

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENTS ON BEHALF OF STUDENT,

v.

GROSSMONT UNION HIGH SCHOOL DISTRICT.

OAH CASE NUMBER 2026060151

ORDER DENYING MOTION TO AMEND COMPLAINT AND
ADVISING COUNSEL ON INAPPROPRIATE AI USE

AUGUST 27, 2026

On May 31, 2026, Student filed with the Office of Administrative Hearings, called OAH, a Request for Due Process Hearing naming Grossmont Union High School District, called Grossmont. The due process hearing is set to begin on September 1, 2026.

On August 21, 2026, Student filed a motion to amend its complaint and an amended complaint. On August 25, 2026, Grossmont filed opposition to Student's motion, and Student filed a reply.

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 before the due process hearing.

Here, Student's case involves eleven issues related to the 2024-2025 and 2025-2026 school years. Student requests to amend the complaint to add two additional issues, named issues number 10 and 11.

Student contends granting the motion to amend the complaint will promote judicial economy because all matters between the parties will be adjudicated together, good cause exists, new information exists, and there is no prejudice to Grossmont. Grossmont argues that the motion is untimely, delays the hearing, does not promote judicial economy by adding an issue involving an additional school year, the new information involves the 2026-2027 school year, and denying the motion will not prejudice Student.

Here, Student's amended issue 10 involves allegations during the 2025-2026 school year. However, Student argued that due to a Parent observation of Student's classroom on August 20, 2026, during the 2026-2027 school year, it supports adding an additional issue during the 2025-2026 school year. The argument fails, as it is illogical to support an issue from a previous school year using information from the following school year given the snapshot rule utilized in OAH cases. (*Adams v. State of Oregon* (9th Cir. 1999) 195 F.3d 1141, 1149.) An IEP "is a snapshot, not a retrospective"; it must be assessed in terms of what was objectively reasonable when the IEP was developed. (*Ibid*) [quoting *Fuhrmann v. East Hanover Bd. of Educ.* (3rd Cir. 1993) 993 F.2d 1031,

1036; (*Mansmann, C.J.*, concurring)); see also *L.J. v. Pittsburg Unified Sch. Dist.* (9th Cir. 2017) 850 F.3d 996, 1004 ["the 'snapshot' rule . . . instructs the court to judge the appropriateness of the determination on the basis of the information reasonably available to the parties at the time of the IEP meeting."]; *J.G. v. Douglas County Sch. Dist.* (9th Cir. 2008) 552 F.3d 786, 801.)

Student's issue 11 alleges a new violation during the 2026-27 school year. Student's issue 11 post-dates the initial complaint by almost three months. It has no direct relation to the existing issues. Additionally, different witnesses and evidence would be required, and judicial economy would not be promoted by amending the complaint to include an additional school year.

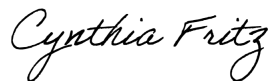
It is unreasonable to delay the adjudication of the issues in the existing case by allowing Student to amend the complaint under these circumstances. Student's motion to amend the complaint is denied. Nothing prevents Student from filing another complaint regarding these issues. Thus, there is no prejudice to Student.

Further, portion of Student's motion and attachments appear to be generated using artificial intelligence, called AI. On page three of the motion, it states, "You may want to attach the actual email as Exhibit B and cite it in your motion," which appears to be a generative AI suggestion on how to structure the motion. Page four of the motion appears to include two AI generated options for statements to include in the motion. The motion further contains requests for relief not supported by special education law such as, "Permit additional discovery relating to the new allegations," and timelines that are not available in special education due process hearings in California.

OAH has advised in its documents to prepare for hearing that, while the use of AI tools are not prohibited, "failure to exercise adequate care in reviewing and filing documents created with the assistance of generative AI tools may expose the party or attorney to sanctions. (Cal. Code. Regs., tit. 5, § 3088, subds. (a) & (e); Gov. Code, § 11455.30, subd. (a), and Code Civ. Proc., § 128.5. Student is advised that any further use of AI without exercising due care in reviewing and filing the document in this matter or any other OAH matter may expose him or the party to sanctions.

Accordingly, the motion to amend is denied. All dates shall remain on calendar.

IT IS SO ORDERED

A handwritten signature in cursive script that reads "Cynthia Fritz".

Cynthia Fritz

Administrative Law Judge

Office of Administrative Hearings