BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

MILPITAS UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2025090880

ORDER FOR MILPITAS UNIFIED TO PRODUCE INDIVIDUALIZED EDUCATION PROGRAM DOCUMENTS

OCTOBER 9, 2025

On September 24, 2025, Student filed a motion for stay put. Under separate cover Student filed an 87-page exhibit document containing a Parent declaration and the following four exhibits:

a. Exhibit 1: A Parent addendum letter dated March 28, 2023;
b. Exhibit 2: Individualized Education Program document, called IEP, dated October 10, 2024;
c. Exhibit 3: Annual IEP document dated November 21, 2024;
d. Exhibit 4: IEP Amendment document dated June 16, 2025.

On October 2, 2025, District filed an opposition. On October 3, 2025, Student filed a reply and motion to strike to Milpitas' opposition as untimely. On October 3, 2025, Milpitas' filed a surreply brief in opposition to Student's motion to strike. On October 8, 2025, Student filed a letter to Division Chief Castillo regarding the pending Stay Put motion.

Parent's September 23, 2025, declaration attests she consented to the October 10, 2024, the November 21, 2024, and June 3, 2025, IEPs.

Student carries the burden in this motion to demonstrate what was Student's last consented to and implemented IEP. Central to the dispute is determining the last signed and consented to IEP. However, none of the IEPs supplied by Parent are consented to and signed. Parent's declaration states Milpitas is in possession of all consented to and signed IEP documents.

Milpitas is ordered to serve as exhibits copies of the October 10, 2024, November 21, 2024, and June 3, 2025, IEPs in its possession on Parent and the Office of Administrative Hearings by close of business on Monday, October 13, 2025.

ORDER

Milpitas will produce and serve on Parent and OAH by close of business on October 13, 2025, the following IEP documents or an explanation, including a declaration, as to why they could not be served:

a. October 10, 2024;
b. November 21, 2024;
c. June 3, 2025.

Tiffany Gilmartin

Tiffany Gilmartin
Administrative Law Judge
Office of Administrative Hearings