

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

V.

GLENDALE UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026061020

ORDER GRANTING MOTION TO DISMISS ISSUE V

JULY 03, 2026

On June 19, 2026, Student filed a Request for Due Process Hearing, referred to as a complaint, with the Office of Administrative Hearings, naming Glendale Unified School District. The Office of Administrative Hearings is referred to as OAH.

On June 30, 2026, Glendale Unified School District filed a Motion to Dismiss alleging OAH lacks jurisdiction to adjudicate certain issues alleged in the complaint. On July 2, 2026, Student filed a response.

APPLICABLE LAW

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.)

DISCUSSION

Glendale Unified alleges that OAH does not have jurisdiction over Student’s Issue V, beginning on page 32 of Student’s complaint. Issue V alleges Glendale Unified violated the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

In footnote 12, on page 32, Student acknowledges that OAH does not have jurisdiction over the ADA and Section 504 claims, and that the claims were brought because some federal district courts require other civil rights statutes to be exhausted. Student again acknowledges this in Student’s response.

OAH does not have jurisdiction to decide claims based on Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 701 et seq.), Section 1983 of Title 42 United States

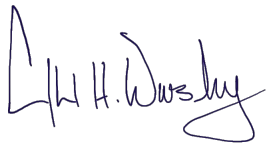
Code, the Americans with Disability Act (42 U.S.C. §§ 12101, et seq.), or the Unruh Civil Rights Act (Civ. Code, § 51).

OAH lacks jurisdiction over the claims made in Issue V. The complaint states that these claims were made to satisfy an exhaustion requirement under federal law. Accordingly, Issue V, from page 32 through page 36, is dismissed.

ORDER

1. Glendale Unified School District's Motion to Dismiss is granted
2. Issue V of Student's complaint is hereby dismissed.
3. The matter shall proceed as scheduled on all other issues.

IT IS SO ORDERED.

A handwritten signature in blue ink, appearing to read "Clifford H. Woosley".

Clifford H. Woosley

Administrative Law Judge

Office of Administrative Hearings