

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

COMPTON UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014050538

ORDER AFTER STATUS
CONFERENCE DISMISSING CASE

On July 9, 2014, District submitted a letter to the Office of Administrative Hearings stating that the parties' settlement agreement was approved their board on July 8, 2014. Further, District requested that OAH dismiss the case. District also submitted two pages of the parties' agreement. Neither page included authority for District to withdraw or request dismissal of the case on behalf of Parent. OAH inadvertently dismissed and closed the case. Once discovered, the case was reopened and a status conference was scheduled.

A status conference was held on July 30, 2014, and both parties participated. District asserted the settlement agreement authorized it to withdraw the case for Student. Parent asserted District was not complying with the agreement and objected to the dismissal.

OAH's has limited jurisdiction. (20 U.S.C. § 1415(b)(6); Ed. Code, § 56501, subd. (a); *Wyner v. Manhattan Beach Unified Sch. Dist.* (9th Cir. 2000) 223 F.3d 1026, 1028-1029.) This limited jurisdiction does not include jurisdiction over claims alleging a school district's failure to comply with a settlement agreement.

The parties entered into a settlement agreement that was approved the District's board. There are no remaining issues within OAH's jurisdiction. Accordingly, this case is dismissed with prejudice.

DATE: July 30, 2014

/s/

JUDITH A. KOPEC
Division Presiding Administrative Law Judge
Office of Administrative Hearings