BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

GLENDALE UNIFIED SCHOOL DISTRICT AND

LOS ANGELES COUNTY OFFICE OF EDUCATION.

OAH CASE NUMBER 2026030048

ORDER GRANTING MOTION TO DISMISS EXPEDITED COMPLAINT BASED ON RES JUDICATA AND COLLATERAL ESTOPPEL AND VACATING EXPEDITED DATES FOR PREHEARING CONFERENCE AND HEARING

MARCH 20, 2026

On February 27, 2026, Student filed a Request for Due Process Hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Glendale Unified School District and Los Angeles County Office of Education. Student's complaint alleged expedited and non-expedited issues as to Glendale and non-expedited issues against Los Angeles. On March 9 and 10, 2026, Los Angeles and

Glendale, respectively, filed Notices of Insufficiency. On March 10, 2025, OAH issued orders finding Student's complaint insufficient in its entirety as to Los Angeles, and insufficient as to all non-expedited issues as to Glendale.

On March 9, 2026, Glendale filed a Motion to Dismiss the surviving portion of Student's complaint alleging that expedited issues must be dismissed as Student is seeking to litigate issues that have already been litigated and decided by OAH in the expedited matter of OAH Case Number 2025120710. That Decision was issues less than ten days before the filing of the instant complaint. Glendale contends Student's complaint is therefore barred by the Doctrines of collateral estoppel and res judicata. The motion was supported by the sworn declaration of Glendale's counsel and supporting documentary evidence, including the Expedited Decision in OAH Case No. 2025120710. OAH received no response to the Motion to Dismiss from Student.

OAH OFFICIAL NOTICE OF EXPEDITED DECISION IN OAH CASE NUMBER 2025120710

Glendale's Motion to Dismiss requests OAH to take judicial notice of the Expedited Decision in OAH case No. 2025120710. In administrative proceedings, the doctrine of judicial notice is encompassed with the doctrine of official notice. The Government Code provides that administrative tribunals may take official notice of any generally accepted technical or scientific matter within the agency's special field, and of any fact which may be judicially noticed by the California courts. (Gov. Code, § 11515.) Evidence Code section 452 governs the material which may be judicially noticed by the California courts, which includes official acts of the judicial departments of the United States and of any state of the United States, and facts and propositions that are not reasonably subject to dispute and are capable of immediate and accurate determination

by resort to sources of reasonably indisputable accuracy. (Evid. Code § 452, subd. (c), (h).)

The factual findings and legal conclusions of the February 18, 2026, Expedited Decision in OAH Case No. 2025120710, is a public record, not reasonably subject to dispute, capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy, and thereby fall within Evidence Code section 452, subdivision (h). This Expedited Decision is therefore subject to official notice pursuant to Government Code § 11515. Accordingly, Glendale's request for OAH to take judicial notice of the Expedited Decision in OAH Case Number 2025120710, is granted.

RES JUDICATA AND COLLATERAL ESTOPPEL

Under the doctrine of res judicata, a final judgment on the merits of an action precludes the parties or their agents from re-litigating 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 re-litigation of the issue of fact or law 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 re-litigation of the issue of fact or law 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.) Collateral estoppel and res judicata are judicial doctrines also applicable 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

Following OAH March 10, 2026, Orders of Insufficiency already discussed, two expedited issues currently remain against Glendale Unified School District only, pursuant

to Student's complaint filed February 27, 2026. Problem One of Student's complaint contends Glendale failed to convene a manifestation determination review meeting. Student's Problem Two contends Glendale was aware of a pattern of school disciplinary removals up to February 27, 2026.

STUDENT'S COMPLAINT AS TO DISCIPLINARY REMOVALS THROUGH FEBRUARY 4, 2026, ARE BARRED BY THE DOCTRINE OF RES JUDICATA

The problems alleged in Student's complaint have already been litigated and decided in Administrative Law Judge, Daniel Senter's February 18, 2026, Expedited Decision in OAH Case No. 2025120710. That decision concerned the same parties as this matter regarding the expedited claims raised in both cases. The specific sole issue before OAH in case No. 2025120710, was whether Glendale failed to hold a manifestation determination review meeting for disciplinary removals occurring in the 2025-2026 school year. ALJ Senter's Expedited Decision in that matter, followed a 10-day expedited due process hearing concluding on February 4, 2026. Student's claims regarding alleged disciplinary removals were analyzed and decided through February 4, 2026. ALJ Senter specifically held: "Student did not establish that Glendale had an obligation to hold a manifestation determination review meeting for disciplinary removals occurring during the 2025-2026 school year; thus, Glendale did not fail to hold a manifestation determination meeting during the period at issue." The sole issue was litigated, a final decision reached on the merits, as to the same parties as the current OAH case number 2026030048. Therefore, Student's claims regarding disciplinary removals through February 4, 2026, are barred by the doctrine of res judicata.

STUDENT'S COMPLAINT ALLEGATIONS AS TO FAILURE TO HOLD A MANIFESTATION REVIEW BASED ON DISCIPLINARY REMOVALS FROM FEBRUARY 5, 2026, THROUGH FEBRUARY 27, 2026, ARE BARRED BY THE DOCTRINE OF COLLATERAL ESTOPPEL

Student's current complaint alleges Glendale failed to hold a manifestation determination review meeting for disciplinary removals up to February 27, 2026, the date Student filed the current complaint. ALJ Senter's Expedited Decision contains a factual finding, specifically, "Student's disenrollment from Glendale on or around November 17, 2025, was also not a disciplinary change of placement." ALJ Senter further found, "The evidence established that disenrollment was not the result of Student's conduct, but due to a residency issue." Parent concedes in Student's due process complaint, filed February 27, 2026, that Student has not been in school since November 14, 2025. Student's proposed resolution for claims alleged in the current complaint requests Student's immediate re-enrollment in Student's school of origin. Therefore, Student has not been enrolled or attended school in Glendale since ALJ Senter's decision. Therefore, Student's complaint essentially seeks to re-litigate the same issue, based on the same argument and same time period litigated in OAH Case No. 2025120710.

This is not a case involving continuing special education services following a final decision giving rise to new facts and potential special education violations. Here, Student has not reenrolled or attended school in Glendale since Student's disenrollment on or around November 17, 2025. Therefore, based on ALJ Senter's factual findings and legal conclusions, Student's claims regarding allegations of disciplinary removals from February 5, 2026, through February 27, 2026, the date of the filing of Student's complaint, are barred by the doctrine of collateral estoppel. As noted in the Expedited

Decision, Student has the right to appeal the Expedited Decision. However, Student does not have the right to seek a new hearing to relitigate the findings made in that Decision. Accordingly, Glendale's Motion to Dismiss the expedited issues raised in Student's complaint is granted.

ORDER

1. Glendale's motion to dismiss the expedited claims in Student's complaint based on the doctrines of collateral estoppel and res judicata is granted.
2. All expedited prehearing conference and hearing dates are vacated.

IT IS SO ORDERED

Rita Defilippis

Rita Defilippis
Administrative Law Judge
Office of Administrative Hearings