

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Morgan Hill Concerned Parents Association v. California
Department of Education

Morgan Hill · No. 18-cv-03367-VC · Decided June 9, 2025

SUMMARY

The United States District Court for the Northern District of California granted the California Department of Education’s motion to dismiss Morgan Hill Concerned Parents Association’s action for lack of jurisdiction. The court held that the complaint failed to adequately allege associational standing because it did not identify an injured member, and further concluded that the action was moot because the children referenced in the complaint had largely aged out of the school system and the relevant monitoring system had substantially changed. The dismissal was without prejudice.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Vince Chhabria
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 9, 2025
DOCKET	18-cv-03367-VC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court granted the California Department of Education's motion to dismiss and dismissed the case for lack of jurisdiction.
STANDARD OF REVIEW	The court reviewed the sufficiency of the complaint to determine whether associational standing was adequately alleged and whether the action remained justiciable. Because standing and mootness are jurisdictional issues, the dismissal was for lack of subject-matter jurisdiction.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Morgan Hill Concerned Parents Association v. California Department of Education

TOPICS

standing

subject matter jurisdiction

motions to dismiss

civil procedure

administrative law

PRACTICE AREAS

civil procedure

civil rights

administrative law

education law

QUESTIONS PRESENTED

1. Whether the complaint adequately alleged associational standing by identifying at least one specific member who suffered or would suffer harm.
2. Whether the narrow NAACP v. State of Alabama exception to identifying individual members applied.
3. Whether the action was moot because the identified children had aged out of the school system and the challenged monitoring system had materially changed.

HOLDINGS

1. An association must make specific allegations identifying at least one member who has suffered or would suffer harm; an exhibit describing unnamed children does not satisfy that requirement when the complaint does not identify the children as members or identify their parents.
2. The exception allowing an association to avoid naming individual members did not apply because the association and its members were not shown to be identical in every practical sense and the requested relief would not necessarily affect every member's child.
3. The action was moot because nearly all of the seventeen children described in the exhibit had aged out of the school system and the challenged monitoring system had substantially changed during the thirteen years of federal-court oversight.

KEY QUOTATIONS

“To adequately allege associational standing, Morgan Hill Concerned Parents Association (MHCPA) MHCPA must include in its complaint “specific allegations establishing that at least one identified member had suffered or would suffer harm.””

“Because the case is dismissed for lack of jurisdiction, by definition the dismissal is without prejudice.”

FACTUAL BACKGROUND

The complaint alleged that Morgan Hill Concerned Parents Association represented parents of children with disabilities throughout California and sought injunctive relief requiring improved California Department of Education policies under the Individuals with Disabilities Education Act. An exhibit described the experiences of seventeen children with disabilities but did not identify them as members of the association or identify their parents. By 2025, nearly all of those children had aged out of the school system, and the Department's monitoring system had substantially changed under federal-court oversight in the Emma C. litigation.

PROCEDURAL HISTORY

Morgan Hill Concerned Parents Association brought an action challenging California Department of Education policies under the Individuals with Disabilities Education Act. The operative complaint was filed on April 23, 2012. The court concluded that the complaint failed to establish associational standing and that the action was independently moot because the identified children had largely aged out of the school system and the challenged monitoring system had materially changed. The action was dismissed without prejudice.

DISPOSITION

dismissed

CASES CITED

- Associated General Contractors of America v. California Department of Transportation, 713 F.3d 1187, 1194-1195 (9th Cir. 2013)
- Summers v. Earth Island Institute, 555 U.S. 488, 498 (2009)
- NAACP v. State of Alabama ex rel. Patterson, 357 U.S. 449, 459 (1958)
- N.D. v. Reykdal, 102 F.4th 982, 990 (9th Cir. 2024)
- Emma C. v. Thurmond, 621 F. Supp. 3d 982 (N.D. Cal. 2018)
- Emma C. v. Thurmond, 393 F. Supp. 3d 885 (N.D. Cal. 2019)
- Emma C. v. Thurmond, 472 F. Supp. 3d 641 (N.D. Cal. 2020)
- Emma C. v. Thurmond, 668 F. Supp. 3d 902 (N.D. Cal. 2023)
- Emma C. v. Thurmond, No. 96-CV-04179, 2024 WL 3560720 (N.D. Cal. July 26, 2024)
- Emma C. v. Thurmond, No. 96-CV-04179, 2024 WL 5103092 (N.D. Cal. Oct. 28, 2024)
- Order Vacating Consent Decree and Terminating Federal Court Oversight, Emma C. v. Thurmond, No. 96-CV-04179 (N.D. Cal. Dec. 17, 2024)

OPINION

Morgan Hill Concerned Parents Association v. California Department of Education

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MORGAN HILL CONCERNED Case No. 18-cv-03367-VC

PARENTS ASSOCIATION,

Plaintiff, ORDER GRANTING CDE'S MOTION

TO DISMISS

v. Re: Dkt. No. 406

CALIFORNIA DEPARTMENT OF

EDUCATION,

Defendant. The motion to dismiss is granted, and the case is dismissed for lack of jurisdiction.

This order assumes the reader's familiarity with the facts, governing legal standards, and

arguments made by the parties. To adequately allege associational standing, Morgan Hill Concerned Parents Association (MHCPA) MHCPA must include in its complaint “specific allegations establishing that at least one identified member had suffered or would suffer harm.” *Associated General Contractors of America v. California Dep’t of Transportation*, 713 F.3d 1187, 1194 (9th Cir. 2013) (quoting *Summers v. Earth Island Institute*, 555 U.S. 488, 498 (2009)). The complaint fails to identify any member of the organization that suffered harm. The complaint attaches an exhibit with the experiences of seventeen children in California, but the exhibit does not identify these children as members of the organization. See Ex. A (“The experiences of the following children with disabilities from a variety of California school districts are typical of the experiences of school children with disabilities across the State.”). MHCPA claims in its opposition brief that these seventeen children are children of MHCPA members, but that fact is neither pled in the complaint nor are the parents actually identified. See *Associated General Contractors*, 713 F.3d at 1195 (dismissed for lack of standing when association did “not name any specific members” who “would be harmed”).¹ MHCPA argues that it need not name any specific member because it satisfies the narrow exception carved out by *NAACP v. State of Alabama ex rel Patterson*, 357 U.S. 449 (1958). That case was about a challenge to an order compelling the release of NAACP’s membership records, so the Supreme Court declined to require the naming of individual members because the association and its members were “in every practical sense identical.” *Id.* at 459. Here, the complaint alleges that MHCPA includes “parents of children with disabilities throughout the State of California” and seeks injunctive relief in the form of new CDE policies designed to better comply with the IDEA. First Amended Complaint ¶ 4, Dkt. No. 6. That neither suggests that every single child of a MHCPA member has been concretely harmed by CDE, nor that injunctive relief would necessarily affect every single child of a MHCPA member such that the association and its members are “in every practical sense identical.” Even assuming the parents of the seventeen children in Exhibit A are members of MHCPA, this case would still need to be dismissed because it is moot. The operative complaint was filed on April 23, 2012. By now, nearly all of the seventeen children have aged out of the school system entirely. See *N.D. v. Reykdal*, 102 F.4th 982, 990 (9th Cir. 2024) (aged-out plaintiffs’ claims are moot). And in the last thirteen years, CDE’s monitoring system has changed drastically under this Court’s oversight in the Emma C litigation, during which CDE submitted mountains of evidence about the development and implementation of its new policies. See Order Vacating Consent Decree and Terminating Federal Court Oversight, *Emma C. v. Thurmond*, No. 96-CV-04179 (N.D. Cal. Dec. 17, 2024); see *Emma C. v. Torlakson*, 621 F. Supp. 3d 982 (N.D. Cal. 2018) (Phase 1 Compliance Order); *Emma C. v. Thurmond*, 393 F. Supp. 3d 885 (N.D. Cal. 2019) (Phase 2 Order of Non-Compliance); *Emma C. v. Thurmond*, 472 1 Of course, if there were any privacy or safety concerns with naming the parents or children, MHCPA could have moved to seal certain identifying information. But there’s no reason to think any such concerns exist. F. Supp. 3d 641 (N.D. Cal. 2020) (Phase 2 Compliance Order); *Emma C. v. Thurmond*, 668 F. Supp. 3d 902 (N.D.

Cal. 2023) (Phase 3A Compliance Order); Emma C. v. Thurmond, No. 96- CV-04179, 2024 WL 3560720 (N.D. Cal. July 26, 2024) (Phase 3B Compliance Order); Emma C. v. Thurmond, No. 96- CV-04179, 2024 WL 5103092 (N.D. Cal. Oct. 28, 2024) (Phase 4 Compliance Order). Given these developments and the failure of MHCPA to provide any representations as to the current status of these seventeen children (or even other specific members of their organization), this case is moot. Because the case is dismissed for lack of jurisdiction, by definition the dismissal is without prejudice. IT IS SO ORDERED. Dated: June 9, 2025

VINCE CHHABRIA

United States District Judge

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