

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT AND
GUADALUPE UNION SCHOOL DISTRICT.

OAH CASE NUMBER 2021110069

ORDER GRANTING MOTION TO AMEND DUE PROCESS
HEARING REQUEST AND ORDER FOLLOWING
PREHEARING CONFERENCE FOR HEARING BY
VIDEOCONFERENCE

FEBRUARY 1, 2022

On January 31, 2022, Administrative Law Judge Cynthia Fritz, Office of Administrative Hearings, held a prehearing conference by videoconference. The prehearing conference is called a PHC. The Office of Administrative Hearings is called OAH.

Attorney Daniel Shaw appeared on behalf of Student. Attorney Karina Demirchyan appeared on behalf of Guadalupe Union School District. Attorneys Jennifer Choi and Matthew Juhl-Darlington appeared on behalf of Santa Maria Joint Union High School District. The PHC was recorded.

Based upon discussion with the parties, the ALJ issues the following order:

STUDENT'S MOTION TO AMEND STUDENT'S DUE PROCESS HEARING REQUEST IS GRANTED

On January 26, 2022, Student filed a motion for leave to amend the due process hearing request and a first amended due process hearing request. At the PHC, the parties were given an opportunity to argue the motion. Santa Maria Joint Union High School District did not oppose the motion. Guadalupe Union School District did not take any position on the motion.

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).)

The undersigned reviewed Student's request and considered all relevant facts and circumstances. The motion to amend was filed more than five days before the due process hearing. Therefore, it is timely and is granted. The amended complaint shall be deemed filed on the date of this order. 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.

A handwritten signature in cursive script that reads "Cynthia Fritz".

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings