

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

IN THE MATTER OF:  
SANTA ANA UNIFIED SCHOOL DISTRICT,

v.

PARENTS ON BEHALF OF STUDENT.

OAH CASE NUMBER 2026070146

ORDER FOLLOWING PREHEARING CONFERENCE  
GRANTING MOTION TO AMEND COMPLAINT; ORDER  
GRANTING REQUEST FOR VIDEOCONFERENCE  
MEDIATION AND CONTINUANCE OF DUE PROCESS  
HEARING

AUGUST 3, 2026

On August 3, 2026, Administrative Law Judge Rommel P. Cruz, 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 Andrea Moos appeared on behalf of Santa Ana Unified School District. Parent appeared on behalf of Student. Non-attorney advocate Jose Hernandez-Casillas attended the PHC to support Parent. A Spanish language interpreter assisted Parent. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

## MOTION TO AMEND COMPLAINT

On July 15, 2026, Santa Ana Unified filed a motion to amend the complaint and an amended complaint. On July 28, 2026, OAH provided Parents a copy of the motion and the amended complaint translated into the Spanish language.

At the PHC, Student agreed with the motion to amend. The hearing is scheduled to begin on August 11, 2026.

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).)

Santa Ana Unified seeks to amend the complaint to add an issue regarding the appropriateness of its psychoeducational assessment contained in the November 6, 2025 multidisciplinary assessment report. The motion to amend was filed more than five days prior to the due process hearing, and permission to grant an amendment of the complaint is timely. Therefore, the motion to amend the complaint is granted.

The amended complaint shall be deemed filed on the date of this Order. Typically, all applicable timelines are reset when a Motion to Amend is granted and a new scheduling order is issued. In this matter, the applicable timelines are reset; however, as discussed below, a continuance is granted. Therefore, a new scheduling order will not be issued.

## REQUEST FOR MEDIATION AND CONTINUANCE

At the PHC, the parties jointly requested to continue the due process hearing to allow the parties to participate in mediation.

A due process hearing must be conducted, and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. OAH considers all relevant facts and circumstances in determining whether good cause exists to grant an extension. (See Cal. Rules of Court, rule 3.1332(d).)

The parties established good cause to continue the hearing on the amended complaint, to allow the parties to participate in mediation. All dates are vacated. The parties and the ALJ discussed dates, and the matter shall proceed as follows:

Mediation will be held on August 17, 2026, 9:00 AM to 4:30 PM. Mediation will occur via telephone or video.

PHC will occur on September 25, 2026, at 1:00 PM.

Due Process Hearing shall occur October 6, 7, and 8, 2026.

The hearing shall begin at 9:30 AM on all days unless otherwise ordered. The hearing shall continue day to day, as needed at the discretion of the ALJ.

The parties filed PHC statements and need not file additional statements unless warranted. Prehearing motions are due to OAH no later than three business days before the PHC or with a showing of good cause why it was not possible to file the motion by that date.

### ORDER INCLUDES ALL RULINGS

This Order includes all rulings made at the PHC. Any discussion and conversation not referenced in this Order is not binding on the ALJ conducting the hearing and may not be relied upon by the parties. The parties should be aware that, at hearing, the ALJ conducting the hearing has discretion to reconsider any part of this Order.

IT IS SO ORDERED.

*Rommel P. Cruz*

Rommel P. Cruz

Administrative Law Judge

Office of Administrative Hearings