

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENT ON BEHALF OF STUDENT,

v.

CAJON VALLEY UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2019060930

ORDER GRANTING MOTION TO DISMISS INDIVIDUALS AS
PARTIES

On July 19, 2019, Cajon Valley Union School District filed a motion to dismiss three individuals named as parties in Student's due process hearing request filed with the Office of Administrative Hearings. No opposition was received.

Special education due process hearing procedures extend to the parent or guardian, to the student in certain circumstances, and to "the public agency involved in any decisions regarding a pupil." (Ed. Code, § 56501, subd. (a).) A "public agency" is defined as "a school district, county office of education, special education local plan area, . . . or any other public agency . . . providing special education or related services to individuals with exceptional needs." (Ed. Code, §§ 56500 and 56028.5; see also 34 C.F.R. § 300.33.) Generally, the school district in which the parent resides is responsible for

providing special education and related services to a student with exceptional needs.
(Ed. Code, § 48200.)

The three individuals named in Student's due process hearing request, Jenine Henry, Jennifer McSparran, and Jacob Launder, are not public agencies responsible for offering or providing Student a free appropriate public education, or FAPE.

Accordingly, Cajon Valley's motion to dismiss Jenine Henry, Jennifer McSparran and Jacob Launder as parties is granted.

This matter will proceed against Cajon Valley only. All currently scheduled dates are confirmed.

IT IS SO ORDERED.

DATED: July 26, 2019

Alexa Hohensee

Administrative Law Judge

Office of Administrative Hearings