

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

REACH CHARTER SCHOOL AND
SEBASTOPOL UNION SCHOOL
DISTRICT.

OAH CASE NO. 2011090703

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On September 20, 2011, Maureen Graves, Attorney for Student filed a Due Process Hearing Request (complaint), naming Reach Charter School (Charter) and the Sebastopol Union School District (District). On September 26, 2011, Student filed an amended complaint, considered here as a Motion to Amend the Due Process Hearing Request (amended complaint). No opposition was received from either Charter or 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 October 3, 2011. All applicable timelines shall be reset as of the date of this order. The Office of Administrative Hearings will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: October 3, 2011

/s/

MICHAEL G. BARTH
Administrative Law Judge
Office of Administrative Hearings