

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

IN THE MATTER OF:  
PARENTS ON BEHALF OF STUDENT,

v.

TRINITY ALPS UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2024020879

ORDER GRANTING MOTION TO AMEND COMPLAINT

JUNE 3, 2024

On February 26, 2024, Student filed a Due Process Hearing Request, referred to as a complaint, with the Office of Administrative Hearings, naming Trinity Alps Unified School District, referred to as Trinity Alps. The Office of Administrative Hearings is referred to as OAH. Student alleged Trinity Alps failed in the 2022-2023 school year to implement Student's assistive technology services, offer Student specified goals and services necessary to provide Student a free appropriate public education, called a FAPE, and failed to offer aide support for the extended school year, and failed in the 2023-2024 school year to implement Student's assistive technology services or his accommodations, offer Student specified goals and services necessary to provide Student a FAPE, document and address behavior concerns, and offer aide support for the extended school year.

On May 30, 2024, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint. The proposed amended complaint added claims that in the 2023-2024 school year, Trinity Alps failed to implement Student's goals, aide support, behavior plan, or independent life skills, failed to provide Student progress reports, and failed to offer Student inclusion services, adequate counseling or occupational therapy services, or an appropriate health plan.

On May 31, 2024, Trinity Alps filed a Notice of Non-Opposition to Student's Motion to Amend.

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's motion to amend was filed more than five days prior to the due process hearing, and OAH has received written consent to the amendment. Student'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 scheduling order with the new dates.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Robert G. Martin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert G. Martin

Administrative Law Judge

Office of Administrative Hearings