint. Ukiah also alleged that Student's non-expedited claims were insufficiently pleaded. Student opposed both motions.

On April 17, 2026, OAH issued an Order finding that Student's non-expedited claims, as related in Student's issues number two through nine, were insufficiently pleaded. The Order directed Student to file an amended complaint addressing the insufficiencies within 14 days of the Order. The Order denied Ukiah's request to dismiss Student's issue number one, as an expedited issue was not subject to dismissal.

On April 20, 2026, at the expedited prehearing conference, or PHC, Student's issues number one and two were discussed with the parties by the ALJ. During the PHC, the ALJ determined that issues numbers one and two, were expedited issues, not subject to the notice of insufficiency determination. The expedited issues for hearing and identified in the PHC order were as follows:

1. Did Ukiah impermissibly fail to convene a manifestation determination review following Student's suspension on March 11, 2026?
2. Did Ukiah fail to acknowledge or document Parent's request for a manifestation determination review following his suspension on March 11, 2026?

The undersigned ALJ held a one-day expedited hearing on April 28, 2026. Both Student and Ukiah presented witness testimony and documentary evidence on the two expedited issues identified for that hearing. On May 1, 2026, both Student and Ukiah filed Closing Briefs with OAH. On May 11, 2026, OAH issued the expedited Decision, providing a final determination of both issues number one and two.

On May 4, 2026, Student filed their Amended Due Process Complaint pleading Student's issues number two through nine as non-expedited issues. OAH designated the complaint as a dual complaint that raised both expedited and non-expedited issues, finding that Student's issue two once again raised an expedited issue. Student's issue number two stated: "District refused to acknowledge or document Parent's MDR request."

On May 12, 2026, Ukiah filed a Motion to dismiss Student's expedited claims, dismiss Student's issue number two and vacate the expedited hearing dates. On May 13, 2026, Student filed an opposition to Ukiah's Motion to dismiss issue number two of the amended complaint.

APPLICABLE LAW

Under the doctrine of res judicata, a final judgment on the merits of an action precludes the parties or their agents from relitigating issues that were or could have been raised in that action. (*Allen v. McCurry* (1980) 449 U.S. 90, 94 [101 S.Ct. 411, 66 L.Ed.2d 308].)

Collateral estoppel requires that the issue presented for adjudication be the same one that was decided in the prior action, that there be a final judgment on the merits in the prior action, and that the party against whom the plea is asserted was a party to the prior action. (See 7 Witkin, California Procedure (4th Ed., Judgment § 280 et seq.) Under collateral estoppel, once a court has decided an issue of fact or law necessary to its judgment, that decision may preclude relitigation of the issue in a suit on a different cause of action involving a party to the first case. (Ibid.; Lucido v. Superior Court (1990) 51 Cal.3d 335, 341; see also Migra v. Warren City School Dist. Bd. of Ed. (1984) 465 U.S.

75, 77, n. 1 [104 S.Ct. 892, 79 L.Ed.2d 56] [federal courts use the term "issue preclusion" to describe the doctrine of collateral estoppel].)

Federal and state courts have traditionally adhered to the related doctrines of res judicata and collateral estoppel. (*Allen v. McCurry* (1980) 449 U.S. 90, 94 [101 S.Ct. 411, 66 L.Ed.2d 308]; *Levy v. Cohen* (1977) 19 Cal.3d 165, 171 [collateral estoppel requires that the issue presented for adjudication be the same one that was decided in the prior action, that there be a final judgment on the merits in the prior action, and that the party against whom the plea is asserted was a party to the prior action]; see 7 Witkin, California Procedure (4th Ed.), Judgment § 280 et seq.) Under the doctrine of res judicata, a final judgment on the merits of an action precludes the parties or their agents from relitigating issues that were or could have been raised in that action. (Allen, supra, 449 U.S. at p. 94.) Under collateral estoppel, once a court has decided an issue of fact or law necessary to its judgment, that decision may preclude relitigation of the issue in a suit on a different cause of action involving a party to the first case. (Ibid.; *Lucido v. Superior Court* (1990) 51 Cal.3d 335, 341; see also *Migra v. Warren City School Dist. Bd. of Ed.* (1984) 465 U.S. 75, 77, n. 1 [104 S.Ct. 892, 79 L.Ed.2d 56]; federal courts use the term "issue preclusion" to describe the doctrine of collateral estoppel.)

The doctrines of res judicata and collateral estoppel serve many purposes, including relieving parties of the cost and vexation of multiple lawsuits, conserving judicial resources, and, by preventing inconsistent decisions, encouraging reliance on adjudication. (*Allen*, supra, 449 U.S. at p. 94; see *University of Tennessee v. Elliott* (1986) 478 U.S. 788, 798 [106 S.Ct. 3220, 92 L.Ed.2d 635.) While collateral estoppel and res judicata are judicial doctrines, they are also applied to determinations made in administrative settings. (See *Pacific Lumber Co. v. State Resources Control Board* (2006)

37 Cal.4th 921, 944, citing *People v. Sims* (1982) 32 Cal.3d 468, 479; *Hollywood Circle, Inc. v. Department of Alcoholic Beverage Control* (1961) 55 Cal.2d 728, 732.)

However, the Individuals with Disabilities Education Act, also known as IDEA, contains a section that modifies the general analysis with regard to res judicata and collateral estoppel. The IDEA specifically states that nothing in the Act shall be construed to preclude a parent from filing a separate due process complaint on an issue separate from a due process complaint already filed. (20 U.S.C. § 1415(o); 34 C.F.R. § 300.513(c) (2006); Ed Code, § 56509.) Therefore, although parties are precluded from relitigating issues already heard in previous due process proceedings, parents are not precluded from filing a new due process complaint on issues that could have been raised and heard in the first case, but were not.

In *Nev. v. United States* (1983) 463 U.S. 110 [103 S.Ct. 2906, 77 L.Ed.2d 509], the United States Supreme Court stated that "the doctrine of res judicata [claim preclusion or issue preclusion] provides that when a final judgment has been entered on the merits of a case, '[it] is a finality as to the claim or demand in controversy, concluding parties and those in privity with them, not only as to every matter which was offered and received to sustain or defeat the claim or demand, but as to any other admissible matter which might have been offered for that purpose.'" (Id. at pp. 129-130 [citation omitted].) In other words, res judicata and collateral estoppel also preclude the use of evidence that was admitted, or could have been offered, at a prior proceeding.

A party aggrieved by the findings and decisions in a due process hearing may appeal to a competent court of jurisdiction within 90 days of receipt of the hearing decision. (Ed. Code, § 56505, subd. (k).)

DISCUSSION AND ORDER

In issue number two of Student's amended complaint, Student pleads the identical expedited issue to issue number two of Student's original complaint. Both statements of the issue in the two versions of the complaint are identical and address an alleged failure by Ukiah to acknowledge or respond to Parent's request for a manifestation determination review following a classroom behavioral incident and related suspension. The issue was fully litigated during the expedited hearing of April 28, 2026. A final decision on the issue was issued in the expedited decision dated May 11, 2026. The parties, Student and Ukiah, were identical. Under the law related to res judicata, explained above, Student cannot attempt to relitigate the issue. As also noted above, Student's only recourse is to seek an appeal of the decision. Accordingly, Ukiah's motion to dismiss Student's issue number two is granted and Student's issue number two as pleaded in Student's amended complaint is dismissed.

Student's issue number two formed the basis for OAH to classify the amended complaint as a dual complaint, potentially raising both expedited and non-expedited issues. With the dismissal of Student's issue number two, there is no longer any basis for an expedited hearing in this matter.

Issue number two, in Student's amended complaint, is hereby dismissed on the basis of res judicata and collateral estoppel.

Accordingly, the scheduled dates for the expedited prehearing conference, May 22, 2026, and the expedited hearing, June 2, 2026 through June 4, 2026, are vacated.

IT IS SO ORDERED.

Ted Mann

Ted Mann

Administrative Law Judge

Office of Administrative Hearings