

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Consolidated Matters of:

PARENT ON BEHALF OF STUDENT,

OAH CASE NO. 2011060001

v.

SOUTH PASADENA UNIFIED SCHOOL
DISTRICT,

SOUTH PASADENA UNIFIED SCHOOL
DISTRICT,

OAH CASE NO. 2011050857

v.

PARENT ON BEHALF OF STUDENT.

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On May 19, 2011, South Pasadena Unified School District (District) filed a Request for Due Process Hearing in OAH case number 2011050857 (District's complaint), naming Parent on behalf of Student (Student) as the respondent. On May 27, 2011, Student filed a Request for Due Process Hearing in OAH case number 2011060001 (Student's complaint), naming District. On June 9, 2011, the cases were consolidated. The dates that had been set for District's complaint were vacated, and the consolidated cases were continued to the dates scheduled for Student's complaint.

On June 6, 2011, Student filed an amended complaint, which is treated as a Motion to Amend. No opposition was received 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 motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this Order. All applicable timelines for the consolidated cases shall be reset as of the date of this Order. OAH will issue a scheduling order with the new dates for the consolidated cases.

IT IS SO ORDERED.

Dated: June 13, 2011

/s/

JUNE R LEHRMAN
Administrative Law Judge
Office of Administrative Hearings