BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

CUPERTINO UNION SCHOOL DISTRICT, CUPERTINO UNION SCHOOL DISTRICT BOARD OF EDUCATION AND YMCA OF SILICON VALLEY.

OAH CASE NUMBER 2025110210

ORDER TO SHOW CAUSE AS TO WHY COMPLAINT AGAINST YMCA SILICON VALLEY AND CUPERTINO UNION SCHOOL DISTRICT BOARD OF EDUCATION SHOULD NOT BE DISMISSED AND SANCTIONS IMPOSED

NOVEMBER 12, 2025

On November 5, 2025, Student filed a request for due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Cupertino Union School District, Cupertino Union School District Board of Education, and YMCA Of Silicon Valley. With this filing, Student has filed 10 cases against different

combinations of these three respondents in the past 12 months. One case Student lost. One case was dismissed with prejudice for failing to prosecute. Student dismissed the other seven prior cases either just before a case was scheduled to go to hearing or during hearing. Student continues to file claims against YMCA of Silicon Valley and the Cupertino Union School District Board of Education despite multiple rulings these entities do not fall within OAH jurisdiction for the claims filed against them.

The prior filings include two cases, filed and dismissed against YMCA Silicon Valley. The first, OAH case number 2025080037, filed July 31, 2025, was dismissed August 18, 2025 in its entirety due to lack of jurisdiction over YMCA. The second, OAH case number 2025090579, filed September 15, 2025, was dismissed September 25, 2025, also for lack of jurisdiction over YMCA.

Additionally, Student filed OAH case number 2025090763 against Cupertino Union School District Board of Education, only. This case was dismissed in its entirety on September 23, 2025 due to lack of jurisdiction over the named Cupertino Union School District Board of Education. Administrative Law Judge Charles Marson reconsidered the order on October 1, 2025, pursuant to a request from Student, and confirmed dismissal of the complaint. The order also included a warning that sanctions might be imposed if further complaints were filed against Cupertino Union School District's Board of Education.

On November 5, 2025, Student filed OAH case number 2025110210 against Cupertino Union School District, Cupertino Union School District Board of Education, and YMCA of Silicon Valley. It also asserts claims against Cupertino Union School District Board of Education for the second time after two prior rulings the school board was not a party within OAH's jurisdiction.

Here, Student has failed to comply with prior rulings declaring the entities Cupertino Union School District Board of Education and YMCA Silicon Valley are not valid parties to the special education cases he is bringing before OAH.

Therefore, unless Student chooses to dismiss the claims currently pled against YMCA Silicon Valley and Cupertino Union School District Board of Education, Student is ordered to show cause, as to why claims against these respondents should not be dismissed. Student must also include written cause explaining why OAH should not impose monetary sanctions, or cost shifting against Student for ignoring prior OAH orders related to asserting claims against YMCA Silicon Valley and Cupertino Union School District Board of Education and causing OAH to incur expenses associated with the filing of these claims.

Student must show cause by filing a written document with OAH, no later than 5:00 PM on November 20, 2025, which states new law and/or new facts arising since OAH dismissed YMCA Silicon Valley and Cupertino Union School District Board of Education in Student's prior filings. Student must establish how each entity now meets the definition of a public agency responsible for providing special education to Student. (34 C.F.R. § 300.33; Ed. Code, § 56500.) Student must include facts that describe how the YMCA and Cupertino Union School District Board of Education fall under OAHs jurisdiction as legally responsible for the claims in each issue Student is asserting against it; and how that has changed since the last time claims against them were dismissed for lack of jurisdiction.

ORDER

1. Student's written statement showing cause, must be filed with OAH and served on counsel for each respondent no later than November 20, 2025 at 5:00 PM.
2. Respondents may file and serve a reply to Student's statement showing cause no later than 5:00 PM on November 25, 2025.
3. The page limit for Student's written statement showing cause and any reply brief is 20 pages, not including a proof of service.
4. No additional briefs from either side will be considered.
5. All briefs must conform to the format and font requirements of California Code. of Regulations, title 1, section 1006. Proofs of service must conform to the requirements of California Code of Regulations, title 1, section 1008, and California Code of Regulations, title 5, section 3083.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl
Administrative Law Judge
Office of Administrative Hearings