BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

VENTURA UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2022040407

ORDER DENYING MOTION TO COMPEL RESPONSE TO INITIAL COMPLAINT AS MOOT

MAY 18, 2022

On April 13, 2022, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Ventura Unified School District. The Office of Administrative Hearings is referred to as OAH. On May 2, 2022 Student filed a motion to amend. On May 5, 2022, Student filed a motion to compel Ventura to file a response to Student's initial complaint. On May 9, 2022, Ventura filed a response to Student's initial complaint. On May 9, 2022, OAH granted Student's motion to amend. This matter is scheduled for hearing beginning June 28, 2022.

The Individuals with Disabilities Education Act requires a local educational agency to send parents a response to a due process complaint, within 10 days of receiving the

complaint, if the agency has not previously sent a prior written notice to the parent regarding the subject matter contained in the parent's complaint. (20 U.S.C. §1415(c)(2)(B)(i)(I); Ed. Code §56502, subd. (d)(2)(B).) The response shall specifically address the issues raised in the complaint. (20 U.S.C. § 1415(c)(2)(D); 34 C.F.R. § 300.508(f).)

On May 9, 2022, Ventura sent to Student's Counsel and filed with OAH a response to Student's initial complaint. Additionally, OAH has since granted Student's request to file an amended complaint which supersedes the initial complaint. For these reasons, Student's motion to compel a response to Student's initial complaint is denied as moot.

IT IS SO ORDERED.

Theresa Ravandi

Theresa Ravandi
Administrative Law Judge
Office of Administrative Hearings