

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

TORRANCE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011040128

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On April 1, 2011, Student filed a Due Process Hearing Request (complaint) naming the Torrance Unified School District (District).

On August 12, 2011, Student filed an Amended Complaint. The Office of Administrative Hearings (OAH) deems the filing of the Amended Complaint a Motion to Amend the Due Process Hearing Request (Motion). OAH did not receive a response from District.

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).) 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 this matter is scheduled to begin on October 3, 2011. Therefore, Student's amended complaint is filed timely and the Motion is granted. The Amended Complaint shall be deemed filed on the date of this order, and the 45-day time line to issue a decision in this matter shall be reset as of the date of this order.

ORDER

1. Student's Motion to Amend is granted.
2. The Amended Complaint is deemed filed on the date of this order.
3. All applicable timelines are reset as of the date of this order.

4. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: August 19, 2011

/s/

ADENIYI AYOADE
Administrative Law Judge
Office of Administrative Hearings