

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

PASO ROBLES JOINT UNIFIED
SCHOOL DISTRICT.

OAH CASE NO. 2012090342

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On September 12, 2012, Parent filed on behalf of Student a Due Process Hearing Request (complaint), naming the Paso Robles Joint Unified School District (District). On January 22, 2013, Student filed a Motion to Amend the complaint, together with a proposed amended complaint. No opposition was received from the 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 dates now calendared are vacated, and the applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates. The parties' pending joint request to continue the prehearing conference is denied as moot.

IT IS SO ORDERED.

Dated: February 1, 2013

/s/

CHARLES MARSON
Administrative Law Judge
Office of Administrative Hearings