

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

FOLSOM CORDOVA UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2010100403

ORDER GRANTING STUDENT'S  
REQUEST TO AMEND COMPLAINT

On October 07, 2010, Student filed a Due Process Hearing Request (complaint), naming Folsom Cordova Unified School District (District) as respondent. On October 18, 2010, Student filed a Request to Amend the Due Process Hearing Request (amended complaint). On October 20, 2010, District filed a statement of non-opposition.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i)(II).)<sup>1</sup> The filing of an amended complaint restarts the applicable timelines for the due process hearing. (§1415(f)(1)(B).)

The motion to amend is timely and 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.

Dated: October 25, 2010

/s/

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CARLA L. GARRETT  
Administrative Law Judge  
Office of Administrative Hearings

<sup>1</sup> All statutory citations are to Title 20 United States Code unless otherwise indicated.

