

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

SAN DIEGO COUNTY OFFICE OF EDUCATION.

OAH CASE NUMBER 2026070183

ORDER DISMISSING SAN DIEGO COUNTY OF EDUCATION
AS A PARTY AND DISMISSING CASE

AUGUST 18, 2026

On June 30, 2026, Student filed a Due Process Hearing Request against respondents San Diego County Office of Education, High Tech Elementary North County Charter School, and High Tech High. On August 5, 2026, San Diego County Office of Education filed a motion to be dismissed as a party, alleging that it was not Student's local educational agency, or LEA. On August 5, 2026, student filed a non-opposition to County's request to be dismissed as a party. On August 10, 2026, Student requested dismissal of respondents High Tech Elementary North County Charter School and High Tech High, and the office of Administrative Hearings, or OAH, entered dismissal as to those parties on August 11, 2026. As of August 11, 2026, County was the only remaining respondent.

APPLICABLE LAW

There is no summary judgment procedure in special education cases. OAH will, however, dismiss allegations and cases not within its jurisdiction. OAH has jurisdiction only over claims alleging the Individuals with Disabilities Education Act or California special education laws were violated. Special education due process hearings may involve the parent or guardian, a student, and "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.)

Dismissal of County is ordered here because Student, the party filing this case, does not oppose it. Dismissal is not made on substantive merit, and includes no substantive or factual findings regarding the responsible LEA.

ORDER

San Diego County of Education is dismissed as a party. Because it is the only remaining respondent in this case, Student's entire case is dismissed.

IT IS SO ORDERED.



Claire Yazigi

Administrative Law Judge

Office of Administrative Hearings