BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

ONTARIO-MONTCLAIR SCHOOL DISTRICT.

OAH CASE NUMBER 2025120805

ORDER GRANTING MOTION TO AMEND COMPLAINT

MARCH 26, 2026

On December 18, 2025, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Ontario-Montclair School District. The Office of Administrative Hearings is referred to as OAH. On February 8, 2026, Student's attorney withdrew. On March 17, 2026, self-represented Parents on behalf of Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint, including a signed proof of service. Ontario-Montclair filed a statement of non-opposition on March 18, 2026, conditioned on Student clarifying the time period for Student's third claim and providing Ontario-Montclair a signed copy of the proof of service.

On March 20, 2026, Student filed a Supplement to Motion to Amend: Clarification of Timeframe for Problem or Complaint Number 3. In addition to stating the period at

issue is "November 13, through May 2025," Student provided additional factual allegations regarding events in October and November 2024, and the summary allegation that Student was deprived of all educational benefits from November 13, 2024, through May 2025 due to Ontario-Montclair's total cessation of services and failure to issue a mandatory prior written notice. Student also included the original signed proof of service regarding the Motion to Amend.

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).)

An amended complaint must contain a statement of all claims a party intends to pursue, and cannot incorporate prior allegations by reference or be supplemented with additional documents. Also, a responding party cannot condition their consent to amendment on modifications of the proposed amended complaint or other terms.

Student's March 17, 2026 motion to amend with proposed amended complaint was filed more than five days prior to the due process hearing. Therefore, it is timely and is granted. The amended complaint shall be deemed filed on the date of this order. The amended complaint does not include the timeframe clarification or additional factual allegations or summary of the claim contained in Student's March 20, 2026 Supplement to Motion. While this information may inform the parties' efforts to resolve Student's complaint and can be used to clarify the issues for hearing during the prehearing conference, these details would only form a basis of Student's case if Student files a second motion to amend and a proposed second amended complaint

that includes all facts and claims on which Student intends to proceed. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Kara Hatfield

Kara Hatfield
Administrative Law Judge
Office of Administrative Hearings