BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

GROSSMONT UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2025120327

ORDER DENYING REQUEST TO ENFORCE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

FEBRUARY 23, 2026

On December 4, 2025, Student filed a request for due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming Grossmont Union High School District as respondent. On January 9, 2026, the parties' joint request to schedule mediation and continue the hearing in this case was granted.

On February 4, 2026, Student filed a motion to enforce interim educational transportation services Student alleges are Grossmont's obligation under the McKinney-Vento Homeless Assistance Act, title 42 United States Code, section 11431 et seq. On February 6, 2026, Grossmont opposed Student's motion on the grounds that OAH does not have jurisdiction to adjudicate McKinney-Vento enforcement disputes.

OAH JURISDICTION

Under the IDEA and corresponding California law, a party has the right to present a complaint "with respect to any matter relating to the identification, evaluation, or educational placement of the child, or the provision of a free, appropriate public education to such child." (20 U.S.C. § 1415(b)(6); Ed. Code § 56501(a) [a party has a right to present a complaint regarding matters involving proposal or refusal to initiate or change the identification, assessment, or educational placement of a child; the provision of a FAPE to a child; the refusal of a parent or guardian to consent to an assessment of a child; or a disagreement between a parent or guardian and the public educational agency as to the availability of a program appropriate for a child, including the question of financial responsibility].) The jurisdiction of OAH's Special Education Division is limited to these matters. (*Wyner v. Manhattan Beach Unified Sch. Dist.* (9th Cir. 2000) 223 F.3d 1026, 1028-29.)

Here, Student has offered no legal authority granting OAH's Special Education Division jurisdiction over disputes involving alleged obligations arising under the McKinney-Vento Homeless Assistance Act. Student's request that OAH order Grossmont to provide educational transportation services pursuant to the McKinney-Vento Homeless Assistance Act is denied.

IT IS SO ORDERED.

Penelope Pahl

Penelope S. Pahl
Administrative Law Judge
Office of Administrative Hearings