

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PASADENA UNIFIED SCHOOL  
DISTRICT AND PASADENA ROSEBUD  
ACADEMY.

OAH CASE NO. 2014020270

ORDER DIRECTING PASADENA  
UNIFIED SCHOOL DISTRICT TO FILE  
REPOSENSE TO ROSEBUD  
ACADEMY'S MOTION TO DISMISS

On March 4, 2014, Pasadena Rosebud Academy Charter School (Rosebud Charter) filed a motion to dismiss it as a party. On March 5, 2014, Student filed opposition. As of the date of this Order, Pasadena Unified School District (District) has not filed a response to Charter's motion to dismiss.

Rosebud Charter claims that the District is the granting agency of its charter. Pursuant to the charter's terms, and the Education Code provisions cited therein, Rosebud Charter claims to be a public school of the District for purposes of special education. Rosebud Charter therefore asserts that the District is the local educational agency (LEA) solely responsible for Student's special education and that it, like any other public school within the District, is not a public agency that can be named in a due process proceeding.

The relationship between Rosebud Charter and District is relevant to Rosebud Charter's status and whether it may be named as a respondent in Student's complaint.

ORDER

By the close of business, March 11, 2014, the District shall file and serve a response to Rosebud Charter's motion to dismiss, addressing its relationship with the charter school, as well as the charter school's public agency and LEA status, relevant to Student's claims.

DATE: March 07, 2014

/s/

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CLIFFORD H. WOOSLEY  
Administrative Law Judge  
Office of Administrative Hearings