

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

IN THE CONSOLIDATED MATTERS INVOLVING:

PARENT ON BEHALF OF STUDENT,

and

NEWPORT-MESA UNIFIED SCHOOL DISTRICT,

OAH CASE NUMBER 2026060278

OAH CASE NUMBER 2026061150

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

SEPTEMBER 29, 2026

On September 28, 2026, Administrative Law Judge Deborah Myers-Cregar, 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 Madeline Knutson appeared on behalf of Student. Attorney Lindsay Steinmetz appeared on behalf of Newport-Mesa Unified School District, called Newport-Mesa. The PHC was recorded. Based upon discussion with the parties, the ALJ issues the following order:

## MOTIONS

On June 4, 2026, Student filed a Due Process Hearing Request, referred to as a complaint, with OAH, naming Newport-Mesa. On June 26, 2026, OAH ordered consolidation with Newport Mesa's case, which was filed on June 23, 2026.

On September 9, 2026, Student filed a Motion to Amend the Due Process Hearing Request and an amended complaint.

Student's complaint alleges free appropriate public education, called FAPE, violations at Student's June 4, 2024, April 1, 2025, June 3, 2025, May 13, 2026, and June 2, 2026, individualized education program, called IEP, team meetings.

Student's amended complaint seeks to include alleged violations of FAPE at Student's August 21, 2026, IEP team meeting.

Newport Mesa filed a Non-Opposition to Student's Motion to Amend.

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 due process hearing in the consolidated cases is set to begin on October 6, 2026. The motion to amend was filed more than five days prior to the due process hearing, and Newport-Mesa does not oppose the amendment. Therefore, it is timely and is granted.

## ORDER

1. Student's motion to amend the complaint is granted. The amended complaint shall be deemed filed on the date of this order.
2. All applicable timelines shall be reset as of the date of this order.
3. OAH will issue a scheduling order with the new dates.

## ORDER INCLUDES ALL RULINGS

This Order includes all rulings made at the prehearing conference. 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.

*Deborah Myers Cregar*

Deborah Myers-Cregar

Administrative Law Judge

Office of Administrative Hearings