BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of: PARENT ON BEHALF OF STUDENT, v. PLEASANTON UNIFIED SCHOOL DISTRICT.	OAH Case No. 2019010059 ORDER DENYING STUDENT'S MOTION TO COMPEL ANSWER TO REQUEST FOR DUE PROCESS AS MOOT

On January 3, 2019, Student filed a request for due process hearing naming Pleasanton Unified School District as respondent. On March 18, 2019, Student's amended complaint was filed. On April 29, 2019, Student filed a motion to compel Pleasanton to file a response to the amended complaint. Later in the day, on April 29, 2019, Pleasanton filed an opposition to the request, attaching a copy of a response to the amended that had been sent to Student's counsel on April 29, 2019 and asserting Parents had received other prior written notices pertaining to the claims in the complaint. No evidence of the other prior written notices was attached to Pleasanton's opposition.

State and federal law require that an answer be provided to a request for due process within 10 days of the date the request for due process is received by the respondent if the local educational agency has not sent a prior written notice to the Parents regarding the subject matter contained in the Parents' due process complaint notice. (20 U.S.C. § 1415 (c)(2)(B)(i)(I); Ed. Code § 56502(d)(2).) Here, Pleasanton has demonstrated that a response to the complaint has been provided. Student's motion to compel the response is, therefore, DENIED as moot.

IT IS SO ORDERED.

DATE: April 30, 2019

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Penelope S. Pahl
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PENELOPE S. PAHL
Administrative Law Judge
Office of Administrative Hearings