BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

IN THE MATTER OF:

PARENT ON BEHALF OF STUDENT,

v.

POWAY UNIFIED SCHOOL DISTRICT.

OAH CASE NUMBER 2020080526

ORDER DENYING MOTION FOR STAY PUT AS MOOT

AUGUST 25, 2020

On August 19, 2020, Student filed with the Office of Administrative Hearings, referred to as OAH, a request for stay put as part of the allegations and requests contained within Student's due process hearing request. The request is deemed a motion for stay put. On August 24, 2020, Poway Unified School District filed an opposition to Student's motion for stay put, and concurrently filed a Notice of Insufficiency.

On August 25, 2020, OAH issued an order granting the Notice of Insufficiency and permitted Student to amend the complaint within fourteen days, and if Student did not do so, OAH would dismiss the complaint.

Therefore, Student's request for stay put is moot because there is no action pending before OAH. If Student files an amended complaint in compliance with the Order granting the Notice of Sufficiency, and seeks an order granting stay put, Student must file a separate motion for stay put supported by authenticated evidence. A motion for stay put shall not be embedded within Student's amended due process complaint.

IT IS SO ORDERED.

DocuSigned by:
Adrienne L. Krikorian
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Adrienne L. Krikorian

Administrative Law Judge

Office of Administrative Hearings