BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL DISTRICT, OAK GROVE CENTER JACK WEAVER, AND CASA PACIFICA, CAMINO A CASA

OAH CASE NUMBER 2025120006

ORDER DISMISSING PARTIES FOR LACK OF JURISDICTION

DECEMBER 9, 2025

On November 24, 2025, Parent, on behalf of Student, filed a request for a special education due process hearing, also called a complaint, with the Office of Administrative Hearings, called OAH, naming multiple parties as respondents. The respondents listed were:

- Los Angeles Unified School District;
- Los Angeles Unified School District Superintendent Alberto Carvalho;
- Los Angeles Unified School District Board Of Education Members Sherlett Hendy Newbill, Rocio Rivas, Scott Schmerelson, Nick Melvoin, Karla Griego, Kelly Gonez, and Tanya Ortiz Franklin;

- Oak Grove Center, Jack Weaver of Oak Grove
- Tammy Wilson, Chief Executive Officer of Oak Grove Center;
- Casa Pacifica,Camino A Casa;
- Camino A Casa Chief Executive Officer Shawna Morris; and
- Does 1-50.

APPLICABLE LAW

There is no summary judgment procedure in special education cases. OAH will, however, dismiss allegations, parties, and cases not within its jurisdiction. OAH has jurisdiction only over claims alleging that the Individuals with Disabilities Education Act, called IDEA, or California special education laws were violated. (*Wyner ex rel. Wyner v. Manhattan Beach Unified School District* (9th Cir. 2000) 223 F.3d 1026, 1029.)

DISMISSAL OF IMPROPERLY NAMED RESPONDENTS

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).) The California Education Code defines a public agency 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.) Under the Code of Federal Regulations, the term "public agency" encompasses state educational agencies, as well as local educational agencies, and any other political subdivisions of the State that are responsible for providing education to children with disabilities. (34 C.F.R. § 300.33 (2006).)

In addition to Los Angeles Unified School District, Oak Grove Center, Casa Pacifica, and Camino A Casa, the request for due process hearing in this case also alleges claims against the following individually named respondents:

- Los Angeles Unified School District Superintendent Alberto Carvalho;
- Los Angeles Unified School District Board Of Education Members
  - Sherlett Hendy Newbill,
  - Rocio Rivas,
  - Scott Schmerelson,
  - Nick Melvoin,
  - Karla Griego,
  - Kelly Gonez; and
  - Tanya Ortiz Franklin;
- Oak Grove Center Jack Weaver, Chief Executive Officer Tammy Wilson;
- Camino A Casa Chief Executive Officer Shawna Morris; and
- Does 1-50

Student asserts that the individually named respondents are, "organizational leaders, individually and collectively, responsible for providing special education to Student," However, nowhere in the 156 page complaint does Student allege facts describing how the individually named respondents were legally responsible to provide special educational services to Student as state or local educational agencies

The Los Angeles Unified School District's Board of Education members do not fall within the legal definition of public agencies obligated to offer FAPE. Nor do the individually named officers of Oak Grove Center or Camina A Casa. As a result, they do not fall within the jurisdiction of OAH's Special Education Division and will be dismissed.

DISMISSAL OF DOE DEFENDANTS

The complaint also names Does 1-50 as respondents. Student identifies no legal authority allowing the inclusion of fictitious defendants in an administrative request for due process case pertaining to the IDEA. Nor does Student allege any claims against DOE defendants in the complaint, designated as "parts 1 and 2," received by OAH. The DOE Defendants are also dismissed.

ORDER

1. The complaint is dismissed as to Superintendent Alberto Carvahlo.
2. The complaint is dismissed as to Los Angeles Unified School District Board of Education members:
    a. Sherlett Hendy Newbill;
    b. Rocio Rivas;
    c. Scott Schmerelson;
    d. Nick Melvoin;
    e. Karla Griego;
    f. Kelly Gonez; and
    g. Tanya Ortiz Franklin;
3. The complaint is dismissed as to Oak Grove Center Jack Weaver, Chief Executive Officer Tammy Wilson
4. The complaint is dismissed as to Camino A Casa Chief Executive Officer Shawna Morris.
5. The complaint is dismissed as to Does 1-50.

6. The complaint will proceed as currently scheduled against:
    a. Los Angeles Unified School District;
    b. Oak Grove Center; and
    c. Casa Pacifica, Camino A Casa.

Penelope Pahl

Penelope S. Pahl

Administrative Law Judge

Office of Administrative Hearings