

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Michelle Smith v. Office of Administrative Hearings, et al.

Smith v. Office of Administrative Hearings · No. CV-26-01515-PHX-DWL · Decided March 30, 2026

SUMMARY

The court denied Michelle Smith’s amended motion to remand an IDEA-related action removed from Arizona state court, holding that removal was permissible because the federal court had original jurisdiction. The court granted Dysart Unified School District’s motion to seal the administrative record due to confidential educational records. Rather than dismissing for failure to respond to the motion to dismiss, the court extended the response deadline to April 13, 2026, and warned that future noncompliance could result in dismissal.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Dominic W. Lanza
JURISDICTION	United States District Court for the District of Arizona
DECIDED	March 30, 2026
DOCKET	CV-26-01515-PHX-DWL
DISPOSITION	other
PROCEDURAL POSTURE	After an administrative law judge issued a final decision concerning an IDEA due process complaint, Smith sought judicial review in Arizona superior court. Dysart removed the action to federal district court. Smith moved to remand; Dysart moved to dismiss and to seal the administrative record. The court denied remand, granted the motion to seal, and extended Smith's deadline to respond to the motion to dismiss.
STANDARD OF REVIEW	The court applied the federal-question and removal statutes to the remand motion. For the unopposed motion to dismiss, the court considered the factors governing dismissal under the local rule for failure to respond, including the public interest in expeditious resolution, docket management, prejudice, disposition on the merits, and availability of less drastic sanctions.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district-court order

PARTIES

Michelle Smith v. Office of Administrative Hearings, Dysart Unified School District No. 89

TOPICS

subject matter jurisdiction

civil procedure

motions to dismiss

judicial review of agency action

PRACTICE AREAS

civil procedure

administrative law

education law

disability law

QUESTIONS PRESENTED

1. Whether an action seeking judicial review under 20 U.S.C. § 1415(i)(2)(A), initially filed in state court, may be removed to federal district court.
2. Whether the court should summarily grant Dysart's motion to dismiss because Smith failed to file a timely response under Local Rule of Civil Procedure 7.2(i).
3. Whether Dysart should be permitted to file the IDEA administrative record under seal because it contains confidential educational records of a minor.

HOLDINGS

1. An action brought under 20 U.S.C. § 1415(i)(2)(A) may be removed from state court when federal-question jurisdiction exists because the action arises under the IDEA; the IDEA's authorization to file in state or federal court does not bar removal.
2. The court declined to summarily grant Dysart's motion to dismiss based solely on Smith's failure to file a timely response, instead extending the response deadline as a less drastic measure and warning that future deadline violations may result in dismissal.
3. The motion to seal was granted, and Dysart was ordered to file the administrative record under seal because it contains confidential educational records concerning a disabled minor.

KEY QUOTATIONS

“Because this Court has original jurisdiction over Ms. Pedraza’s appeal of the OAH decision, removal was proper.” (1)

“In light of the public policy favoring disposition of cases on their merits, the Court will not dismiss at this juncture and will, as a one-time courtesy, sua sponte extend the response deadline.” (2)

FACTUAL BACKGROUND

Smith is the mother of A.M., a minor child with a disability. Smith alleged in an IDEA due process complaint that Dysart improperly changed the child's educational placement, violated stay-put protections, used discriminatory placement criteria, and failed to comply with IDEA procedural requirements. After an ALJ issued a final decision, Smith sought judicial review in state court, and Dysart removed the case to federal court. The

administrative record contains confidential educational information, including individualized education programs.

PROCEDURAL HISTORY

Smith filed an amended IDEA due process complaint with the Arizona Office of Administrative Hearings concerning her child's educational placement and related procedural protections. An ALJ issued a final decision on December 9, 2025. Smith filed a state-court action for judicial review on December 11, 2025, and amended it on January 22, 2026, adding Dysart as a defendant. Dysart removed the action on March 4, 2026, asserting federal-question jurisdiction. The district court denied Smith's amended motion to remand, granted Dysart's motion to seal the administrative record, and extended the deadline for Smith to oppose Dysart's motion to dismiss rather than dismissing that motion based on her failure to respond.

DISPOSITION

other

CASES CITED

- *Pedraza v. Alameda Unified School Dist.*, 2011 WL 4507111, *9 (N.D. Cal. 2011)
- *Moorestown Township Bd. of Educ. v. S.D. on behalf of M.D.*, 2010 WL 11692501, *1-2 (D.N.J. 2010)
- *Ector Cnty. Independent Sch Dist. v. VB bnf MB*, 2007 WL 9653135, *2 (W.D. Tex. 2007)
- *Wystrach v. Ciachurski*, 267 F. App'x 606, 607-08 (9th Cir. 2008)
- *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995)
- *J.C. by and through M.C. v. School Bd. of St. Johns County, Fla.*, 2015 WL 13735451, *1 (M.D. Fla. 2015)