BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

SIMI VALLEY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2026010936

ORDER DENYING MOTION TO AMEND COMPLAINT AND DETERMINING MOTION TO DISMISS AMENDED COMPLAINT AS MOOT

FEBRUARY 12, 2026

On January 27, 2026, Parent on behalf of Student filed a due process hearing request, called a complaint, with the Office of Administrative Hearings, called OAH, naming Simi Valley Unified School District, called Simi Valley. OAH designated this matter a dual case with both expedited and non-expedited issues. The expedited due process hearing is set to begin on February 24, 2026. The non-expedited due process hearing is set to begin on March 17, 2026.

On February 6, 2026, Student filed a motion to amend the complaint and an amended complaint. On February 10, 2026, Simi Valley filed opposition to Student's

motion to amend the complaint arguing expedited issues cannot be amended. Simi Valley also filed a motion to dismiss the amended complaint.

An amended complaint may be filed when the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or when the hearing officer grants permission. The hearing officer may grant permission at any time more than five days before the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

However, the Individuals with Disabilities Education Act, called IDEA, does not allow continuances of expedited matters, which must be heard within 20 school days of the date the hearing was requested. (20 U.S.C. § 1415(k)(4)(b).) Granting leave to amend a complaint would reset the applicable hearing dates in this matter, including the expedited hearing dates, which is precluded by statute.

Thus, Student's request to amend the complaint is denied. Student may dismiss his request for due process hearing and file a new complaint on expedited and non-expedited issues, may amend non-expedited issues after the expedited decision has been issued, or file a new complaint on issues not raised in the current request for due process hearing.

Because the undersigned has denied Student's request to amend the complaint at this time, Simi Valley's motion to dismiss the amended complaint is moot.

IT IS SO ORDERED.

Cynthia Fritz

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings