BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LAGUNA BEACH UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025040200

ORDER GRANTING IN PART AND DENYING IN PART LAGUNA BEACH'S MOTION TO DISMISS ISSUES FOR LACK OF JURISDICTION

JULY 21, 2025

On April 7, 2025, Student filed a Request for Due Process Hearing, referred to as a complaint, with the Office of Administrative Hearings, naming Laguna Beach Unified School District. The Office of Administrative Hearings is referred to as OAH.

On June 30, 2025, Laguna Beach filed a Motion to Dismiss alleging OAH lacks jurisdiction to adjudicate certain issues alleged in the complaint. On July 2, 2025, Student filed an opposition to the Motion to Dismiss.

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.) In particular, OAH does not have jurisdiction over disputes between a student and a district over the enforceability of a settlement agreement. *(Ibid.)*

DISCUSSION

Student alleges five issues.

1. Laguna Beach denied Student a free appropriate public education during the statutory period related to Student's placement and the lack of an in-district placement;

2. Laguna Beach failed to complete an auditory processing assessment of Student;

3. Laguna Beach violated special education procedural safeguards for Student;

4. Laguna Beach coerced Parent into settlement agreements; and

5. Laguna Beach engaged in retaliation and hostile communication against Parent.

Laguna Beach asserts that OAH lacks jurisdiction over claims 1, 2 and 3, because a series of settlement agreements allegedly waived such claims prior to October 6, 2024. Laguna Beach asserts that OAH lacks jurisdiction over claims 4 and 5 because they are outside of the jurisdiction of OAH.

In this case, Student's issues 1, 2 and 3 state claims that may be precluded, in part, by existing settlement agreements. However, there is no summary judgment procedure in special education cases. In this case, as stated, the allegations in the complaint fall within OAH's jurisdiction. While agreements between the parties have been alleged, the nature of the agreements between the parties is in dispute. Absent a summary judgment process, such a dispute can be resolved only by examining the relevant evidence in a hearing.

Laguna Beach cites no legal authority allowing OAH to make rulings on disputed facts in advance of hearing. Laguna Beach has failed to establish Student's claims 1, 2 and 3 are facially outside OAH's jurisdiction. Accordingly, Laguna Beach's motion to dismiss claims 1, 2 and 3 as being outside OAH's jurisdiction is denied.

However, Student's issue 4 falls outside of OAH's jurisdiction on its face. As explained above, OAH does not have jurisdiction over disputes regarding the

enforceability of a settlement agreement, including whether the agreement was obtained through coercion.

Likewise, issue 5 also falls outside OAH jurisdiction, which as stated above is limited 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." Without any allegations linked to those topics, OAH does not have jurisdiction over disputes regarding retaliation or hostile communication by Laguna Beach against Parent. As such, Student's issues 4 and 5 must be dismissed.

ORDER

1. Laguna Beach's Motion to Dismiss is granted as to issues number 4 and 5.
2. The matter will proceed as scheduled as to the remaining issues number 1, 2 and 3.

IT IS SO ORDERED.

Ted Mann

Ted Mann
Administrative Law Judge
Office of Administrative Hearings