BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: TUSTIN UNIFIED SCHOOL DISTRICT, v. STUDENT.	OAH CASE NO. 2013060648 ORDER REGARDING PROOF OF EDUCATION RIGHTS

District filed a request for due process hearing (complaint) concerning Student, who is over 18 years of age. In the complaint, District names Philip Sallaway as Student's conservator, but did not include any documentation in support of this. The Office of Administrative Hearings (OAH) opened a case and issued a scheduling order dated June 18, 2013. OAH served District and Student with the scheduling order.

On June 25, 2013, Philip E. Sallaway filed a "Motion to Quash Service on Student" in which Mr. Sallaway states he was appointed conservator for Student on January 12, 2012. Since he was not served with a copy of the scheduling order, Mr. Sallaway moves that service of the scheduling order be quashed. Mr. Sallaway did not submit anything proving that he was appointed conservator of Student who can exercise Student's education rights. Without proof that Mr. Sallaway holds education rights concerning special education services, OAH is unable to communicate with him. Accordingly, Philip E. Sallaway has three business days from the date of this order to submit proof that he holds Student's education rights.

Dated: June 25, 2013

/s/
JUDITH KOPEC
Division Presiding Administrative Law Judge
Office of Administrative Hearings