

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:
PARENTS ON BEHALF OF STUDENT,

v.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT.

OAH CASE NUMBER 2026050596

ORDER GRANTING MOTION TO AMEND COMPLAINT

SEPTEMBER 17, 2026

On May 14, 2026, Parents on behalf of Student filed a due process hearing request, referred to as a complaint, with the Office of Administrative Hearings, naming Chula Vista Elementary School District. The Office of Administrative Hearings is referred to as OAH.

On September 14, 2026, Student filed a motion to amend the complaint and an amended complaint. Chula Vista Elementary filed a non-opposition to the motion on September 16, 2026. The hearing is scheduled to begin on September 29, 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).)

Student seeks to amend his complaint to raise additional claims involving the appropriateness of goals, a psychoeducational assessment, and Chula Vista Elementary's alleged failure to convene an IEP team meeting to address Student's lack of progress. The motion to amend was filed more than five days prior to the due process hearing and permission to grant an amendment to the complaint is timely. Therefore, the motion 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.

Rommel P. Cruz

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Administrative Law Judge

Office of Administrative Hearings