

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

v.

TWIN RIVERS UNIFIED SCHOOL
DISTRICT,

OAH Case No. 2014030894

TWIN RIVERS UNIFIED SCHOOL
DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2014050203

ORDER FOR SUPPLEMENTAL
EVIDENCE ON MOTION TO DISMISS

On June 24, 2014, Twin Rivers Unified School District (Twin Rivers) filed a Motion to Dismiss Student's request for due process hearing filed March 24, 2014, asserting that the Office of Administrative Hearings lacks jurisdiction over Student's case, that Parent lacked standing to proceed to hearing, and that Parent was not entitled to relief based upon the doctrine of unclean hands. Twin Rivers' motion is supported by a declaration of Attorney Kyle Raney, and copies of orders from the Superior Court of California, County of Sacramento, Sitting as the Juvenile Court (Juvenile Court) limiting Parent's educational rights and referring Student to the local educational agency for appointment of a surrogate parent, dated May 16, 2014.

Student has not filed a response, but submitted copies of the Juvenile Court's orders dated May 16, 2014, as well as a certificate of mailing from the Juvenile Court dated June 18, 2014, and a notarized power of attorney dated August 13, 2009, and updated May 17, 2012, wherein Parent designated grandparent to authorize educational services for Student. Additional evidence is required before a ruling may be made on the pleadings.

ORDER

By 5:00 p.m. on July 9, 2014, each party shall file with OAH certified copies of the Juvenile Court orders limiting Parent's educational rights and referring Student to the local

educational agency for the appointment of an educational surrogate. If Student wishes to respond to Twin Rivers' motion, he is encouraged to do so no later than July 9, 2014.

IT IS SO ORDERED.

DATE: June 30, 2014

/s/

THERESA RAVANDI
Administrative Law Judge
Office of Administrative Hearings