

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

DEL MAR UNION SCHOOL DISTRICT,

OAH CASE NUMBER 2026041047

OAH CASE NUMBER 2026050158

ORDER GRANTING MOTION TO AMEND COMPLAINT

AUGUST 24, 2026

On April 20, 2026, Student filed a due process hearing request, referred to as a complaint, with the Office of Administrative Hearings, naming Del Mar Union School District. The Office of Administrative Hearings is called OAH. On May 1, 2026, Del Mar Union filed a complaint naming Student. On May 18, 2026, OAH consolidated Del Mar Union's case with Student's case. On May 26, 2026, OAH granted the parties' request to continue the matter. The hearing is scheduled to begin on September 9, 2026.

On August 10, 2026, Student filed a motion to amend their complaint. Student contends that Del Mar Union does not oppose the request, however, Del Mar Union did not respond to Student's 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 motion to amend was filed more than five days prior to the due process hearing and adds an additional issue for 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.

Linda Dowd

Linda Dowd

Administrative Law Judge

Office of Administrative Hearings