

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

SIERRA UNIFIED SCHOOL DISTRICT.
OAH CASE NUMBER 2024070542

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

OCTOBER 21, 2024

On October 21, 2024, Administrative Law Judge Theresa 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.

Attorney Christian Knox appeared on behalf of Parents and Student. Attorney Tilman Heyer appeared on behalf of Sierra Unified School District. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

STUDENT'S MOTION TO AMEND

On October 16, 2024, Student filed a motion to amend the due process hearing request and a proposed amended complaint. During the PHC, both parties were heard regarding the motion to amend. Sierra 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).)

Student seeks to amend the complaint to include additional claims regarding implementation of his individualized education program, called an IEP, and Sierra's offer of a new IEP. The motion to amend was filed more than five days prior to the due process hearing and is not opposed. Student's motion is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All pending dates are vacated, and 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