

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

CHINO VALLEY UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2010110507

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On November 12, 2010, Student filed a Due Process Hearing Request (complaint), naming Chino Valley Unified School District (District). On December 20, 2010, Student filed a Stipulation to Amend the Due Process Hearing Request and First Amended Due Process Hearing Request (amended complaint) signed by the parties.

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: December 28, 2010

/s/

DEBORAH MYERS-CREGAR  
Administrative Law Judge  
Office of Administrative Hearings

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