BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

LOS GATOS-SARATOGA UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2022020732

NOTICE OF NO ACTION AS TO STUDENT'S MOTION TO AMEND COMPLAINT

MARCH 29, 2022

On February 23, 2022, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Los Gatos-Saratoga Union High School District. The Office of Administrative Hearings is referred to as OAH. On March 23, 2022, Student filed a Motion to Amend the Proposed Resolution of Problem 1 in the Due Process Hearing Request. No opposition was received from Los Gatos-Saratoga Union High School District.

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).)

Student does not seek to amend any of the issues in the Complaint, just the Proposed Resolution for Problem 1. Because the Individuals with Disability Education Act only requires a filing party to include proposed resolutions to the extent known and available to the party when the complaint is filed, no amendment is required to solely change the requested proposed resolutions. (20 U.S.C. § 1415(b)(7)(A)(ii)(III) & (IV).) Therefore, OAH takes no action as to the motion to amend, and the revised proposed resolutions can be discussed at the Prehearing Conference. All dates shall remain on calendar.

IT IS SO ORDERED.

Peter Paul Castillo

Peter Paul Castillo
Presiding Administrative Law Judge
Office of Administrative Hearings