

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Consolidated Matters of:  PARENTS ON BEHALF OF STUDENT,  v.  LAKESIDE UNION SCHOOL DISTRICT,	OAH CASE NO. 2012071004
LAKESIDE UNION SCHOOL DISTRICT,  v.  PARENTS ON BEHALF OF STUDENT.	OAH CASE NO. 2012050216  ORDER GRANTING MOTION TO AMEND COMPLAINT

On September 5, 2012, the parties stipulated in writing to permit the Lakeside Union School District (District) to file an amended due process hearing request (complaint). On September 7, 2012, the District submitted its proposed First Amended Request for Due Process Hearing to the Office of Administrative Hearings (OAH).

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 parties have stipulated to permit the amended complaint, so the amendment is proper at this time.

The District's motion for leave to amend is granted. The District's due process complaint will be deemed filed as of 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: September 10, 2012

/s/

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SUSAN RUFF  
Administrative Law Judge  
Office of Administrative Hearings