BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

CUPERTINO UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2025041265

ORDER GRANTING REQUEST TO UPLOAD IEP TEAM MEETING AUDIO RECORDINGS TO CASE CENTER

MAY 21, 2025

On April 29, 2025, Student filed a request for due process hearing, called a complaint, with the Office of Administrative Hearings, called OAH, naming Cupertino Union School District. OAH determined that Student's complaint included issues subject to the expedited hearing procedures under special education law.

On May 19, 2025, OAH conducted an expedited prehearing conference. On May 20, 2025, OAH issued its order following the expedited prehearing conference, or PHC. That Order stated in relevant part, "Recordings may not be uploaded electronically without the [administrative law judge's] permission." This portion of the Order includes recordings of individualized education program, called IEP, team meetings.

On May 20, 2025, Cupertino filed a request to upload portions of an audio recording of the November 19, 2024, IEP team meeting. Cupertino established good cause for filing the motion following the May 19, 2025 PHC. Student did not respond to Cupertino's request prior to the undersigned issuing this Order.

Cupertino's request is granted. Cupertino may upload audio recordings of IEP team meetings, including the November 19, 2024, IEP team meeting, to Case Center. Student may also upload such recordings if he chooses. If either party uploads an IEP team meeting audio recording, they must upload a complete recording of the entire IEP team meeting.

As a reminder to the parties, any request to admit any IEP team meeting audio recordings into evidence must be made during the hearing. Accordingly, this Order makes no rulings as to the admissibility of any IEP team meeting audio recordings, or any other evidentiary objections the parties may raise if an IEP team meeting audio recording offered into evidence.

IT IS SO ORDERED.

Ashok Pathi

Ashok Pathi
Administrative Law Judge
Office of Administrative Hearings