

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

STUDENT,

v.

FRESNO UNIFIED SCHOOL DISTRICT.

OAH CASE NO. 2012020778

ORDER FOR ADDITIONAL  
INFORMATION ON MOTION FOR  
STAY PUT

On February 17, 2012, Parent, on behalf of Student, filed a Request for Due Process Hearing (complaint) against the Fresno Unified School District. The same day, Parent, on behalf of Student, filed a motion for stay put. On February 24, 2012, the District filed an opposition. Student is 20 years old, and neither the complaint nor motion for stay put includes any evidence that Student has transferred his educational rights to his Parent or that Parent was appointed Student's conservator with power over his educational decisions.<sup>1</sup> Therefore, additional information is required before a ruling may be made on the pleadings as to Parent's authority to file the complaint on behalf of Student.

ORDER

By 5:00 p.m. on March 5, 2010, Parent shall provide proof that either she has been appointed Student's conservator with power over his educational decisions, or Student has transferred his education rights to Parent, or that Student otherwise authorizes Parent to file this due process matter and represent his interests.

IT IS SO ORDERED.

Dated: February 28, 2012

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings

<sup>1</sup> Education Code section 56041.5 provides that when a student reaches the age of 18, the student's parents retain the right to receive notice of procedural safeguards from the school district. All other rights accorded a parent transfer to the student.