BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ALHAMBRA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025070041

ORDER DENYING MOTION FOR INTERIM RELIEF REGARDING ADMINISTRATIVE RECOMMENDATION AND PERMIT DELAY

SEPTEMBER 16, 2025

On August 27, 2025, Student filed a Motion for Interim Relief Regarding Administrative Recommendation and Permit Delay with the Office of Administrative Hearings, called OAH. Alhambra Unified School District did not file a response.

OAH HAS LIMITED JURISDICTION

OAH's special education division has jurisdiction only over claims alleging violations of the Individuals with Disabilities Education Act or California special education laws.

The purpose of the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et. seq.) is to "ensure that all children with disabilities have available to them a free appropriate public education," and to protect the rights of those children and their parents. (20 U.S.C. § 1400(d)(1)(A), (B), and (C); see also Ed. Code, § 56000.) 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, subd. (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 free appropriate public education 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 education agency as to the availability of a program appropriate for a child, including the question of financial responsibility].) The jurisdiction of OAH is limited to these matters. (*Wyner v. Manhattan Beach Unified School. Dist.* (9th Cir. 2000) 223 F.3d 1026, 1028-1029.)

Student's motion asks OAH to order Los Angeles Unified School District to immediately complete the "Administrative Recommendation required under BUL-5341.3" so Student's inter-district permit application may proceed. OAH does not have jurisdiction over Los Angeles Unified School District in this matter as it is not a party. Even if OAH had jurisdiction, OAH does not have legal authority to provide the relief requested by Parent. Claims based on Education Code section 46600 regarding school district agreements relating to interdistrict attendance are outside OAH's jurisdiction.

Student's motion for interim relief regarding administrative recommendation and permit delay is Denied.

IT IS SO ORDERED.

Theresa Ravandi

Theresa Ravandi
Administrative Law Judge
Office of Administrative Hearings