BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

UPLAND UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025090077

ORDER DENYING MOTION TO APPOINT

CO-EDUCATIONAL RIGHTS HOLDER

SEPTEMBER 12, 2025

On September 2, 2025, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Upland Unified School District.

On September 8, 2025, Parent filed a letter assigning co-educational rights to an educational advocate. OAH interprets Parent's letter as a motion to grant co-educational rights to the educational advocate. No response was received from Upland.

Parent does not seek to transfer educational rights to another. Rather, Parent seeks to apportion educational rights and grant co-equal educational decision making authority to an unrelated person. Parent provided no law or authority to allow the assignment of shared educational rights to an unrelated educational advocate. California law provides a mechanism to authorize an adult caregiver to enroll a child in school, authorize medical care, and make determinations related to the welfare of a child. In all instances, California law requires the child to reside with the caregiver within the boundaries of the school district. (Fam. Code §§ 6550, subds. (a),(f); 6552, Ed. Code, § 48204, sub. (a)(5.))

California law defines the qualified relative as a grandparent, aunt, uncle, or otherwise qualified relative of the minor… this may also include the spouse of any of the above described relations. (Fam. Code § 6550, subd. (h)(2).).

Here, Parent is seeking to assign partial education rights to an educational advocate. The educational advocate's mailing address is listed as Valencia, California. Valencia, California is not part of the boundaries of Upland. Thus, Student does not reside with the advocate.

California law broadly defines a parent as individual acting in the place of a natural or adoptive parent with whom the child lives or the individual has legal responsibility for the child. (Ed. Code § 56028, subds. (a)(4),(b)(1).) Here, there is no evidence the educational advocate resides with Student or had any legal responsibility for this Student. Moreover, Parent provided no authority that educational rights can be apportioned in a manner Parent requested.

Parent's request to appoint a co-educational rights holder is denied. Nothing in this order precludes Parent's selected educational advocate from assisting Parent during mediation and due process hearings.

IT IS SO ORDERED.

Tiffany Gilmartin

Tiffany Gilmartin
Administrative Law Judge
Office of Administrative Hearings