

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN DIEGO UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2011060622

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On June 14, 2011, Parent, on behalf of Student (Student), filed a Due Process Hearing Request (complaint), naming San Diego Unified School District (District). On June 20, 2011, Student moved to file a First Amended Request for Due Process (amended complaint). District did not file an 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).) 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 filed and is granted. Student filed the amended complaint within six days of the complaint, and well in advance of the scheduled due process hearing. 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: June 29, 2011

/s/

EILEEN M. COHN
Administrative Law Judge
Office of Administrative Hearings

