

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
WEST COVINA UNIFIED SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2024030655

ORDER FOLLOWING PREHEARING CONFERENCE FOR
HEARING BY VIDEOCONFERENCE GRANTING MOTION TO
AMEND

APRIL 12, 2024

On April 12, 2024, Administrative Law Judge Theesa Ravandi, Office of Administrative Hearings, held a prehearing conference by videoconference. The Administrative Law Judge is called an ALJ. The Office of Administrative Hearings is called OAH. The prehearing conference is called a PHC.

Attorneys Alefia Mithaiwala and Shiksha Patel appeared on behalf of West Covina Unified School District. Parent appeared on behalf of Student. A qualified Mandarin interpreter provided interpretation service for Parent. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

MOTION TO AMEND

On April 8, 2024, West Covina filed a motion to amend the due process hearing request and a proposed amended complaint. West Covina provided Parent a translated copy on April 11, 2024. Parent did not oppose 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).)

West Covina seeks to add one issue regarding the appropriateness of its December 2023 psychoeducational evaluation of Student. The motion to amend was filed more than five days prior to the due process hearing and is not opposed. West Covina's motion 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 new scheduling order with the new dates.

IT IS SO ORDERED.

Theresa Ravandi

Theresa Ravandi

Administrative Law Judge

Office of Administrative Hearings