

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

VICTOR VALLEY UNION HIGH
SCHOOL DISTRICT.

OAH CASE NO. 2012020751

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On February 17, 2012, Student filed a Due Process Hearing Request (complaint), naming Victor Valley Union High School District (District) as Respondent. On March 28, 2012, OAH issued an order granting the request for a continuance of this matter to June 6, 2012 at 1:30 p.m. for a prehearing conference and June 18 -21, 2012 for a due process hearing. On May 16, 2012, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). On May 17, 2012, District filed a statement of non-opposition to the motion.

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).)¹ 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 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: May 30, 2012

/s/

STELLA OWENS-MURRELL
Administrative Law Judge
Office of Administrative Hearings

¹ All statutory citations are to Title 20 United States Code unless otherwise indicated.

